

IN THE SUPREME COURT OF THE STATE OF NEVADA

ERIC BRIAN PIERSON,
Petitioner,

vs.

THE FIRST JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
STOREY, AND THE HONORABLE
JAMES E. WILSON, DISTRICT JUDGE,
Respondents,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 55491

FILED

MAR 11 2010

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

ORDER DENYING PETITION

This original petition for a writ of mandamus or prohibition requests this court to prohibit the district court from proceeding to trial on charges against petitioner where the real party in interest has sought to use the alleged victim's mental and emotional state to bolster her credibility and the alleged victim has refused to release her medical and psychiatric records, despite a district court order directing the real party in interest to produce the records. Alternatively, petitioner requests this court to direct the district court to dismiss the charges against him. We have considered the petition on file herein, and we are not satisfied that this court's intervention by way of extraordinary writ is warranted at this time. Accordingly, we deny the petition. See NRAP 21(b).

It is so ORDERED.

Hardesty, J.
Hardesty

Douglas, J.
Douglas

Pickering, J.
Pickering

cc: Hon. James E. Wilson, District Judge
O'Mara Law Firm, P.C.
Attorney General/Carson City
Storey County District Attorney
Storey County Clerk