

IN THE SUPREME COURT OF THE STATE OF NEVADA

HENDERSON APARTMENTS, LLC, A
NEVADA LIMITED LIABILITY COMPANY;
FAMID HENDERSON, LLC, A NEVADA
LIMITED LIABILITY COMPANY; FARID
AMID, AN INDIVIDUAL; AND FARZAD
AMID, AN INDIVIDUAL,
Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA, IN
AND FOR THE COUNTY OF CLARK; AND
THE HONORABLE DAVID B. BARKER,
DISTRICT JUDGE,

Respondents,

and

COASTLINE RE HOLDINGS
CORPORATION, A CALIFORNIA
CORPORATION AS REAL PARTY IN
INTEREST IN PLACE OF PACIFIC
WESTERN BANK, A CALIFORNIA STATE-
CHARTERED BANK, SUCCESSOR TO
AFFINITY BANK,
Real Party in Interest.

No. 60792

FILED

JUN 14 2012

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER DENYING PETITION
FOR WRIT OF MANDAMUS OR PROHIBITION

This original petition for a writ of mandamus or prohibition challenges a district court order applying California law in a deficiency judgment action.


A writ of mandamus is available to compel an act that the law requires or to control an arbitrary or capricious exercise of discretion. NRS 34.160; International Game Tech. v. Dist. Ct., 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). A writ of prohibition is available when a district

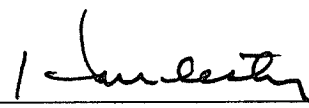
court acts without or in excess of its jurisdiction. NRS 34.320; State of Nevada v. Dist. Ct. (Anzalone), 118 Nev. 140, 146-47, 42 P.3d 233, 237 (2002). Neither writ is appropriate when the petitioner has a plain, speedy, and adequate remedy at law, NRS 34.170; NRS 34.330, and we have consistently held that an appeal is generally an adequate legal remedy precluding writ relief. Pan v. Dist. Ct., 120 Nev. 222, 224, 88 P.3d 840, 841 (2004).

Having reviewed the petition and its supporting documents, we are not persuaded that writ relief is warranted. In particular, petitioners have an adequate legal remedy in the form of an appeal from any final judgment. Id. Accordingly, we deny the petition.¹ Id.; NRAP 21(b)(1).

It is so ORDERED.


_____, J.
Saitta


_____, J.
Pickering


_____, J.
Hardesty

cc: Hon. David B. Barker, District Judge
Iglody Law
The Law Offices of Paras B. Barnett, PLLC
Gordon & Silver, Ltd.
Eighth District Court Clerk

¹Petitioners' motion for a stay is denied as moot in light of this order.