

IN THE SUPREME COURT OF THE STATE OF NEVADA

STEVEN SAMUEL BRAUNSTEIN,  
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. 83949

**FILED**

**JAN 20 2022**

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


*ORDER DENYING PETITION*

This original pro se petition for a writ of mandamus challenges petitioner's conviction for possession of stolen property on the ground that due to a clerical error, he was convicted of a category D felony although the value of the stolen property supported only a misdemeanor conviction. Having considered the petition, we are not persuaded that our extraordinary intervention is warranted. *See* NRS 34.170; *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 224, 88 P.3d 840, 841 (2004) (noting that writ relief is proper only when there is no plain, speedy, and adequate remedy at law and explaining that petitioner bears the burden of demonstrating that extraordinary relief is warranted).

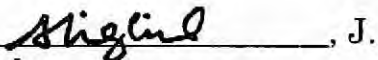
Any application for such relief should be made to, and resolved by, the district court in the first instance so that factual and legal issues are fully developed, giving this court an adequate record to review. *See Round Hill Gen. Imp. Dist. v. Newman*, 97 Nev. 601, 604, 637 P.2d 534, 536 (1981) (recognizing that "an appellate court is not an appropriate forum in which to resolve disputed questions of fact"); *Zobrist v. Sheriff*, 96 Nev. 625, 626,

614 P.2d 538, 539 (1980) (observing that writ petitions raising questions of fact should be considered “by a tribunal equipped to handle that task”); *State v. Cty. of Douglas*, 90 Nev. 272, 276-77, 524 P.2d 1271, 1274 (1974) (noting that “this court prefers that such an application [for writ relief] be addressed to the discretion of the appropriate district court” in the first instance), *abrogated on other grounds by Attorney Gen. v. Gypsum Res.*, 129 Nev. 23, 33-34, 294 P.3d 404, 410-11 (2013). Accordingly, we

ORDER the petition DENIED.

  
Parraguirre, C.J.

  
Hardesty, J.

  
Stiglich, J.

cc: Steven Samuel Braunstein  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk