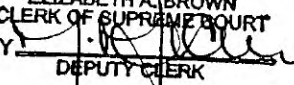


IN THE SUPREME COURT OF THE STATE OF NEVADA

SALVADOR SANTIAGO BARRALES,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
ERIKA D. BALLOU, DISTRICT JUDGE,
Respondents,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 88798

FILED
SEP 12 2024
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 seeking less restrictive bail conditions. Petitioner Salvador Santiago Barrales is awaiting trial and the justice court imposed house arrest as a bail condition. After being bound over, Barrales moved the district court to reduce the bail condition to electronic monitoring so that Barrales could work as an electrician in California. The district court denied the motion, asserting that it would not reconsider the justice court's bail conditions without a showing of changed circumstances. Barrales seeks a writ of mandamus directing the court to grant the motion.

A writ of mandamus is available to compel the performance of a legally required act or to cure a manifest abuse of discretion. NRS 34.160; *Round Hill Gen. Improvement Dist. v. Newman*, 97 Nev. 601, 603-04, 637 P.2d 534, 536 (1981). "A manifest abuse of discretion is a clearly erroneous interpretation of the law or a clearly erroneous application of a law or rule." *State v. Eighth Jud. Dist. Ct. (Armstrong)*, 127 Nev. 927, 932, 267 P.3d 777,


780 (2011) (quotation marks and alterations omitted). This court will not grant extraordinary relief to control the proper exercise of discretion, *State v. Eighth Jud. Dist. Ct. (Zogheib)*, 130 Nev. 158, 161, 321 P.3d 882, 884 (2014), nor to correct errors in judgment, *Walker v. Second Jud. Dist. Ct.*, 136 Nev. 678, 680-81, 476 P.3d 1194, 1197 (2020). It is petitioner's burden to demonstrate that extraordinary relief is warranted. *Pan v. Eighth Jud. Dist. Ct.*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004).

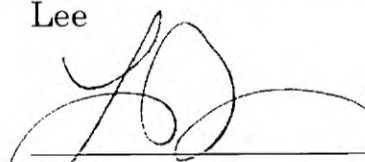
While this court has addressed pretrial custody issues in original proceedings, *Johnston v. Eighth Jud. Dist. Ct.*, 138 Nev., Adv. Op. 67, 518 P.3d 94, 101 (2022) (acknowledging that pretrial custody matters may involve questions of statewide importance and are likely to escape appellate review), we decline to exercise our discretion to intervene in this instance, *Smith v. Eighth Jud. Dist. Ct.*, 107 Nev. 674, 677, 679, 818 P.2d 849, 851, 853 (1991) (providing that decision to entertain a petition for extraordinary relief is within this court's discretion). The district court's refusal to reconsider the justice court's decision concerning the pretrial release conditions was a discretionary act. *R.J. Reynolds Tobacco Co. v. Eighth Jud. Dist. Ct.*, 138 Nev., Adv. Op. 55, 514 P.3d 425, 429 (2022) ("We ordinarily review a district court's decision to grant or deny a motion for reconsideration for an abuse of discretion."); see *In re Wheeler*, 81 Nev. 495, 500, 406 P.2d 713, 716 (1965) (reviewing decisions regarding bail for an abuse of discretion). The district court did not manifestly abuse its discretion in deferring to the justice court's bail conditions. *Cameron v. Eighth Jud. Dist. Ct.*, 135 Nev. 214, 216, 445 P.3d 843, 845 (2019). According to the record before us, Barrales did not point to any circumstances that were not considered by the justice court in making its initial bail determination. And to the extent that Barrales asserts that the

district court should have corrected the justice court's clear error, Barrales has not provided the necessary portions of the record to evaluate that decision. NRAP 21(a)(4). Accordingly, we

ORDER the petition DENIED.


_____, J.
Herndon


_____, J.
Lee


_____, J.
Bell

cc: Hon. Erika D. Ballou, District Judge
The Pariente Law Firm, P.C.
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk