

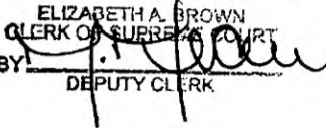
IN THE SUPREME COURT OF THE STATE OF NEVADA

NATHAN CHASING HORSE,  
Appellant,  
vs.  
THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE  
CARLI LYNN KIERNY, DISTRICT  
JUDGE,  
Respondents,  
and  
THE STATE OF NEVADA,  
Real Party in Interest.

No. 86538

FILED

DEC 14 2023

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY:   
DEPUTY CLERK

*ORDER DENYING PETITION*

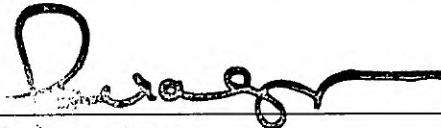
This original petition for a writ of mandamus or, alternatively, prohibition challenges a district court order denying a pretrial petition for a writ of habeas corpus.

We are not satisfied that petitioner has demonstrated that entertaining the writ is warranted, and without deciding upon the merits of the claims raised in the petition, we decline to exercise our original jurisdiction. *See* NRS 34.160; NRS 34.320; *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) (recognizing that a petitioner bears “the burden of demonstrating that extraordinary relief is warranted”); *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991) (recognizing that the “the issuance of a writ of

mandamus or prohibition is purely discretionary with this court").  
Accordingly, we

ORDER the petition DENIED.

  
\_\_\_\_\_, J.  
Lee

  
\_\_\_\_\_, J.  
Parraguirre

HERNDON, J., dissenting:

I would exercise jurisdictional discretion and entertain the writ in order to reach the merits of the issues raised in the petition. I, therefore, respectfully dissent.

  
\_\_\_\_\_, J.  
Herndon

cc: Hon. Carli Lynn Kierny, District Judge  
Clark County Public Defender  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk