

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

THEODORE STEVENS,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK,

Respondent,

and

THE STATE OF NEVADA,
Real Party in Interest.

No. 76953-COA

FILED

JAN 17 2010

ELIZABETH H. STOWEN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK


ORDER DENYING PETITION

This original petition for a writ of mandamus appears to challenge the denial of a motion to suppress a confession Theodore Stevens gave to police. Stevens alleges the confession and waiver of his *Miranda*¹ rights were not voluntarily given and, therefore, his conviction and sentence should be set aside.

Because Stevens had a plain, speedy, and adequate remedy at law for challenging his judgment of conviction and the denial of a motion to suppress evidence, we conclude this court's intervention by way of an extraordinary writ is not warranted. See NRS 34.170. Accordingly, without deciding the merit of the claim raised, we

ORDER the petition DENIED.


_____, A.C.J.
Douglas


_____, J.
Tao


_____, J.
Gibbons

¹*Miranda v. Arizona*, 384 U.S. 436 (1966).

cc: Theodore Stevens
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk