

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. 83647

FILED

NOV 10 2021

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY *E. A. Brown*  
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 denying, without prejudice, a motion for summary judgment or to dismiss based on lack of subject matter jurisdiction.

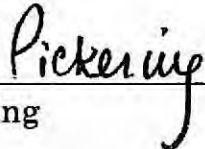
Generally, this court will not consider writ petitions challenging district court orders denying motions for summary judgment or to dismiss. *Smith v. Eighth Judicial Dist. Court*, 113 Nev. 1343, 1344-45, 950 P.2d 280, 281 (1997). Moreover, we have recognized that petitions for writ relief should not be utilized as a vehicle for piecemeal appellate review. *See W. Cab Co. v. Eighth Judicial Dist. Court*, 133 Nev. 65, 67, 390 P.3d 662, 667 (2017). For this reason, an appeal is generally considered an adequate legal


remedy precluding writ relief. *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 224, 88 P.3d 840, 841 (2004); see NRS 34.170; NRS 34.330.

Here, trial is imminent, and petitioners have an adequate legal remedy in the form of an appeal from the final judgment. NRAP 3A(b)(1). Thus, we decline to consider this petition for extraordinary writ relief, NRAP 21(b); *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 818 P.2d 849 (1991), and we

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

  
\_\_\_\_\_, J.  
Cadish

  
\_\_\_\_\_, J.  
Pickering

  
\_\_\_\_\_, J.  
Herndon

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

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<sup>1</sup>In light of this order, petitioner's emergency motion for stay is denied as moot.