



IN THE SUPREME COURT OF THE STATE OF NEVADA

JOSHUA MELGOZA-CASTILLO,
Petitioner,
v.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF CLARK
ET AL.,
Respondents,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 92955

ORDER DENYING PETITION

This is an original petition for a writ of mandamus or prohibition challenging a district court order denying a motion to suppress statements made to law enforcement. Petitioner Joshua Melgoza-Castillo argues that the district court erred in finding that he waived his *Miranda* rights.

Writ relief is an extraordinary remedy, and it is within our discretion to determine if a petition will be considered. *See Smith v. Eighth Jud. Dist. Ct.*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991). Because Melgoza-Castillo can challenge the district court's decision on appeal if he is convicted, NRS 177.015(3); NRS 177.045, he has a plain, speedy, and adequate remedy at law, NRS 34.170; NRS 34.330. Therefore, this court's intervention by way of an extraordinary writ is not warranted.¹ *See Williams v. Eighth Jud. Dist. Ct.*, 127 Nev. 518, 525, 262 P.3d 360, 365 (2011) (explaining that an appeal is

¹Melgoza-Castillo has also filed a document entitled "Notice of filing of petition for writ of mandamus, or in the alternative prohibition, and motion for stay." To the extent that this document requests a stay, counsel is reminded that such a request must be made by motion. *See* NRAP 8(a).

typically an adequate remedy for adverse evidentiary rulings). Accordingly,
we

ORDER the petition DENIED.

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Herndon, C.J.

A handwritten signature in dark ink, appearing to be 'JB' with a flourish.

Bell, J.

A handwritten signature in dark ink, appearing to be 'J Stiglich'.

Stiglich, J.

cc: Hon. Danielle K. Pieper, District Judge
Buchanan Law Offices
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk