

IN THE SUPREME COURT OF THE STATE OF NEVADA

JASON WRIGHT, AN INDIVIDUAL;
AND LAURA WRIGHT, AN
INDIVIDUAL,
Petitioners,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
ADRIANA ESCOBAR, DISTRICT
JUDGE,
Respondents,
and
LESLIE BROWDER, M.D., AN
INDIVIDUAL; JOSEPH THORTON,
M.D., AN INDIVIDUAL; THE STATE
OF NEVADA ON RELATION OF THE
BOARD OF REGENTS OF THE
NEVADA SYSTEM OF HIGHER
EDUCATION ON BEHALF OF THE
UNIVERSITY OF NEVADA SCHOOL
OF MEDICINE; UNIVERSITY OF
NEVADA SCHOOL OF MEDICINE
MULTISPECIALTY GROUP PRACTICE
SOUTH, INC.; AND MED SCHOOL
ASSOCIATES SOUTH, A NEVADA
CORPORATION,
Real Parties in Interest.

No. 64413

FILED

DEC 16 2013

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

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This original petition for a writ of mandamus challenges a district court order denying a motion in limine to exclude certain evidence.

A writ of mandamus is available to compel the performance of an act that the law requires as a duty resulting from an office, trust, or station, or to control an arbitrary or capricious exercise of discretion. See

NRS 34.160; *Int'l Game Tech., Inc. v. Second Judicial Dist. Court*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). Writ relief is typically not available, however, when the petitioner has a plain, speedy, and adequate remedy at law. See NRS 34.170; *Int'l Game Tech.*, 124 Nev. at 197, 179 P.3d at 558. Generally, an appeal is an adequate legal remedy precluding writ relief. *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 224, 88 P.3d 840, 841 (2004). Whether to consider a writ petition is within this court's discretion. *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991). Petitioners bear the burden of demonstrating that extraordinary relief is warranted. *Pan*, 120 Nev. at 228, 88 P.3d at 844.

Having considered the petition and appendix, we deny the petition because petitioners have an adequate legal remedy in the form of an appeal from any adverse judgment. See NRAP 21(b)(1); see also NRS 34.170; *Pan*, 120 Nev. at 224, 88 P.3d at 841.

It is so ORDERED.

Pickering, C.J.
Pickering

Hardesty, J.
Hardesty

Cherry, J.
Cherry

cc: Hon. Adriana Escobar, District Judge
Patrick K. McKnight
Ramzy P. Ladah
Lewis Brisbois Bisgaard & Smith, LLP/Las Vegas
Eighth District Court Clerk