

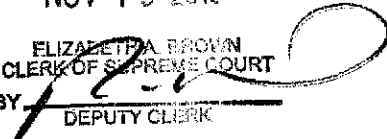
IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVONTAE AMARRI WHEELER,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF CLARK;
AND THE HONORABLE MICHELLE
LEAVITT, DISTRICT JUDGE,
Respondents,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 76954

FILED

NOV 15 2018

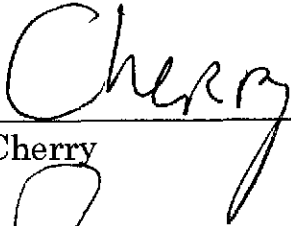
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

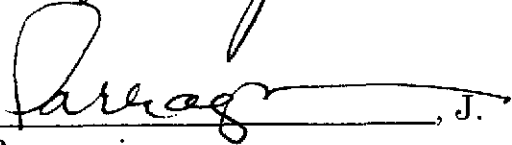
ORDER DENYING PETITION

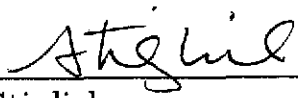
This is a petition for a writ of mandamus or prohibition challenging the district court's order denying a pretrial petition for a writ of habeas corpus. We conclude that our intervention by extraordinary writ is not warranted. See NRS 34.160; NRS 34.170; NRS 34.320; NRS 34.330; see also *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) (recognizing that a petitioner bears the burden of demonstrating that extraordinary relief is warranted); *Ostman v. Eighth Judicial Dist. Court*, 107 Nev. 563, 816 P.2d 458 (1991) (recognizing that the prosecutor has a duty to present the grand jury with evidence which will explain away the charge); *Kussman v. Eighth Judicial Dist. Court*, 96 Nev. 544, 545-46, 612

P.2d 679, 680 (1980) (disfavoring review of a pretrial probable cause determination through an original writ proceeding). Accordingly, we

ORDER the petition DENIED.


_____, J.
Cherry


_____, J.
Parraguirre


_____, J.
Stiglich

cc: Hon. Michelle Leavitt, District Judge
James J. Ruggeroli
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk