

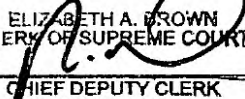
IN THE SUPREME COURT OF THE STATE OF NEVADA

LYNN SOMMER,
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,
AGNIESKA BIELECKA,
Real Party in Interest.

No. 85885

FILED

DEC 29 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
CHIEF DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

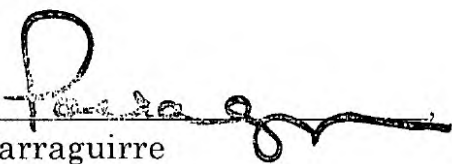
This emergency, original petition for a writ of mandamus challenges an oral district court ruling requiring petitioner's expert witness to testify at the upcoming trial in person, as opposed to remotely through audio-visual transmission.¹

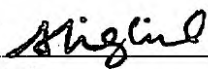
Whether to issue extraordinary writ relief is solely within this court's discretion, *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991), and it is petitioner's burden to demonstrate that such relief is warranted, *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004). Having reviewed the petition and appendix, we decline to intervene. Trial is scheduled to commence next week, and

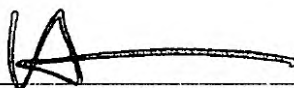
¹Petitioner has moved for leave to supplement the appendix with a recently available copy of the hearing transcript. The motion is granted; the clerk of this court shall detach exhibit A (containing the transcript) from the motion and file it as a supplemental appendix.

petitioner has not demonstrated that our extraordinary intervention is warranted under the circumstances to correct clear legal error or a manifest abuse of discretion. *See Walker v. Second Judicial Dist. Court*, 136 Nev. 678, 681-82, 476 P.3d 1194, 1197 (2020) (providing that, to obtain the extraordinary remedy of mandamus, a petitioner ordinarily must establish a clear legal right to the course of action requested or manifest abuse of discretion). Accordingly, we

ORDER the petition DENIED.

 J.
Parraguirre

 J.
Stiglich

 J.
Herndon

cc: Hon. Adriana Escobar, District Judge
Wilson, Elser, Moskowitz, Edelman & Dicker, LLP/Las Vegas
The Medrala Law Firm, Prof. LLC
Eighth District Court Clerk