

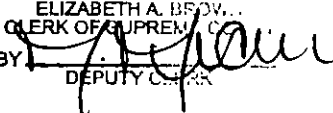
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

AMO FREIGHT LLC AND GREGORY  
MEJIA,  
Petitioners,  
vs.  
THE HONORABLE JACQUELINE  
BLUTH, EIGHTH JUDICIAL DISTRICT  
COURT JUDGE, DEPT. 6,  
Respondent,  
and  
WYNCOTTE BREAD ROUTE, INC.,  
Real Party in Interest.

No. 90550-COA

FILED

JUL 22 2025

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

ORDER DENYING PETITION

This original petition for a writ of prohibition or certiorari, filed by petitioners Amo Freight LLC and Gregory Mejia, challenges district court proceedings on contempt issues arising from the nonfunding of a constructive trust. Additionally, petitioners contend the district court imposed attorney fees as a sanction and argue the attorney fees sought by the real party in interest, Wyncotte Bread Route, Inc., were in excess of that permitted by NRS 22.100(3). Finally, petitioners seek a stay of the district court proceedings pending resolution of this petition.

This court may issue a writ of prohibition to arrest the proceedings of a district court acting without or in excess of its jurisdiction. NRS 34.320; *Smith v. Eighth Jud. Dist. Ct.*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991). A writ of certiorari is available to confine an inferior tribunal, board, or officer exercising judicial functions to the limits of its jurisdiction. NRS 34.020(2). It is within this court's discretion to determine if a writ petition will be considered. *Smith*, 107 Nev. at 677, 818 P.2d at 851. Petitioners bear the burden of demonstrating that extraordinary relief


is warranted. *Pan v. Eighth Jud. Dist. Ct.*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004).

On December 19, 2024, the district court entered an order stating that petitioners were in contempt of court as they failed to fund the constructive trust as previously ordered, sanctioning them an unspecified amount of attorney fees, and directing them to establish and fund the trust by January 2, 2025, or otherwise turn over certain financial documentation. Petitioners thereafter filed an original petition for extraordinary relief with the supreme court in which they challenged the contempt proceedings. The supreme court, however, denied the petition as premature as the December 19 order contemplated additional proceedings, and the issues related to the contempt proceedings were not finally resolved. *Amo Freight LLC v. Eighth Jud. Dist. Ct.*, No. 89839, 2024 WL 5252287 (Nev. Dec. 30, 2024) (Order Denying Petition).

Our review of the record before this court reveals that, since the supreme court's denial of the previous petition, the district court has not yet finally resolved the issues related to the contempt proceedings. While the parties have submitted various filings in the district court concerning the outstanding issues, and the district court has conducted a hearing concerning the contempt proceedings, the court has not yet entered a written order finally resolving those issues, as acknowledged by petitioners. *See Div. of Child & Fam. Servs. v. Eighth Jud. Dist. Ct.*, 120 Nev. 445, 454, 92 P.3d 1239, 1245 (2004) (stating, generally, orders that deal with the "merits of the underlying controversy, must be written, signed, and filed before they become effective").

As the issues raised in the petition have not been finally resolved by the district court through entry of a written order, we conclude that the petition is premature and our intervention by way of extraordinary relief is not warranted at this time. *See Smith*, 107 Nev. at 677, 818 P.2d at 851; NRAP 21(b)(1). Accordingly, we

ORDER the petition DENIED.<sup>1</sup>

  
\_\_\_\_\_, C.J.  
Bulla

  
\_\_\_\_\_, J.  
Gibbons

  
\_\_\_\_\_, J.  
Westbrook

cc: Hon. Jacqueline M. Bluth, District Judge  
Robert W. Lueck, Ltd.  
Hutchings Law Group, LLC  
Eighth District Court Clerk

---

<sup>1</sup>Because we deny this petition, we deny petitioners' July 16, 2025, motion for a stay as moot.