

IN THE SUPREME COURT OF THE STATE OF NEVADA

ZARA AZIZSOLTANI,
Petitioner,
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
TORI LEEANN MCCONNELL,
Real Party in Interest.

No. 83900

FILED

JAN 07 2022

ELIZABETH A. SPORN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

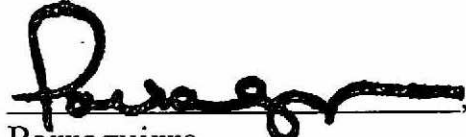
*ORDER DENYING PETITION
FOR WRIT OF MANDAMUS OR PROHIBITION*


This emergency petition for a writ of mandamus or prohibition challenges a district court order in a personal injury action striking petitioner's NRCP 35/NRS 52.380 exam observer as a witness. Real party in interest has filed an answer, as directed. Petitioner has also filed a motion to stay the district court proceedings.

Having reviewed the petition, answer, and supporting documents, we are not satisfied that this court's intervention by way of extraordinary relief is warranted. *See* NRAP 21(b); *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991). In particular, trial is scheduled to commence this month, and petitioner has an adequate and speedy legal remedy in the form of an appeal from any adverse final judgment, precluding writ relief. NRS 34.170; NRS 34.330; *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 225, 88 P.3d 840, 841

(2004); *see also Archon Corp. v. Eighth Judicial Dist. Court*, 133 Nev., Adv. Op. 101, 407 P.3d 702, 706 (2017) (recognizing that “[a] writ of mandamus is not a substitute for an appeal,” but rather, the writ should be used sparingly, “for extraordinary causes”). Accordingly, we

ORDER the petition DENIED.¹


Parraguirre C.J.


Stiglich J.

SILVER, J., dissenting:

I dissent. I would stay the matter until the writ was resolved because the remedy at law under these circumstances is inadequate.


Silver J.

cc: Hon. Adriana Escobar, District Judge
Nevada’s Lawyers
Heidari Law Group, PC
Messner Reeves LLP
Eighth District Court Clerk

¹In light of this order, petitioner’s motion for stay is denied as moot.