

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

RENARD TRUMAN POLK,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 69136

FILED

MAY 17 2016

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from an order of the district court denying a petition for a writ of mandamus or prohibition.¹ Eighth Judicial District Court, Clark County; Douglas W. Herndon, Judge.

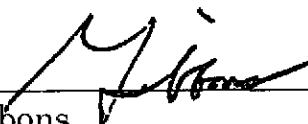
In his September 17, 2015, petition, appellant Renard Truman Polk claimed the district court made errors during his prior postconviction proceedings, the staff at Ely State Prison has hindered his ability to research the law and to access the courts, he is owed money by a prior attorney, the postconviction provisions contained in NRS chapter 34 are unconstitutional, and the sheriffs' offices' employees in Carson City and Clark County have improperly refused to complete service of process upon various government agencies and employees. Due to these alleged violations, Polk sought an order from the district court directing the State Controller to pay him \$27,000, directing the completion of services of process for an unspecified matter, and directing his release from prison.

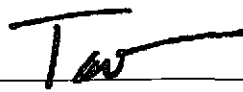
¹This appeal has been submitted for decision without oral argument and we conclude the record is sufficient for our review and briefing is unwarranted. NRAP 34(f)(3), (g).


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"A district court's decision to grant or deny a writ petition is reviewed by this court under an abuse of discretion standard." *DR Partners v. Bd. of County Comm'rs*, 116 Nev. 616, 621, 6 P.3d 465, 468 (2000). A writ of mandamus or prohibition will not issue if the petitioner has a plain, speedy and adequate remedy at law. See NRS 34.170 (mandamus); NRS 34.330 (prohibition); see also *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991). Polk did demonstrate he did not have an adequate remedy at law with which to address these issues. Accordingly, Polk fails to demonstrate he was entitled to relief through mandamus or prohibition. Therefore, the district court did not abuse its discretion in denying the petition, and we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Silver

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