


IN THE SUPREME COURT OF THE STATE OF NEVADA

ORONDE COLEMAN,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
CHRISTY L. CRAIG, DISTRICT JUDGE,
Respondents,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 92057

FILED

MAR 16 2026

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER DENYING PETITION

This original petition for a writ of mandamus challenges an order by the competency court denying a motion for a limited remand to the trial court or to withdraw as counsel.


Petitioner's counsel requested to suspend the proceedings and remand to the district court to determine whether counsel could continue representing petitioner after petitioner sued his counsel in federal court, and the complaint was dismissed. Alternatively, counsel requested to withdraw. The competency court concluded it could take no action until petitioner was determined to be competent. Petitioner's counsel contends this was a manifest abuse of discretion given petitioner's Sixth Amendment right to conflict-free counsel.

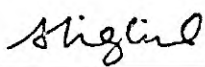
A writ of mandamus is available to compel the performance of an act which the law requires as a duty resulting from an office, trust or station, NRS 34.160, or to control an arbitrary or capricious exercise of discretion, *Round Hill Gen. Improvement Dist. v. Newman*, 97 Nev. 601,

604, 637 P.2d 534, 536 (1981). Further, mandamus is an extraordinary remedy, and it is within the discretion of this court to determine if a petition will be considered. *See Poulos v. Eighth Jud. Dist. Ct.*, 98 Nev. 453, 455, 652 P.2d 1177, 1178 (1982); *see also State ex rel. Dep't Transp. v. Thompson*, 99 Nev. 358, 360, 662 P.2d 1338, 1339 (1983).

Having considered the petition and supporting documents, we are unpersuaded the competency court acted in an arbitrary or capricious manner. NRS 178.405(1) states that "if doubt arises as to the competence of the defendant, the court shall suspend the proceedings . . . until the question of competence is determined." Based on the plain language of the statute, the petitioner must be found competent before any other proceedings may continue. Thus, the competency court did not manifestly abuse its discretion by denying the motion for a limited remand. Further, although circumstances may necessitate that the competency court appoint counsel or rule on a motion to withdraw, from the record before us here, we discern no abuse of discretion in denying the motion to withdraw. *See Smith v. Lockhart*, 923 F.2d 1314, 1321 n.11 (8th Cir. 1991) (recognizing that a defendant's frivolous lawsuit against counsel may not by itself create a conflict of interest). Accordingly, we decline to exercise our discretion to consider the petition, and we

ORDER the petition DENIED.¹


_____, J.
Bell


_____, J.
Stiglich


_____, J.
Cadish

¹In light of our disposition, we deny petitioner's request to stay the proceedings below.

cc: Hon. Christy L. Craig, District Judge
Ornoz & Ericsson, LLC
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk