

IN THE SUPREME COURT OF THE STATE OF NEVADA

RANDAL N. WIIDEMAN,  
Appellant,

vs.

WILLIAM BARKS, INDIVIDUALLY;  
ROBERT A. WATSON; AND STEPHEN  
EMANUEL ARNOLD, IN CONSPIRACY  
WITH STATE AGENTS,

Respondents.

No. 40601

FILED

OCT 10 2005

*[Signature]*  
CLERK OF SUPREME COURT  
STATE OF NEVADA

RANDAL N. WIIDEMAN,  
Appellant,

vs.

NEVADA STATE SENATE JUDICIARY  
COMMITTEE, AND NEVADA  
DEPARTMENT OF CORRECTIONS,

Respondents.

No. 41155

ORDER OF AFFIRMANCE

Docket No. 40601 is a proper person appeal from district court orders dismissing appellant's 42 U.S.C. § 1983 suit. Docket No. 41155 is a proper person appeal from a district court order denying appellant's petition for extraordinary relief concerning the constitutionality of NRS 209.4615.

We have reviewed the records in these two appeals, and we conclude that the district court did not err in dismissing appellant's § 1983 suit for failure to properly and timely effectuate service of process.<sup>1</sup> We also conclude that the district court did not abuse its discretion in


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<sup>1</sup>See NRCP 4(e) & (i).


dismissing appellant's writ petition because a plain, speedy and adequate legal remedy existed to address appellant's constitutional concerns.<sup>2</sup>

Accordingly, we

ORDER the judgments of the district court AFFIRMED.

  
\_\_\_\_\_, J.  
Rose

  
\_\_\_\_\_, J.  
Leavitt

  
\_\_\_\_\_, J.  
Maupin

cc: Hon. Jackie Glass, District Judge  
Hon. William Maddox, District Judge  
Attorney General Brian Sandoval/Carson City  
Kummer Kaempfer Bonner & Renshaw  
Randal N. Wiideman  
Clark County Clerk  
Carson City Clerk

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<sup>2</sup>See DR Partners v. Bd. of County Comm'rs, 116 Nev. 616, 6 P.3d 465 (2000) (stating that a district court's decision to grant or deny a writ petition is reviewed for an abuse of discretion); State ex rel. McCullough v. Indus. Comm., 761 N.E.2d 24 (Ohio 2002) (recognizing that a declaratory judgment action can constitute a plain, speedy and adequate legal remedy); Tam v. Colton, 94 Nev. 453, 581 P.2d 447 (1978) (suggesting that a declaratory judgment action is a suitable alternative to mandamus proceedings so long as extraordinary relief is not the litigant's exclusive enforcement tool); State ex rel. City of Alma v. Furnas Farms, 595 N.W.2d 551 (Neb. 1999) (reversing a lower court's issuance of mandamus relief where the petitioner could have sought injunctive and declaratory relief).