

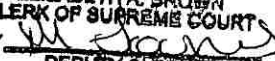
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ANTHONY DEWANE BAILEY,
Appellant,
vs.
THE STATE OF NEVADA AND
NEVADA DEPARTMENT OF
CORRECTIONS,
Respondents.

No. 90483-COA

FILED

JAN 13 2026

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Anthony Dewane Bailey appeals from a district court order denying a petition for a writ of mandamus filed on August 26, 2024. Eighth Judicial District Court, Clark County; Christy L. Craig, Judge.


In his mandamus petition, Bailey contended that the Internal Revenue Service had issued him two checks totaling \$3,200 and that the Nevada Department of Corrections (NDOC) had improperly withheld this money from him. Bailey further contended that prison officials had placed this money in an out-of-state bank for the purposes of accruing interest, and he sought an order directing the NDOC to provide him access to this money and to any interest that had accrued.


A writ of mandamus is available to compel the performance of an act that the law requires as a duty resulting from an office, trust, or station, NRS 34.160, or to control a manifest abuse or arbitrary or capricious exercise of discretion, *Round Hill Gen. Improvement Dist. v. Newman*, 97 Nev. 601, 603-04, 637 P.2d 534, 536 (1981). A writ of mandamus will not issue if the petitioner has a plain, speedy, and adequate remedy in the ordinary course of law. NRS 34.170. A petitioner "carri[es]

the burden of demonstrating that extraordinary relief is warranted.” *Pan v. Eighth Jud. Dist. Ct.*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004). “We generally review a district court’s grant or denial of writ relief for an abuse of discretion.” *Koller v. State*, 122 Nev. 223, 226, 130 P.3d 653, 655 (2006).

A claim that the NDOC has improperly deprived an inmate of their property may be addressed in a civil action against the state. *See* NRS 41.031; NRS 41.0322; *see also Bonham v. State*, No. 83458-COA, 2022 WL 832262, at *2 (Nev. Ct. App. Mar. 17, 2022) (Order Affirming in Part, Reversing in Part and Remanding) (recognizing “that a meaningful postdeprivation remedy exists for the unauthorized deprivation of inmate property in the form of state civil actions”). Therefore, Bailey failed to demonstrate that he did not have a plain, speedy, and adequate remedy in the ordinary course of law such that extraordinary relief was warranted, and we conclude the district court did not abuse its discretion in denying Bailey’s petition. Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Bulla


_____, J.
Gibbons


_____, J.
Westbrook

cc: Hon. Christy L. Craig, District Judge
Anthony Dewane Bailey
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk