

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

KIM BLANDINO, AND SIMILARLY
SITUATED PERSON (NEIGHBORS),
Petitioner,

vs.

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

Respondents,

and

THE STATE OF NEVADA,
Real Party in Interest.

No. 81765-COA

FILED

SEP 25 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

*ORDER DENYING PETITION
FOR EXTRAORDINARY WRIT RELIEF*

This is an emergency, original pro se petition for a writ of mandamus, prohibition, certiorari and/or habeas corpus. Petitioner has also filed a motion for stay of district court proceedings.

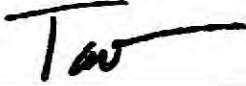
Writ relief is not available if the petitioner has a plain, speedy, and adequate remedy at law. *See* NRS 34.020; NRS 34.170; NRS 34.330; *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 224, 88 P.3d 840, 841 (2004). Further, writ relief is an extraordinary remedy, and it is within the discretion of this court to determine if a petition will be considered. *See Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991). Petitioner bears the burden of demonstrating that extraordinary relief is warranted. *See Pan*, 120 Nev. at 228, 88 P.3d at 844. And,

generally, an appeal is an adequate legal remedy precluding writ relief. *Pan*, 120 Nev. at 224, 88 P.3d at 841.

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 Nos. 80541-COA & 80606-COA (Order Denying Petitions for Extraordinary Writ Relief, April 16, 2020). And we conclude that appellant has an adequate legal remedy in the form of an appeal after trial. Additionally, the petition raises many factual concerns, which we have explained are better handled by the district court in the first instance. See *Round Hill General Improvement Dist. v. Newman*, 97 Nev. 601, 604, 637 P.2d 534, 536 (1981). Accordingly, we deny the petition.

It is so ORDERED.¹


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

¹In light of this order, petitioner's motion to stay the district court proceedings is denied as moot.

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