

IN THE SUPREME COURT OF THE STATE OF NEVADA

MARTIN AKERMAN,
Petitioner,
vs.
NEVADA NATIONAL GUARD,
Respondent.

No. 86458

FILED

JUN 02 2023

ORDER DENYING PETITION

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *Elizabeth A. Brown*
DEPUTY CLERK

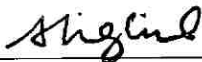
This pro se original petition for a writ asserts purported claims for false imprisonment, among other things, and seeks declaratory and other relief. Having considered the petition, we are not convinced that our extraordinary and discretionary intervention is warranted. See NRS 34.170; NRS 34.330; *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 224, 228, 88 P.3d 840, 841, 844 (2004) (explaining that writ relief is proper only when there is not a plain, speedy, and adequate remedy at law and the petitioner bears the burden to demonstrate that extraordinary relief is warranted).

Even assuming the relief sought here could be properly obtained through a writ petition, any application for such relief should be directed to and resolved by the district court in the first instance so that the factual and legal issues can be fully developed, providing an adequate record to review.¹ See *Round Hill Gen. Improvement Dist. v. Newman*, 97 Nev. 601, 604, 637 P.2d 534, 536 (1981) (recognizing that an appellate court is not the appropriate forum to resolve questions of fact and noting that

¹This includes a postconviction petition for a writ of habeas corpus, to the extent petitioner has styled his petition as such. See NRAP 22 (“An application for an original writ of habeas corpus should be made to the appropriate district court.”).

when there are factual issues presented, appellate courts will not exercise their discretion to entertain a petition for extraordinary relief even if “important public interests are involved”); *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 Att’y Gen. v. Gypsum Res.*, 129 Nev. 23, 33-34, 294 P.3d 404, 410-11 (2013); *see also Walker v. Second Judicial Dist. Court*, 136 Nev. 678, 684, 476 P.3d 1194, 1199 (2020) (noting that this court typically will not entertain petitions for extraordinary relief that implicate factual disputes). Accordingly, we

ORDER the petition DENIED.²


_____, C.J.
Stiglich


_____, J.
Cadish


_____, J.
Herndon

cc: Martin Akerman
Nevada National Guard

²Petitioner’s “motion for an emergency writ of replevin” and “motion to certify the order for interlocutory appeal and rebuttal to allegations of frivolous and me” are denied as moot.