

IN THE SUPREME COURT OF THE STATE OF NEVADA

THE STATE OF NEVADA,
Petitioner,

vs.

THE SECOND JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
WASHOE; AND THE HONORABLE
SCOTT N. FREEMAN, DISTRICT
JUDGE,

Respondents,

and

JASON MICHAEL ELGAARD,
Real Party in Interest.

No. 68620

FILED

APR 01 2016

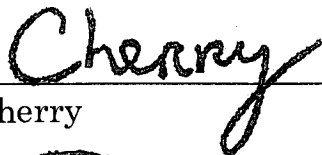
TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK


*ORDER DENYING PETITION FOR
WRIT OF MANDAMUS OR PROHIBITION*


This is an original petition for a writ of mandamus or prohibition challenging a district court order limiting the State's use of retrograde extrapolation evidence to determine the real party in interest's blood alcohol level at the time of his motorcycle accident.

Having reviewed the documents submitted in this matter, and without deciding upon the merits of any claims raised therein, we are not persuaded our extraordinary and discretionary intervention is warranted. See NRS 34.160; NRS 34.320; *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991). Accordingly, we

ORDER the petition DENIED.


_____, J.
Cherry


_____, J.
Douglas


_____, J.
Gibbons

cc: Hon. Scott N. Freeman, District Judge
Attorney General/Carson City
Washoe County District Attorney
Stephen N. Scheerer
Washoe District Court Clerk