

IN THE SUPREME COURT OF THE STATE OF NEVADA

LACEY RUTH-MARIE AMBRO,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
VALORIE VEGA, DISTRICT JUDGE,
Respondents,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 58743

FILED

SEP 14 2011

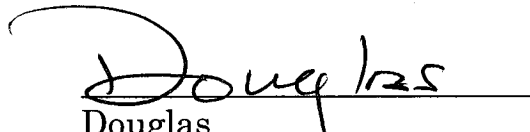
TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DENYING PETITION

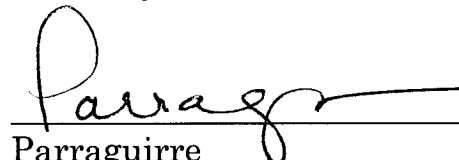
This original petition for a writ of habeas corpus challenges a district court order denying petitioner's motion to suppress her blood alcohol test results on the ground that NRS 484C.160 (implied consent statute) is unconstitutional. We have considered the petition, and we are not satisfied that this court's intervention by way of extraordinary writ is warranted. Petitioner has an adequate remedy by way of an appeal should she be convicted. And the constitutional issue raised does not warrant deviating from our tenet that we will not address constitutional issues unless necessary. See Secretary of State v. Burk, 124 Nev. 579, 588-589, 188 P.3d 1112, 1118-19 (2008); Hollis v. State, 96 Nev. 207, 210, 606 P.2d 534, 536 (1980); Spears v. Spears, 95 Nev. 416, 418, 596 P.2d 210, 212 (1979); see also Glass v. District Court, 87 Nev. 321, 324, 486 P.2d 1180, 1182 (1971) (observing that petition for writ of certiorari, "although available to test the constitutionality of a statute, is not available to decide a question of the admissibility of evidence"). Such is

not the case here. Cf. City of Las Vegas v. Dist. Ct. (Krampe), 122 Nev. 1041, 1045, 146 P.3d 240, 243 (2006) (considering writ of certiorari challenging district court's affirmance of municipal court determination that portions of city code involving erotic dancing were unconstitutionally vague and overbroad); Silvar v. Dist. Ct., 122 Nev. 289, 292, 129 P.3d 682, 684 (2006) (considering writ of certiorari challenging a district court order denying defendant's motion to dismiss complaint charging her with loitering for the purpose of prostitution on ground that the relevant county ordinance was unconstitutionally vague and overbroad).

Accordingly, we ORDER the petition denied.


_____, J.
Douglas


_____, J.
Hardesty


_____, J.
Parraguirre

cc: Hon. Valorie Vega, District Judge
Law Offices of John G. Watkins
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk