

IN THE SUPREME COURT OF THE STATE OF NEVADA

MARILYN MARIE TOSTON,
Petitioner,

No. 62988

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
DOUGLAS W. HERNDON, DISTRICT
JUDGE,

Respondents,

and

THE STATE OF NEVADA,
Real Party in Interest.

FILED

MAY 14 2013

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *A. Hyslop*
DEPUTY CLERK

ORDER DENYING PETITION

This is an original petition for a writ of mandamus or prohibition challenging a district court order denying petitioner's motion to exclude evidence. We have considered the petition and the documents submitted, and we are not satisfied that this court's intervention by way of extraordinary writ is warranted. Accordingly, we deny the petition. See NRAP 21(b).

It is so ORDERED¹

Gibbons, J.
Gibbons

Douglas, J.
Douglas

Saitta, J.
Saitta

¹The motion for a stay of the trial is denied.

cc: Hon. Douglas W. Herndon, District Judge
Cannon & Tannery
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk