

IN THE SUPREME COURT OF THE STATE OF NEVADA

GUILLERMO RENTERIA-NOVOA,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
JEROME T. TAO, DISTRICT JUDGE,
Respondents,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 60909

FILED

MAY 21 2012

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *R. Malone*
DEPUTY CLERK

ORDER DENYING PETITION


This original petition for a writ of mandamus or prohibition challenges a district court's evidentiary ruling in a criminal case. Petitioner has also filed an emergency motion to stay the trial in which jury selection commenced today. Having reviewed the petition and motion, we are not convinced that our intervention, or a stay to allow additional briefing, is warranted. In particular, petitioner has a plain, speedy, and adequate remedy in the ordinary course of law—he may raise the evidentiary issue on appeal in the event that he is convicted, NRS 177.015(3); NRS 177.045—and therefore a writ of mandamus or prohibition should not issue.¹ See NRS 34.170 (mandamus); NRS 34.330

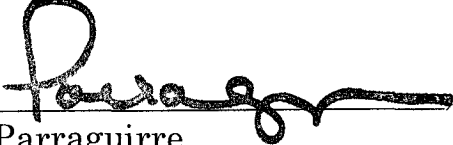
¹We also note that the evidentiary issue does not implicate the district court's jurisdiction, and therefore a writ of prohibition would be inappropriate on that basis as well. See NRS 34.320 (providing that writ of prohibition may issue to arrest proceedings of district court exercising
continued on next page . . .

(prohibition). Accordingly, we

ORDER the petition and motion DENIED.


_____, J.
Douglas


_____, J.
Gibbons


_____, J.
Parraguirre

cc: Hon. Jerome T. Tao, District Judge
Clark County Public Defender
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

... continued

its judicial functions, when such proceedings are in excess of district court's jurisdiction).