

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

KEVIN DEVON SUTTON,
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. 82387-COA

FILED

FEB 25 2021

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

ORDER DENYING PETITION

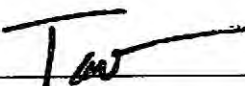
In this original petition for a writ of mandamus, Kevin Devon Sutton seeks an order directing the district court to reverse and vacate its judgment denying Sutton's motion to correct clerical mistake. Sutton's underlying claims challenged the validity of his judgment of conviction. He thus had an adequate and exclusive remedy in the form of a postconviction petition for a writ of habeas corpus.¹ See NRS 34.724(2)(b). Therefore, we conclude this court's intervention by way of extraordinary writ is not warranted to address such challenges. See NRS 34.170; *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) ("Petitioners carry the burden of demonstrating that extraordinary relief is

¹We express no opinion as to whether Sutton can satisfy the procedural requirements of NRS chapter 34.

warranted.”). Accordingly, without deciding upon the merits of any claims raised, we

ORDER the petition DENIED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

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