

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

KIM DENNIS BLANDINO,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; THE HONORABLE
MICHELLE LEAVITT, DISTRICT
JUDGE; THE HONORABLE JERRY A.
WIESE, CHIEF DISTRICT COURT
JUDGE; AND NEVADA DEPARTMENT
OF PAROLE AND PROBATION,
Respondents,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 85016-COA

FILED

JUL 15 2022

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

ORDER DENYING PETITION

Kim Dennis Blandino has filed an original emergency petition for a writ of mandamus and/or prohibition and/or certiorari and/or habeas corpus seeking a stay of his probation and asserting the judge improperly sentenced him and illegal terms of probation are contained in his judgment of conviction.

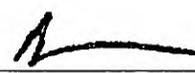
Having reviewed the petition and supporting documentation, we conclude that our extraordinary intervention is not warranted. *See* NRS 34.160; NRS 34.320; *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) (explaining that petitioners bear the burden of demonstrating that extraordinary relief is warranted); *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991) (providing

that writ relief is purely discretionary). Such relief is proper only when there is no plain, speedy, and adequate remedy at law. *See Pan*, 120 Nev. at 224, 228, 88 P.3d at 841, 844; NRS 34.170; NRS 34.330. An appeal is generally an adequate remedy precluding writ relief. *Pan*, 120 Nev. at 224, 88 P.3d at 841. Petitioner currently has a direct appeal pending from his judgment of conviction in Docket No. 84433 and the relief he is seeking and the challenges to his judgment of conviction can be raised in the context of his direct appeal. Accordingly, because petitioner has an adequate remedy in the ordinary course of law, we

ORDER the petition DENIED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Jerry A. Wiese, Chief Judge
Hon. Michelle Leavitt, District Judge
Kim Dennis Blandino
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk