

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JOHN H. ROSKY,
Petitioner,

vs.

THE SECOND JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
WASHOE,

Respondent,

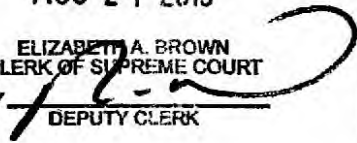
and

THE STATE OF NEVADA; AND AARON
D. FORD, ATTORNEY GENERAL,
Real Parties in Interest.

No. 79255-COA

FILED

AUG 21 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER DENYING PETITION

In this original petition for a writ of mandamus, John H. Rosky challenges the sufficiency of the grand jury indictment in his case, the instructions given to the jury, and the sentence imposed by the district court. Based on his allegations of error, Rosky asks this court to compel the district to resentence him.

A writ of mandamus will not issue if a petitioner has a plain, speedy, and adequate remedy in the ordinary course of law. NRS 34.170. Rosky's claims are challenges to the judgment of conviction that could have been raised on direct appeal or in a postconviction petition for a writ of habeas corpus. Because Rosky had an adequate remedy at law for raising

his claims, we conclude this court's intervention by way of extraordinary writ is not warranted, and we

ORDER the petition DENIED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: John H. Rosky
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk