

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ANA RUANO OCHOA, AN
INDIVIDUAL,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
SUSAN JOHNSON, DISTRICT JUDGE,
Respondents,
and
DAVID TERRY, AN INDIVIDUAL,
Real Party in Interest.

No. 86297-COA

FILED

MAR 31 2023

ELIZABETH A. BROWN
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 granting three motions in limine and a ruling denying reconsideration of that order.

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 documents before us, we decline to intervene. Trial is imminent, and we are not persuaded that this matter presents an exception to the general rule against considering writ petitions challenging pretrial evidentiary rulings. See *Williams v. Eight Judicial Dist. Court*, 127 Nev. 518, 525, 262 P.3d 360, 365 (2011) (discussing writ petition challenging pretrial orders granting and denying motions in

limine); *Pan*, 120 Nev. at 224, 88 P.3d at 841 (“[T]he right to appeal is generally an adequate legal remedy that precludes writ relief.”).

Accordingly, we

ORDER the petition DENIED.¹


_____, C.J.
Gibbons


_____, J.
Bulla


_____, J.
Westbrook

cc: Hon. Susan Johnson, District Judge
Nevada’s Lawyers
Heidari Law Group, PC
Lewis Brisbois Bisgaard & Smith, LLP/Las Vegas
Eighth District Court Clerk

¹Petitioner’s motion for leave to file a late reply to real party in interest’s response to her emergency stay motion is granted; the reply was filed on March 29, 2023. However, in light of this order, petitioner’s emergency motion for stay is denied as moot.