

IN THE SUPREME COURT OF THE STATE OF NEVADA

TERRY FARRIS,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
MICHELLE LEAVITT, DISTRICT
JUDGE,

Respondents,

and

THE STATE OF NEVADA,
Real Party in Interest.

No. 59555

FILED

NOV 18 2011

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 challenges a district court decision to exclude evidence of a prior false sexual abuse allegation by the complaining witness. Having reviewed the petition, we are not convinced that our intervention by way of extraordinary writ is warranted because petitioner has a plain, speedy, and adequate remedy in the ordinary course of law: in the event that he is convicted, he may challenge the district court's evidentiary ruling on direct appeal from the judgment of conviction. See NRS 34.170; NRS 34.330; NRS 177.015(3); see also State ex rel. Dep't Transp. v. Thompson, 99 Nev. 358, 360, 662 P.2d 1338, 1339 (1983) (explaining that court has discretion to decide whether to entertain extraordinary writ petitions). Accordingly, we

ORDER the petition DENIED.

Douglas, J.
Douglas

Hardesty, J.
Hardesty

Parraguirre, J.
Parraguirre

cc: Hon. Michelle Leavitt, District Judge
Robert M. Draskovich, Chtd.
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk