

IN THE SUPREME COURT OF THE STATE OF NEVADA

MANUEL A. GUILLEN,  
Petitioner,

vs.

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

Respondents,


and

GEORGE ALFER FREGOSO,  
Real Party in Interest.

No. 86391

**FILED**

JUN 16 2023


ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER DENYING PETITION*

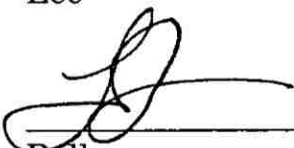
This original petition for a writ of mandamus challenges an order denying a motion to dismiss, or alternatively a motion for summary judgment, in a tort action. Having considered the petition and supporting documentation, we are not persuaded that writ relief is warranted. *See Pan v. Eighth Judicial 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). Mandamus is an extraordinary remedy and whether to consider a petition seeking such relief is within this court's sole discretion. *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 679, 818 P.2d 849, 851, 853 (1991). We generally decline to exercise that discretion as to petitions challenging orders denying motions to dismiss or for summary judgment, and we are not convinced that any of the exceptions for doing so apply in this case. *Int'l Game Tech., Inc. v. Second Judicial*

*Dist. Court*, 124 Nev. 193, 197-98, 179 P.3d 556, 558-59 (2008) (discussing exceptions to the general rule). We therefore

ORDER the petition DENIED.

  
\_\_\_\_\_, C.J.  
Stiglich

  
\_\_\_\_\_, J.  
Lee

  
\_\_\_\_\_, J.  
Bell

cc: Hon. Eric Johnson, District Judge  
Ranalli Zaniel Fowler & Moran, LLC/Henderson  
Gazda & Tadayon  
Eighth District Court Clerk