

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

TRAVIS SHEFFIELD,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
DOUGLAS W. HERNDON, DISTRICT
JUDGE,
Respondents,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 72070

FILED

FEB 23 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER DENYING PETITION

This original petition for a writ of mandamus challenges a purported order from the district court denying a pretrial motion to dismiss appointed counsel and appoint new counsel. Petitioner asserts his trial is scheduled for April 24, 2017, and he is being denied his right to effective counsel because his counsel fails to: communicate with him or discuss at length plausible options for a defense strategy; seek and obtain evidence to help prepare the declarants for trial; take investigative measures or use all available resources to obtain relevant material important to the case; file pre-trial motions; and investigate evidence that may mitigate or reduce his sentence.

Because petitioner can challenge the district court's denial of his motion to dismiss counsel on appeal in the event he is convicted, NRS 177.015(3); NRS 177.045, he has a plain, speedy, and adequate remedy at law and, therefore, this court's intervention by way of an extraordinary

writ is not warranted, NRS 34.170. Petitioner has not pointed to any circumstances revealing urgency or strong necessity for this court to intervene even though there is an alternative remedy available. Cf. *Salaiscooper v. Eighth Judicial Dist. Court*, 117 Nev. 892, 901-02, 34 P.3d 509, 515-16 (2001) (concluding that review through writ petition was warranted even though there was an alternative remedy where there were 56 similar cases with the same issues pending in lower courts and petition presented issue of great statewide importance). Therefore, without deciding upon the merits of any claims raised therein, we decline to exercise original jurisdiction in this matter, see NRS 34.160; NRS 34.170; *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228-29, 88 P.3d 840, 844 (2004), and we

ORDER the petition DENIED.



Silver

C.J.



Tao

J.



Gibbons

J.

cc: Hon. Douglas W. Herndon, District Judge
Travis Sheffield
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk