

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRIAN FOWLER,

Petitioner,

vs.


THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE TARA  
D. CLARK NEWBERRY, DISTRICT  
JUDGE,

Respondents.

No. 89315

FILED

OCT 01 2024

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

*ORDER DENYING PETITION*

This is an original petition for a writ of mandamus that would direct the district court to amend a judgment of conviction and sentence petitioner to a term of probation.

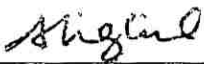
This court has original jurisdiction to issue writs of mandamus, and the issuance of such extraordinary relief is solely within this court's discretion. *See Nev. Const. art. 6, § 4; D.R. Horton, Inc. v. Eighth Jud. Dist. Ct.*, 123 Nev. 468, 474-75, 168 P.3d 731, 736-37 (2007). Petitioner bears the burden 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 Jud. Dist. Ct.*, 120 Nev. 222, 224, 228, 88 P.3d 840, 841, 844 (2004). An appeal is generally an adequate remedy precluding writ relief. *Id.* at 224, 88 P.3d at 841.


11-27583

Petitioner has not demonstrated that an appeal from a final judgment would not afford a plain, speedy, and adequate remedy, *see* NRS 34.170, or that the district court's order otherwise falls within any of the narrow grounds that may warrant writ relief. Accordingly, we

ORDER the petition DENIED.

  
\_\_\_\_\_, C.J.  
Cadish

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

  
\_\_\_\_\_, J.  
Herndon

cc: Hon. Tara D. Clark Newberry, District Judge  
Reeves Law, PLC  
Attorney General/Carson City  
Eighth District Court Clerk