

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

TONIE L. VINES,
Petitioner,
vs.
THE SECOND JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
WASHOE; AND THE HONORABLE
EGAN K. WALKER, DISTRICT JUDGE,
Respondents,
and
HOUSING AUTHORITY OF THE CITY
OF RENO,
Real Party in Interest.

No. 84091-COA

FILED

JAN 21 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF PROHIBITION

This emergency petition for a writ of prohibition challenges a December 16, 2021, district court order setting an evidentiary hearing in an appeal from a justice court summary eviction.

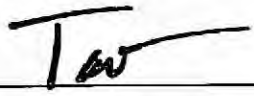
Having considered the petition and supporting documentation, we are not convinced that our extraordinary and discretionary intervention is warranted at this time. *See Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) (observing that the party seeking writ relief bears the burden of showing such relief is warranted); *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991) (recognizing that writ relief is an extraordinary remedy and that this court has sole discretion in determining whether to entertain a writ petition). In particular, while petitioner argues that the district court's order requiring the parties to present evidence violates JCRCF 76A ("A case appealed may not be tried anew.") because the district court must decide appellate matters

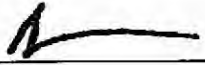
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on the record, it does not appear that petitioner has brought this provision to the district court's attention or that petitioner has otherwise sought and been denied relief in that court. *See* NRAP 27(e)(4). Therefore, without prejudice to petitioner's right to seek writ relief on this issue in the future, if warranted, we

ORDER the petition DENIED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Egan K. Walker, District Judge
Nevada Legal Services/Reno
Nevada Legal Services/Las Vegas
The Law Offices of Charles R. Zeh, Esq.
Washoe District Court Clerk