

IN THE SUPREME COURT OF THE STATE OF NEVADA

NICHOLAS A. HANSEN,
INDEPENDENT AMERICAN PARTY
CANDIDATE FOR CONSTABLE OF
HENDERSON TOWNSHIP,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
SALLY L. LOEHRER, DISTRICT
JUDGE,

Respondents,

and

STEWART L. BELL, DISTRICT
ATTORNEY; EARL T. MITCHELL;
JOHN J. CAHILL; FRANK "FULL
TIME" MAHONEY; AND HARVARD L.
LOMAX, REGISTRAR OF VOTERS OF
CLARK COUNTY,
Real Parties in Interest.

No. 39809

FILED

JUN 26 2002

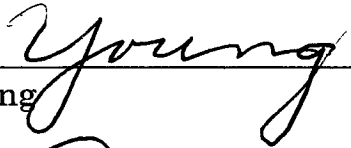
JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK

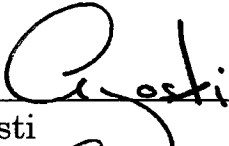
ORDER DENYING PETITION FOR WRIT OF
PROHIBITION OR MANDAMUS

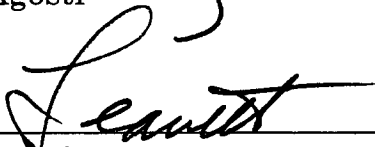
This is an original petition for a writ of prohibition or, in the alternative, mandamus challenging a district court order that directed the Clark County Registrar of Voters to remove petitioner's name from the November 2002 ballot. We have considered this petition, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted. Specifically, petitioner may appeal from the district court's

order.¹ We conclude that petitioner's right to appeal is a speedy and adequate remedy in the ordinary course of the law, precluding writ relief.² Accordingly, we deny the petition.³

It is so ORDERED.


_____, J.
Young


_____, J.
Agosti


_____, J.
Leavitt

¹See NRAP 3A(b)(1) (stating that an appeal may be taken from a final judgment).

²See NRS 34.170 (stating that a writ of mandamus may issue only where there is no plain, speedy, and adequate remedy at law); NRS 34.330 (providing that a writ of prohibition may be issued only when there is not a plain, speedy, and adequate legal remedy); see also Pengilly v. Rancho Santa Fe Homeowners, 116 Nev. 646, 647-48 n.1, 5 P.3d 569, 570 n.1 (2000) (noting that an appeal is generally an adequate remedy).

We note that if petitioner appeals from the district court's order, petitioner may file a motion to suspend the settlement conference requirements under NRAP 16 and to expedite the briefing schedule.

³See NRAP 21(b); Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991). The joint motion to expedite the petition, filed on June 24, 2002, is denied as moot.

cc: Hon. Sally L. Loehrer, District Judge
Hansen & Hall, LLC/Las Vegas
Clark County District Attorney
Clark County District Attorney/Civil Division
John J. Cahill
Harvard L. Lomax
Frank "Full Time" Mahoney
Earl T. Mitchell
Clark County Clerk