

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.

RANDAL N. WIIDEMAN,
Appellant,

vs.

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

No. 40601

FILED

OCT 10 2003

J. A. Bledsoe
JANETTE M. BLEDSOE
CLERK OF SUPREME COURT
DEPUTY CLERK

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.¹ We also conclude that the district court did not abuse its discretion in


¹See NRCP 4(e) & (i).


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

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

²See 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).