IN THE SUPREME COURT OF THE STATE OF NEVADA

STATE BAR OF NEVADA,
Petitioner,
vs.
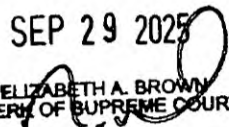SOUTHERN NEVADA DISCIPLINARY
BOARD, AND HEARING PANEL
CHAIR, THOMAS SHEETS
Respondents,
PATRICK W. KANG,
Real Party in Interest.

No. 91361

ORDER DENYING PETITION
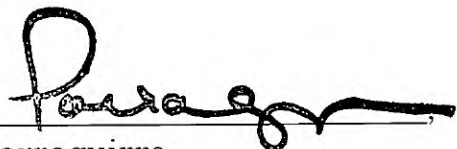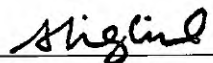## FOR A WRIT OF MANDAMUS OR PROHIBITION

This original emergency petition for a writ of mandamus or prohibition challenges the Southern Nevada Disciplinary Board Hearing Panel Chair's denial of motions to exclude expert witnesses and to strike the experts' written opinions. Having reviewed the petition and supporting documentation, we are not persuaded that our extraordinary and discretionary intervention is warranted. *See Walker v. Second Jud. Dist. Ct.*, 136 Nev. 678, 681, 476 P.3d 1194, 1197 (2020) (recognizing that writ relief is an extraordinary remedy); *Smith v. Eighth Jud. Dist. Ct.*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991) (providing that writ relief "is purely discretionary with this court"). Petitioner has an adequate legal remedy in the form of an appeal from the decision by the hearing panel. SCR 105(3)(a); *see also Walker*, 136 Nev. at 681, 681-83, 476 P.3d at 1197-98 (explaining that the availability of a later appeal generally precludes writ relief). Further, "[t]his court has held that the decision to admit or exclude expert opinion testimony is discretionary and is not typically subject to review on a petition for a writ of mandamus." *Williams v. Eighth Jud. Dist. Ct.*, 127 Nev. 518, 524, 262 P.3d 360, 364 (2011). Petitioner has not demonstrated

that an exception to that general rule applies. *See Pan v. Eighth Jud. Dist. Ct.*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) (providing that petitioner bears the burden of demonstrating extraordinary relief is warranted). Accordingly, we

ORDER the petition DENIED.

_____, J.
Parraguirre

_____, J.
Bell

_____, J.
Stiglich

cc: Chair, Southern Nevada Disciplinary Board
        Bar Counsel, State Bar of Nevada
        Bailey Kennedy
        Executive Director, State Bar of Nevada