

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

KIM BLANDINO, AND SIMILARLY
SITUATED PERSON (NEIGHBORS)
AND THE BROAD PUBLIC INTEREST,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND ALL OF THE DISTRICT
COURT JUDGES OF THAT DISTRICT,
Respondents.

No. 81327-COA

FILED

JUN 30 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

*ORDER DENYING PETITION
FOR EXTRAORDINARY WRIT RELIEF*

This is an emergency, original pro se petition for a writ of mandamus and/or prohibition and/or certiorari raising numerous issues and complaints concerning the criminal proceedings below and custody pending a competency evaluation.¹

Writ relief is not available if the petitioner has a plain, speedy, and adequate remedy at law. See NRS 34.020; NRS 34.170; NRS 34.330; *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 224, 88 P.3d 840, 841 (2004). Further, writ relief is an extraordinary remedy, and it is within the discretion of this court to determine if a petition will be considered. See *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 677, 679, 818 P.2d 851, 853.

¹Petitioner additionally filed a motion to exceed page limits on the petition and on the motion for stay of district court proceedings. We grant the motion in this instance but caution petitioner that such motions will not be granted in the future absent a showing of diligence and good cause. See NRAP 27(d)(2); NRAP 21(d); NRAP 32(a)(7)(D).

Petitioner bears the burden of demonstrating that extraordinary relief is warranted. *See Pan*, 120 Nev. at 228, 88 P.3d at 844.

Having considered petitioner's petition and supporting documents, we conclude that petitioner has failed to demonstrate that our extraordinary intervention is warranted. Petitioner again raises several issues that we declined considering pretrial in *Blandino v. Lombardo*, Docket No. 80541-COA (Order Denying Petitions for Extraordinary Writ Relief, April 16, 2020). Additionally, the petition raises many factual concerns, which we have explained are better handled by the district court in the first instance. *See id.* (citing *Round Hill General Improvement Dist. v. Newman*, 97 Nev. 601, 604, 637 P.2d 534, 536 (1981)). Finally, to the extent petitioner seeks to compel the district court to rule on his May 2020 motion to disqualify, we anticipate that the district court will timely resolve any pending disqualification motions prior to trial. Accordingly, we deny the petition. *See* NRAP 21(b)(1); *Smith*, 107 Nev. at 677, 818 P.2d at 851.²

It is so ORDERED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

²Petitioner has also filed a motion for stay of the district court proceedings pending resolution of this petition. We deny the motion for stay as moot.

cc: Kim Blandino
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk