


IN THE SUPREME COURT OF THE STATE OF NEVADA

LAS VEGAS REVIEW-JOURNAL, INC.,  
Petitioner,  
vs.  
THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; THE HONORABLE  
MICHELLE LEAVITT, DISTRICT  
JUDGE; AND THE STATE OF  
NEVADA,  
Respondents,  
and  
LAS VEGAS METROPOLITAN POLICE  
DEPARTMENT; AND ROBERT  
TELLES,  
Real Parties in Interest.

No. 86295

FILED

OCT 05 2023

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

*ORDER DENYING PETITION*

This original petition for a writ of mandamus challenges a district court order denying a motion for sanctions.

Below, real party in interest the Las Vegas Metropolitan Police Department made statements to petitioner the Las Vegas Review-Journal and the district court that it had not searched devices belonging to a Review-Journal reporter that it seized during the execution of a search warrant. Those statements later turned out to be false because it had searched his cell phone, and the Review-Journal moved for sanctions, which the district court denied. The Review-Journal now seeks a writ of mandamus directing the district court to impose the requested sanctions.

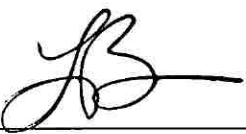
Having considered the petition and its supporting documentation, we are not persuaded that our extraordinary and discretionary intervention is warranted. *See Pan v. Eighth Judicial Dist.*

*Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) (observing that the party seeking writ relief bears the burden of showing such relief is warranted); *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 679, 818 P.2d 849, 851, 853 (1991) (recognizing that writ relief is an extraordinary remedy and that this court has sole discretion in determining whether to entertain a writ petition). The imposition of sanctions is left to the district court's discretion, *Young v. Johnny Ribeiro Bldg., Inc.*, 106 Nev. 88, 92, 787 P.2d 777, 779 (1990), and we perceive no manifest abuse of discretion in the district court's denial that warrants extraordinary writ relief, *see Walker v. Second Judicial Dist. Court*, 136 Nev. 678, 680, 476 P.3d 1194, 1196 (2020) (holding that, on a writ petition challenging a decision subject to the district court's discretion, "we can issue traditional mandamus only where the lower court has *manifestly* abused that discretion or acted arbitrarily or capriciously"). Accordingly, we

ORDER the petition DENIED.<sup>1</sup>

  
\_\_\_\_\_, J.  
Cadish

  
\_\_\_\_\_, J.  
Pickering

  
\_\_\_\_\_, J.  
Bell

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<sup>1</sup>We grant petitioners' August 30 motion to file the motion to supplement in redacted and sealed form, and instruct the clerk to detach and file that motion under seal. We deny, however, the motion to file a supplement, and direct the clerk to detach and return the proposed supplement and its appendix (both redacted and sealed forms) unfiled. Based on the foregoing, we also deny the motion to file the email exhibit under seal and direct the clerk to detach and return the exhibit unfiled.

cc: Hon. Michelle Leavitt, District Judge  
Ballard Spahr LLP/Denver  
Ballard Spahr LLP/Las Vegas  
Chesnoff & Schonfeld  
Clark County District Attorney  
Marquis Aurbach Chtd.  
Liesl K. Freedman  
Matthew J. Christian  
Robert Telles  
Eighth District Court Clerk