

IN THE SUPREME COURT OF THE STATE OF NEVADA

ANDREA AWERBACH, AN
INDIVIDUAL,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
NANCY L. ALLF, DISTRICT JUDGE,
Respondents,
and
EMILIA GARCIA, AN INDIVIDUAL,
Real Party in Interest.

No. 68602

FILED

SEP 11 2015

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *Tracie K. Lindeman*
DEPUTY CLERK

*ORDER DENYING PETITION FOR WRIT
OF MANDAMUS OR PROHIBITION*

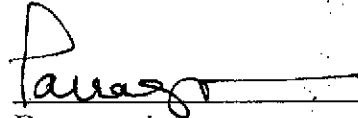
This original petition for a writ of mandamus or prohibition challenges a district court order imposing a sanction for a discovery violation.

Petitioner argues that the district court's sanction was improper because she did not violate a court order by willfully concealing an entry on her insurance claim log during the discovery process. This argument is unavailing. *Fire Ins. Exch. v. Zenith Radio Corp.*, 103 Nev. 648, 651-52, 747 P.2d 911, 913-14 (1987) (upholding the imposition of sanctions for a discovery abuse occurring in the absence of a violated court order); see *Young v. Johnny Ribeiro Bldg., Inc.*, 106 Nev. 88, 92, 787 P.2d 777, 779 (1990) (recognizing that the imposition of a discovery sanction is discretionary with the district court). As petitioner has failed to meet her burden of demonstrating that writ relief is warranted, NRS 34.160, NRS

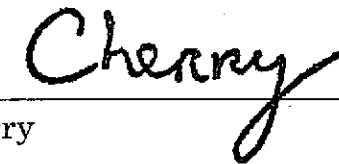
15-27634

34.320; *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004), we deny the petition. NRAP 21(b). Accordingly, we

ORDER the petition DENIED.


_____, J.
Parraguirre


_____, J.
Douglas


_____, J.
Cherry

cc: Hon. Nancy L. Allf, District Judge
Mazzeo Law LLC
Glen Lerner Injury Attorneys
Eighth District Court Clerk