

IN THE SUPREME COURT OF THE STATE OF NEVADA

HECTOR ADRIAN PARAMO-CERVANTES,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
JACQUELINE M. BLUTH, DISTRICT
JUDGE,

Respondents,

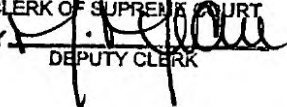
and

THE STATE OF NEVADA,
Real Party in Interest.

No. 88389

FILED

APR 16 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

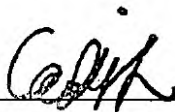
ORDER DENYING PETITION FOR WRIT OF MANDAMUS

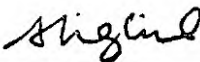
This is an original petition for a writ of mandamus ordering the district court to dismiss three counts from the indictment, or, in the alternative, to sever them from the rest of the indictment. Having considered the petition, we conclude that our extraordinary and discretionary intervention is not warranted. *See* NRS 34.160; *Pan v. Eighth Jud. Dist. Ct.*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) (observing that the party seeking writ relief bears the burden of showing such relief is warranted); *Smith v. Eighth Jud. Dist. Ct.*, 107 Nev. 674, 677, 679, 818 P.2d 849, 851, 853 (1991) (recognizing that writ relief is an extraordinary remedy and that this court has sole discretion in determining whether to entertain a writ petition).

First, petitioner challenges the denial of his pretrial motion to sever the charges against him. Because petitioner may challenge the denial of his motion on direct appeal if convicted, *see* NRS 177.015(3); NRS 177.045

("Upon the appeal, any decision of the court in an intermediate order or proceeding, forming a part of the record, may be reviewed"), we decline to exercise original jurisdiction in this matter. See NRS 34.170; NRS 34.330; *Pan*, 120 Nev. at 224, 88 P.3d at 841 ("[T]he right to appeal is generally an adequate legal remedy that precludes writ relief."). Second, petitioner challenges the sufficiency of the evidence presented at the preliminary hearing. This court, however, disfavors writ challenges to pretrial probable cause determinations, *Kussman v. Eighth Jud. Dist. Ct.*, 96 Nev. 544, 545-46, 612 P.2d 679, 680 (1980), unless they involve purely legal issues, *Ostman v. Eighth Jud. Dist. Ct.*, 107 Nev. 563, 565, 816 P.2d 458, 459-60 (1991). Petitioner's challenges do not present purely legal issues. Accordingly, we

ORDER the petition DENIED.


_____, C.J.
Cadish


_____, J.
Stiglich


_____, J.
Herndon

cc: Hon. Jacqueline M. Bluth, District Judge
Nobles & Yanez Law Firm
Attorney General/Carson City
Clark County District Attorney

Eighth District Court Clerk