

IN THE SUPREME COURT OF THE STATE OF NEVADA

MELISSA DETTLAFF,
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 COURT JUDGE
DEPARTMENT 9,

Respondents,

and

THE STATE OF NEVADA,
Real Party in Interest.

No. 90831

FILED

SEP 12 2025

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

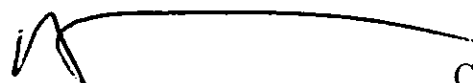
ORDER DENYING PETITION

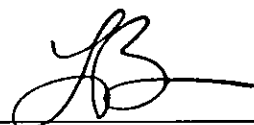
This original petition for a writ of mandamus challenges a district court order denying petitioner Melissa Dettlaff's pretrial petition for a writ of habeas corpus. Dettlaff argues that there was insufficient evidence before the grand jury to support a probable cause determination as to the charge of driving under the influence resulting in death. Having reviewed Dettlaff's mandamus petition and supporting documents, we are not persuaded that our extraordinary and discretionary intervention is warranted. See NRS 34.160; NRS 34.320; *Pan v. Eighth Jud. Dist. Ct.*, 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 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).


Dettlaff asserts that this court should entertain the petition because there is no other plain, speedy, and adequate remedy in the

ordinary course of law. Additionally, Dettlaff contends that the petition presents an important legal issue in need of clarification regarding the proper interpretation and application of proximate cause in cases in which driving under the influence resulting in death is charged. We generally decline to review pretrial challenges to probable cause determinations through an original writ petition, *see Kussman v. Eighth Jud. Dist. Ct.*, 96 Nev. 544, 546, 612 P.2d 679, 680 (1980), and Dettlaff has not demonstrated that this challenge fits the exception for purely legal issues, *see Ostman v. Eighth Jud. Dist. Ct.*, 107 Nev. 563, 565, 816 P.2d 458, 459-60 (1991). Rather, whether Dettlaff's alleged act or neglect of duty was the proximate cause of the crash that killed Jessica Dettlaff involves a factual dispute that this court is not positioned to resolve. *See Round Hill Gen. Improvement Dist. v. Newman*, 97 Nev. 601, 604, 637 P.2d 534, 536 (1981) ("[A]n appellate court is not an appropriate forum in which to resolve disputed questions of fact."). Accordingly, we

ORDER the petition DENIED.


_____, C.J.
Herndon


_____, J.
Bell


_____, J.
Stiglich

cc: Hon. Erika D. Ballou, District Judge
Chesnoff & Schonfeld
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk