

IN THE SUPREME COURT OF THE STATE OF NEVADA

JAMIE FITZGERALD, AN
INDIVIDUAL; DONNA FITZGERALD,
AN INDIVIDUAL; AND CHARLES
FITZGERALD, AN INDIVIDUAL,
Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
TIMOTHY C. WILLIAMS, DISTRICT
JUDGE,

Respondents,

and

MIGUEL HERNANDEZ,
Real Party in Interest.

No. 55464

FILED

FEB 19 2010

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

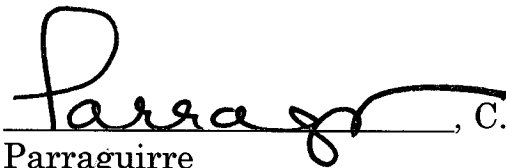
ORDER DENYING PETITION FOR WRIT OF MANDAMUS


This original petition for a writ of mandamus challenges a district court order granting a motion in limine to exclude certain video evidence. Having reviewed the petition and its supporting documents, we are not persuaded that writ relief is warranted. NRAP 21(b)(1); Smith v. District Court, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991) (stating that mandamus is an extraordinary remedy and whether a petition will be considered is within our sole discretion). In particular, petitioners have an adequate remedy in the form of an appeal from any adverse final

judgment. Pan v. Dist. Ct., 120 Nev. 222, 224, 88 P.3d 840, 841 (2004).

Accordingly, we

ORDER the petition DENIED.¹


_____, C.J.
Parraguirre


_____, J.
Saitta


_____, J.
Gibbons

cc: Hon. Timothy C. Williams, District Judge
McCormick, Barstow, Sheppard, Wayte & Carruth, LLP/Las Vegas
Gazda & Tadayon
Eighth District Court Clerk

¹In light of this order, we deny as moot petitioners' emergency stay motion.