

IN THE SUPREME COURT OF THE STATE OF NEVADA

RIO PROPERTIES, LLC, D/B/A RIO
HOTEL AND CASINO,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
GLORIA STURMAN, DISTRICT
JUDGE,

Respondents,

and

JEFFREY HARRIS, AN INDIVIDUAL,
Real Party in Interest.

No. 76431

FILED

JUL 24 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Yarnes
DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS


Petitioner Rio Properties, LLC, requests a writ of mandamus to compel the district court to dismiss real party in interest Jeffrey Harris's complaint for lack of jurisdiction under NRS 4.370(1), arguing that NRS 651.010 limits Harris's relief as a matter of law to not more than \$750. But the district court did not definitively resolve the legal question Rio presents. Instead, the district court expressed concern about the unique facts involved and how they might impact Harris's claims, invited Rio to renew its challenge on more fully developed facts, and denied Rio's motion to dismiss without prejudice.

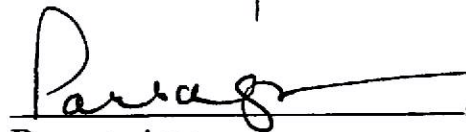
"Mandamus is an extraordinary remedy, and the decision to entertain such a petition is addressed to our sole discretion." *Moseley v. Eighth Judicial Dist. Court*, 124 Nev. 654, 658, 188 P.3d 1136, 1140 (2008).

“To efficiently and thoughtfully resolve . . . an important issue of law demands a well-developed district court record, including legal positions fully argued by the parties and a merits-based decision by the district court judge.” *Archon Corp. v. Eighth Judicial Dist. Court*, 133 Nev. 816, 823, 407 P.3d 702, 708 (2017). “Advisory mandamus on a legal issue not . . . resolved in district court does not promote sound judicial economy and administration, because the issue comes to us with neither a complete record nor full development of the supposed novel and important legal issue to be resolved.” *Id.* at 823, 407 P.3d at 708-09.

We conclude that, without a definitive ruling on the merits by the district court, the issue presented by Rio’s petition is premature. Accordingly, we deny Rio’s petition—but do so without prejudice.

It is so ORDERED.


_____, J.
Pickering


_____, J.
Parraguirre


_____, J.
Cadish

cc: Hon. Gloria Sturman, District Judge
Moran Brandon Bendavid Moran
Titolo Law Office
Eighth District Court Clerk