

IN THE SUPREME COURT OF THE STATE OF NEVADA

KEVIN MICHAEL WILLIAMS,
Petitioner,

vs.

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

Respondents,

and

JAMES A. FERRENCE; MYRNA
WILLIAMS; AND NEVADA STUPAK,
Real Parties in Interest.

No. 39891

FILED

JUL 12 2002

JUANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

KEVIN MICHAEL WILLIAMS,
Appellant,

vs.

CLARK COUNTY DISTRICT
ATTORNEY, STEWART L. BELL;
JAMES A. FERRENCE; MYRNA
WILLIAMS; AND NEVADA STUPAK,
Respondents.

No. 39897


ORDER DENYING PETITION FOR WRIT OF MANDAMUS, GRANTING
MOTION FOR EXPEDITED APPEAL AND TREATING PETITION AS
OPENING BRIEF

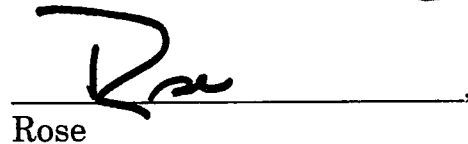
On July 11, 2002, petitioner/appellant Kevin Williams filed an original petition for a writ of prohibition or mandamus, seeking to prevent the district court from ordering the Clark County Registrar of Voters to remove Williams' name from the September 2002 ballot. The petition was docketed as Number 39891. On the same day, this court docketed, as Number 39897, Williams' appeal from the district court's written order directing that Williams' name be removed from the ballot. Williams has

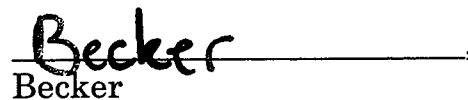
moved to have his appeal expedited and to have his writ petition treated as an opening brief.

As Williams' appeal is a speedy and adequate remedy in the ordinary course of the law, it precludes writ relief.¹ Accordingly, we deny the petition in Docket No. 39891.² We grant Williams' motion to expedite his appeal and to treat his writ petition as an opening brief. The clerk of this court shall transfer all documents filed in Docket No. 39891 to Docket No. 39897. Respondents in Docket No. 39897 shall file an answering brief on or before July 18, 2002, at 10:00 a.m. Further, we schedule this matter for en banc oral argument in Carson City on Thursday, July 18, 2002, at 1:30 p.m.

It is so ORDERED.


_____, J.
Shearing


_____, J.
Rose


_____, J.
Becker

¹See 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).

²See NRAP 21(b); Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991).

cc: Hon. Michael L. Douglas, District Judge
Michael Stein & Associates, Ltd.
Clark County District Attorney
Clark County District Attorney/Civil Division
Dominic P. Gentile, Ltd.
Clark County Clerk