

IN THE SUPREME COURT OF THE STATE OF NEVADA

DEREK RYAN FOX,  
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. 84815

FILED

JUN 30 2022

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT

BY S. Young  
DEPUTY CLERK

ORDER DENYING PETITION

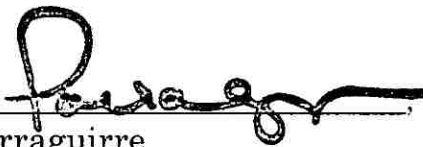
This is an original pro se petition for a writ of mandamus seeking the dismissal of criminal charges.

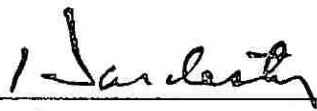
This court has original jurisdiction to issue writs of mandamus and the issuance of such extraordinary relief is within this court's sole discretion. *See Nev. Const. art. 6, § 4; D.R. Horton, Inc. v. Eighth Judicial Dist. Court*, 123 Nev. 468, 474-75, 168 P.3d 731, 736-37 (2007). Petitioner bears the burden to show that extraordinary relief is warranted and such relief is proper only when there is no plain, speedy, and adequate remedy at law. *See Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 224, 228, 88 P.3d 840, 841, 844 (2004).

Having considered the petition and supporting documentation, we are not convinced that our extraordinary and discretionary intervention is warranted because petitioner has not demonstrated that a direct appeal from a judgment of conviction would not be "a plain, speedy and adequate remedy in the ordinary course of law." NRS 34.170; *Pan*, 120 Nev. at 228, 88 P.3d at 844; *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818

P.2d 849, 851 (1991) (recognizing that writ relief is an extraordinary remedy and that this court has sole discretion in determining whether to entertain a writ petition). Additionally, in resolving a previous original petition filed by petitioner, this court instructed him to proceed by and through his counsel of record. *See Fox v. Eighth Judicial Dist. Court*, Docket No. 81202 (Order Denying Petition for a Writ of Mandamus or Prohibition, June 4, 2020). Therefore, we decline to exercise our original jurisdiction in this matter. *See* NRAP 21(b). Accordingly, we

ORDER the petition DENIED.<sup>1</sup>

  
\_\_\_\_\_, C.J.  
Parraguirre

  
\_\_\_\_\_, J.  
Hardesty

  
\_\_\_\_\_, J.  
Stiglich

cc: Derek Ryan Fox  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk

---

<sup>1</sup>Petitioner's motion to exceed word/page limit is granted. NRAP 21(d) & 32(a)(7)(D).