

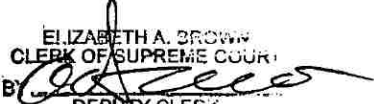
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

STEVEN CHRISTOPHER GAZLAY,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
ELHAM ROOHANI, DISTRICT JUDGE,
Respondents.

No. 85526-COA

FILED

NOV 07 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DENYING PETITION

In this original emergency petition for a writ of mandamus or, in the alternative, writ of prohibition, Steven Christopher Gazlay seeks an order directing the district court to grant his request for additional expert fees.

A writ of mandamus is available to compel the performance of an act that the law requires as a duty resulting from an office, trust, or station, NRS 34.160, or to control a manifest abuse or arbitrary or capricious exercise of discretion, *Round Hill Gen. Improvement Dist. v. Newman*, 97 Nev. 601, 603-04, 637 P.2d 534, 536 (1981). A writ of prohibition may issue to arrest the proceedings of a district court exercising its judicial functions when such proceedings are in excess of the jurisdiction of the district court. NRS 34.320. Neither writ will issue if the petitioner has a plain, speedy, and adequate remedy in the ordinary course of law, NRS 34.170; NRS 34.330, and a direct appeal is typically such a remedy, see NRS 177.045. Despite a remedy, this court may nevertheless consider the writ "in the interest of judicial economy and in order to control a manifest


abuse or capricious exercise of discretion.” *Brown v. Eighth Judicial Dist. Court*, 133 Nev. 916, 919, 415 P.3d 7, 10 (2017).

Petitions for extraordinary writs are addressed to the sound discretion of the court, *see State ex rel. Dep’t of Transp. v. Thompson*, 99 Nev. 358, 360, 662 P.2d 1338, 1339 (1983), and the “[p]etitioner[] carr[ies] the burden of demonstrating that extraordinary relief is warranted,” *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004).

We have considered the petition, and we are not satisfied this court’s intervention by way of extraordinary writ is warranted. Gazlay fails to demonstrate a direct appeal is not an adequate remedy. Moreover, he fails to demonstrate that this court’s intervention is necessary in the interest of judicial economy or to control a manifest abuse or capricious exercise of discretion. Accordingly, without deciding upon the merits of any claims raised, we

ORDER the petition DENIED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Elham Roohani, District Judge
Steven Christopher Gazlay
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk