

Justin Langford 1159546  
Inmate Name Back #  
High Desert State Prison  
Post Office Box 650  
Indian Springs, Nevada 89070  
Petitioner in Proper Person

**FILED**

JAN 11 2018  
ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY [Signature]  
DEPUTY CLERK

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

Justin Langford

Nevada Supreme Court No. \_\_\_\_\_  
District Court Case No. To Be Supplied by Clerk  
C14296556

Petitioner,  
vs.

8th Judicial Dist. Court

**PETITION FOR WRIT OF MANDAMUS/  
PROHIBITION**  
**(NRS 34.150 through 34.320)**

Respondent(s).  
\_\_\_\_\_ /

COMES NOW, Petitioner, Justin Odell Langford, in proper person, and hereby submits his Petition for Writ of Mandamus/Prohibition pursuant to NRS 34.150 through 34.329. There is no appeal from Respondent's action and Petitioner has no other plain, speedy, or adequate remedy other than a Writ of Mandamus/Prohibition.

This Petition is made and based upon the attached Memorandum of Points and Authorities, all papers and pleadings on file, as well as any additional facts, law, argument, witnesses or evidence that may be presented at the hearing of this matter, if any.

Dated this 4th day of January, 2018.

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## MEMORANDUM OF POINTS AND AUTHORITIES

### I. Law Pertaining to Mandamus/Prohibition.

A writ of mandamus is an extraordinary remedy available to compel the performance of an act that the law requires or to control an arbitrary or capricious exercise of discretion. NRS 34.160; Int'l Game Tech., Inc. v. Second Judicial Dist. Court, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008).

A writ of prohibition may issue to arrest the proceedings of a district court exercising its judicial functions when such proceedings are in excess of the district court's jurisdiction. See NRS 34.320; Smith v. Eighth Judicial Dist. Court, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991).

Whether a petition for extraordinary relief will be considered is within this court's sole discretion, Smith, 107 Nev. at 677, 818 P.2d at 851, and it is petitioner's burden to demonstrate that our extraordinary intervention is warranted. Pan v. Eighth Judicial Dist. Court, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004).

Moreover, writ relief is available only when there is no plain, speedy, and adequate remedy in the ordinary course of law. NRS 34.170; NRS 34.330; Int'l Game Tech., 124 Nev. at 197, 179 P.3d at 558. Generally, an appeal is an adequate legal remedy precluding writ relief. Pan, 120 Nev. at 224, 88 P.3d at 841.

Here, Mandamus/Prohibition is warranted based upon the following:

### II. Procedural and Factual Background/Argument.

This petitioner has filed on 3 occasions: motion for transcripts at States Expense and Other Documents. But the Judge keeps Denying it And wont say why, But I need these records & so I can file Every ground that there is in my Case. The following dates are the dates these

1 motions were denied: 10/16/17; 10/31/17;  
2 12/19/17. This petitioner is indigent and has  
3 been indigent since the begging of my case  
4 and the judge handling my case knows  
5 this and knows I'm having issues  
6 getting all my records from my court  
7 appointed attorneys.

8 This petitioner has listed what limited  
9 transcripts I need, this petitioner  
10 has a majority of his court transcripts  
11 just not what I'm requesting. I need  
12 these records so I can make sure  
13 there is no more issues and to back  
14 up what claims I believe in those  
15 records. This petitioner does not want  
16 to include issues he thinks are there but  
17 really aren't there and take away from  
18 the actual issues that are there.

19 This petitioner believes this is a  
20 showing of bias by the judge as this  
21 judge knows this is a prejudicial issue  
22 cause of what effects, it can have, this  
23 judge did a coulluguy for possible  
24 sanctions for frivolous motions being  
25 filed, as this petitioner does know  
26 alot about the law but he does  
27 forget to check court rules on

1 Something. This petitioner believe the  
2 Judge is being biased because of the  
3 charges involved in this case, but that  
4 does not mean she has a right to  
5 violate my rights. This petitioners  
6 believes he has not raised every viable  
7 claim in his case in his petition for  
8 Writ of Habeas corpus (Post Conviction)  
9 that I mailed out 2 and a half weeks ago,  
10 So this is violating my due process Rights.

### CERTIFICATE OF SERVICE

13 I, Justin Langford, certify, that I have attached petition...  
14 with special instructions for electronic filing &  
15 service to the clerk of the court to serve  
16 my opponents pursuant N.E.F.C.R. 9, Et. seq.  
17 (A)(B)(C)(D)(E), Etc.

18 Attorney General Adam Paul Laxalt  
19 100 N. Carson St.  
20 Carson City, NV 89701

III. Conclusion and Prayer for Relief

THEREFORE, based upon the foregoing, Petitioner respectfully requests that this Court:

1. Grant the above request for Mandamus Prohibition; and
2. Any further and necessary relief as deemed appropriate by this Court.

"I declare under penalty of perjury under the law of the State of Nevada (NRS 53.045) that the foregoing is true and correct."

Dated this 4th day of January, 2018.

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**CERTIFICATE OF SERVICE BY MAILING**

I, Justin Langford, Petitioner in Proper Person, hereby certify, pursuant to NRCP 5(b), that on this 4th day of January, 2018, I mailed a true and correct copy of this Writ Petition by depositing it in the High Desert State Prison, Legal Library, First Class Postage, full prepaid and addressed as follows:

Attorney General Adam Laxalt  
100 N. Carson St.  
Carson City, NV 89701

Counsel for Respondents

Dated this 4th day of January, 2018.

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