

IN THE SUPREME COURT OF THE STATE OF NEVADA

THE LAW OFFICE OF DAN M.
WINDER, P.C., A DOMESTIC
PROFESSIONAL CORPORATION; AND
DAN M. WINDER, AN INDIVIDUAL,
Petitioners,

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

LAVELLE P. ATKINSON; AND SHEILA
ATKINSON,
Real Parties in Interest.

No. 83198

FILED

JUL 21 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

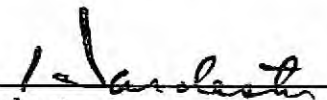
ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This original petition for a writ of mandamus challenges a district court order denying summary judgment in a tort action.

Having considered the petition and its supporting documentation, we are not persuaded that our extraordinary and discretionary intervention is warranted. *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) (observing that the party seeking writ relief bears the burden of showing such relief is warranted); *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 679, 818 P.2d 849, 851, 853 (1991) (recognizing that writ relief is an extraordinary remedy and that this court has sole discretion in determining whether to entertain a writ petition). Generally, we will not consider writ petitions challenging orders

denying summary judgment, and we are not persuaded that any exception to the general rule applies here. *Smith v. Eighth Judicial Dist. Court*, 113 Nev. 1343, 1344-45, 950 P.2d 280, 281 (1997) (discussing writ petitions challenging denials of summary judgment). Petitioners have an adequate and speedy legal remedy in the form of an appeal from any adverse final judgment, precluding writ relief. *See* NRS 34.170; *Pan*, 120 Nev. at 224, 88 P.3d at 841 (“[T]he right to appeal is generally an adequate legal remedy that precludes writ relief.”). Accordingly, we

ORDER the petition DENIED.¹


_____, C.J.
Hardesty


_____, J.
Parraguirre


_____, J.
Cadish

cc: Hon. Gloria Sturman, District Judge
The Law Office of Dan M. Winder, P.C.
Integrity Law Firm
Maier Gutierrez & Associates
Eighth District Court Clerk

¹Petitioners' emergency motion for stay of the district court proceedings pending our consideration of this writ petition is denied as moot.