

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOSEPH SERHAL,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
JERRY A. WIESE,

Respondents,
and

NEVADA POWER COMPANY D/B/A NV
ENERGY, INC.; AND RICE
CONSTRUCTION COMPANY,
Real Parties in Interest.

No. 87238

FILED

APR 12 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

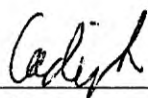
ORDER DENYING PETITION

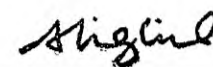
This original petition for a writ of mandamus challenges a district court order denying a post-trial motion to disqualify a judge.


Following a civil jury trial, petitioner Joseph Serhal filed a motion to disqualify presiding District Judge Jessica Peterson, claiming that certain comments, actions, and rulings of hers during the proceedings demonstrated a disqualifying bias against Serhal. Chief District Judge Jerry Wiese denied the motion, relying primarily on this court's decision in *Canarelli v. Eighth Judicial District Court*, 138 Nev. 104, 506 P.3d 334 (2022). Serhal then filed this original petition for a writ of mandamus, arguing that *Canarelli* should be overturned or, alternatively, that Chief Judge Wiese misapplied *Canarelli*. We are not satisfied that Serhal has demonstrated that entertaining the writ petition is warranted, and we therefore decline to exercise our original jurisdiction. See NRS 34.160; *Pan*

v. Eighth Jud. Dist. Ct., 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) (recognizing that a petitioner bears “the burden of demonstrating that extraordinary relief is warranted”); *Poulos v. Eighth Jud. Dist. Ct.*, 98 Nev. 453, 455, 652 P.2d 1177, 1178 (1982) (recognizing that a writ of mandamus is an extraordinary remedy and that the decision to entertain such a writ rests within this court’s discretion). Sound judicial administration weighs against revisiting a decision rendered less than two years ago. *See City of Reno v. Howard*, 130 Nev. 110, 113-14, 318 P.3d 1063, 1065 (2014) (noting that this court is “loath to depart from the doctrine of stare decisis and will overrule precedent only if there are compelling reasons to do so” (internal quotation marks omitted)). Further, Serhal provides no explanation for why he waited until September 2023 to challenge an April 2023 ruling. *See State v. Eighth Jud. Dist. Ct. (Hedland)*, 116 Nev. 127, 135, 994 P.2d 692, 697 (2000) (noting the doctrine of laches applies to mandamus petitions). Accordingly, we


ORDER the petition DENIED.

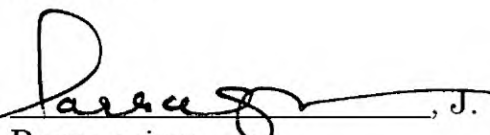

_____, C.J.
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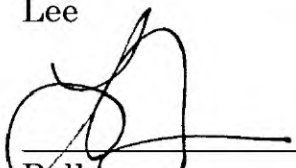

_____, J.
Stiglich


_____, J.
Pickering


_____, J.
Herndon


_____, J.
Lee


_____, J.
Parraguirre


_____, J.
Bell

cc: Hon. Jerry A. Wiese, Chief Judge
Cloward Trial Lawyers
Richard Harris Law Firm
Pacific West Injury Law
Springel & Fink, LLP
Lemons, Grundy & Eisenberg
Eighth District Court Clerk