

IN THE SUPREME COURT OF THE STATE OF NEVADA

KEVIN BROOKS, A/K/A RALPH KEVIN
CLARK,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK,
Respondent,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 82404

FILED

FEB 18 2021

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

*ORDER DENYING PETITION FOR
A WRIT OF HABEAS CORPUS*

In this original pro se petition for a writ of habeas corpus petitioner contends that this court should apply recent amendments to NRS 207.010 and remove his habitual criminal sentencing enhancements. Having considered the petition, we are not persuaded that writ relief is warranted because petitioner has a plain, speedy, and adequate remedy available to him by way of an appeal from the district court's denial of such relief in the first instance. See NRAP 22 ("An application for an original writ of habeas corpus should be made to the appropriate district court. If an application is made to the district court and denied, the proper remedy is by appeal from the district court's order denying the writ."); see also *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 224, 88 P.3d 840, 841 (2004) (writ relief is proper only when there is no plain, speedy, and adequate

remedy at law and the petitioner bears the burden of demonstrating that writ relief is warranted). Accordingly, we

ORDER the petition DENIED.

Hardesty, C.J.
Hardesty

Parraguirre, J.
Parraguirre

Silver, J.
Silver

cc: Kevin Brooks
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk