

IN THE SUPREME COURT OF THE STATE OF NEVADA

MARCUS CAMPBELL,
Petitioner,
vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE TARA
D. CLARK NEWBERRY, DISTRICT
JUDGE,

Respondents,
and

THE STATE OF NEVADA,
Real Party in Interest.

No. 83040

FILED

JUL 01 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

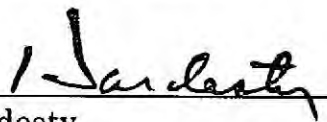
ORDER DENYING PETITION

This original pro se petition seeks a writ of mandamus compelling compliance with certain sentencing guidelines. Having considered the petition, we are not persuaded that our extraordinary intervention is warranted. *See* NRS 34.170; *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 224, 88 P.3d 840, 841 (2004) (noting that a writ of mandamus is proper only when there is no plain, speedy, and adequate remedy at law and explaining that petitioner bears the burden of demonstrating that writ relief is warranted). Petitioner has not provided this court with a copy of a written and signed district court order denying him the requested writ relief in the first instance, nor cogently articulated why an appeal from such an order would not be a plain, speedy, and adequate remedy. *See Rust v. Clark Cty. Sch. Dist.*, 103 Nev. 686, 689, 747 P.2d 1380, 1382 (1987) (noting that “the clerk’s minute order, and even an unfiled written order are ineffective for any purpose”); NRAP 21(a)(4)

(providing the petitioner shall submit an appendix containing all documents "essential to understand the matters set forth in the petition").

Even assuming that the relief sought here could be properly obtained through a petition for writ relief, any application for such relief should be made to, and resolved by, the district court in the first instance so that factual and legal issues are fully developed, giving this court an adequate record to review. *See Round Hill Gen. Imp. Dist. v. Newman*, 97 Nev. 601, 604, 637 P.2d 534, 536 (1981) (recognizing that "an appellate court is not an appropriate forum in which to resolve disputed questions of fact" and determining that when there are factual issues presented, this court will not exercise its discretion to entertain a petition for extraordinary relief even though "important public interests are involved"); *State v. Cty. of Douglas*, 90 Nev. 272, 276-77, 524 P.2d 1271, 1274 (1974) (noting that "this court prefers that such an application [for writ relief] be addressed to the discretion of the appropriate district court" in the first instance), *abrogated on other grounds by Attorney Gen. v. Gypsum Res.*, 129 Nev. 23, 33-34, 294 P.3d 404, 410-11 (2013). Accordingly, we

ORDER the petition DENIED.


Hardesty, C.J.


Parraguirre, J.


Cadish, J.

cc: Hon. Tara D. Clark Newberry, District Judge
Marcus Campbell
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk