

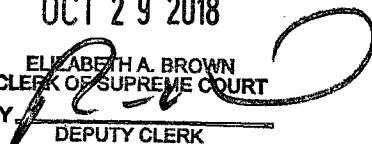
IN THE SUPREME COURT OF THE STATE OF NEVADA

REPUBLICAN ATTORNEYS GENERAL
ASSOCIATION,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
KERRY LOUISE EARLEY, DISTRICT
JUDGE,
Respondents,
and
LAS VEGAS METROPOLITAN POLICE
DEPARTMENT,
Real Party in Interest.

No. 77219

FILED

OCT 29 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY: 
DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This emergency petition for a writ of mandamus challenges a district court order denying a petition seeking certain materials under the Nevada Public Records Act (NPRO). Real party in interest Las Vegas Metropolitan Police Department has filed an answer, as directed, and petitioner has filed a notice of relevant briefing.

A writ of mandamus may issue only when no adequate legal remedy is available. NRS 34.170; *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 224, 88 P.3d 840, 841 (2004). A petition for mandamus relief “is not a substitute for an appeal.” *Archon Corp. v. Eighth Judicial Dist. Court*, 133 Nev., Adv. Op. 101, 407 P.3d 702, 706 (2017). Petitioner Republican Attorneys General Association (RAGA) has an appeal available from the district court’s order denying its petition, NRAP 3A(b)(1), and the availability of that appeal precludes writ relief.

Even if RAGA could demonstrate that an appeal would not provide an adequate remedy, mandamus is warranted only upon a showing

of clear legal error or manifest abuse of discretion. *Id.* In this case, RAGA argues that the district court erred in concluding that certain records and body-worn camera footage related to an incident involving juveniles are necessarily confidential under NRS 62H.025 and exempt from disclosure under the NPRA. The district court concluded that such records were unavailable under the NPRA and NRS 62H.025 after an in-camera review revealed that the records and footage solely relate to the juveniles at the scene. RAGA has not demonstrated that, in so concluding, the district court was so clearly erroneous in exempting NRS 62H.025 records, or that the court so obviously abused its discretion in determining that the records fell under that statute, as to warrant our immediate and extraordinary intervention. Instead, as RAGA explains, the questions presented are a matter of statewide public importance, the review of which requires our thorough consideration on a complete record. Adequate review is impossible to give when such questions are presented, at the last minute, in an emergency petition seeking immediate relief. Consequently, we must decline to exercise our discretion to review this matter through extraordinary writ petition. *See id.* at 708. This order is without prejudice to RAGA's right to file a notice of appeal from the district court's order. Thus, we

ORDER the petition DENIED.

Pickering, J.
Pickering

Gibbons J.
Gibbons

Hardesty, J.
Hardesty

cc: Clark Hill PLLC
Marquis Aurbach Coffing