

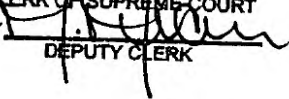
IN THE SUPREME COURT OF THE STATE OF NEVADA

CATHERINE TORRES,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
NADIA KRALL, DISTRICT JUDGE,
Respondents,
and
LESLIE CARTWRIGHT,
Real Party in Interest.

No. 88158

FILED

MAY 03 2024

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

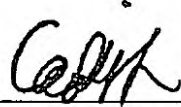
ORDER DENYING PETITION

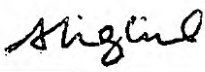
This is an original petition for a writ of mandamus and prohibition seeking to compel the district court to permit testimony regarding real party in interest's prior injuries and felony convictions and to prohibit the district court from allowing a new trial to proceed with the prior restrictions on introducing evidence of prior injuries or felonies.


The decision to entertain a petition for extraordinary writ relief lies within the discretion of this court. *Smith v. Eighth Jud. Dist. Ct.*, 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). A writ of mandamus is available only to compel the performance of a legally required act or to cure an arbitrary and capricious exercise of discretion. *Round Hill Gen. Improvement Dist. v. Newman*, 97 Nev. 601, 603-04, 637 P.2d 534, 536 (1981). "This court may issue a writ of prohibition to arrest the proceedings of a district court exercising its judicial functions when such proceedings

are in excess of the district court's jurisdiction." NRS 34.320; *Smith*, 107 Nev. at 677, 818 P.2d at 851. Petitioner bears 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 Jud. Dist. Ct.*, 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 and supporting documents we are not persuaded that our extraordinary intervention is warranted. *Smith*, 107 Nev. at 679, 818 P.2d at 853. Accordingly, we

ORDER the petition DENIED.


_____, C.J.
Cadish


_____, J.
Stiglich


_____, J.
Herndon

cc: Hon. Nadia Krall, District Judge
Resnick & Louis, P.C./Las Vegas
The Powell Law Firm
Eighth District Court Clerk