

IN THE SUPREME COURT OF THE STATE OF NEVADA

DEREJE MOTI, M.D.,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
JESSICA K. PETERSON, DISTRICT
JUDGE,

Respondents,

and

CRISTINA JAIME,
Real Party in Interest.

No. 85466

FILED

NOV 3 2 2022

ELIZABETH SPANN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

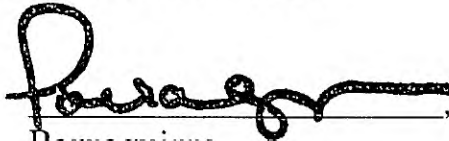
ORDER DENYING PETITION

This original petition for a writ of mandamus challenges a district court order granting reconsideration of an order striking an expert witness in a professional negligence action.

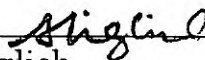
This court has original jurisdiction to issue writs of mandamus, and the issuance of such extraordinary relief is solely within this court's discretion. *See Nev. Const. art. 6, § 4; D.R. Horton, Inc. v. Eighth Judicial Dist. Court*, 123 Nev. 468, 474-75, 168 P.3d 731, 736-37 (2007). Petitioners bear the burden to show that extraordinary relief is warranted, and such relief is proper only when there is no plain, speedy, and adequate remedy at law. *See Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 224, 228, 88 P.3d 840, 841, 844 (2004). An appeal is generally an adequate remedy precluding writ relief. *Id.* at 224, 88 P.3d at 841. Even when an appeal is not immediately available because the challenged order is interlocutory in nature, the fact that the order may ultimately be challenged on appeal from a final judgment generally precludes writ relief. *Id.* at 225, 88 P.3d at 841.

Having considered the petition, we are not persuaded that our extraordinary intervention is warranted. To begin, petitioner has not demonstrated that an appeal from a final judgment below would not afford a plain, speedy, and adequate remedy. See NRS 34.170. Further, as this court has explained, “extraordinary writs are generally not available to review discovery orders.” *Valley Health Sys., LLC v. Eighth Judicial Dist. Court*, 127 Nev. 167, 171, 252 P.3d 676, 678 (2011). Although this rule is not absolute, *see id.*, petitioner has not demonstrated that the district court’s order falls within any of the narrow grounds that may warrant writ relief. Accordingly, we

ORDER the petition DENIED.


_____, C.J.
Parraguirre

_____, J.
Hardesty


_____, J.
Stiglich

cc: Hon. Jessica K. Peterson, District Judge
Lewis Brisbois Bisgaard & Smith, LLP/Las Vegas
Bighorn Law/Las Vegas
Eighth District Court Clerk