

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

DARBY NEAGLE,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
DOUGLAS W. HERNDON, DISTRICT
JUDGE,

Respondents,

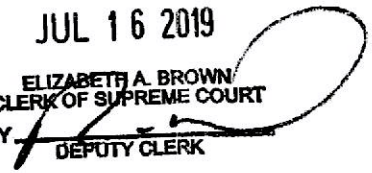
and

THE STATE OF NEVADA,
Real Party in Interest.

No. 78928-COA

FILED

JUL 16 2019

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's order denying a motion in limine. Darby Neagle asks this court to order the district court to exclude admission of his blood alcohol readings and a doctor's retrograde extrapolation at trial. Alternatively, Neagle asks this court to order the district court to conduct an evidentiary hearing on these matters.


Because Neagle can challenge the district court's decision on appeal in the event he is convicted, NRS 177.015(3); NRS 177.045, Neagle has a plain, speedy, and adequate remedy at law. Therefore, we conclude this court's intervention by way of an extraordinary writ is not warranted

at this time. NRS 34.170. Accordingly, without reaching the merit of the claims raised, we

ORDER the petition DENIED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Douglas W. Herndon, District Judge
Law Offices of John G. Watkins
The Pariente Law Firm, P.C.
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk