

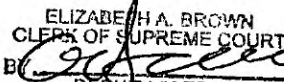
IN THE SUPREME COURT OF THE STATE OF NEVADA

SCOTT R. FERGUSON, M.D.,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
VERONICA BARISICH, DISTRICT
JUDGE,
Respondents,
and
TRINA PARKER,
Real Party in Interest.

No. 86998

FILED

SEP 14 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

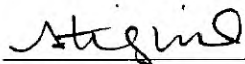
ORDER DENYING PETITION FOR WRIT OF MANDAMUS


This original petition for a writ of mandamus challenges a district court order denying a motion for partial summary judgment in a medical malpractice action.

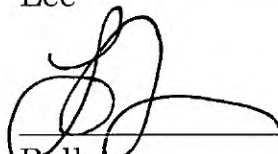
Having considered the petition and the supporting documents, we are not persuaded that our extraordinary intervention is warranted. *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) (observing that the party seeking writ relief bears the burden of showing such relief is 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 grant relief). Subject to very few exceptions, we generally decline to exercise our discretion to entertain writ petitions that challenge district court orders denying summary judgment. *Smith v. Eighth Judicial Dist. Court*, 113 Nev. 1343, 1344-45, 950 P.2d 280, 281 (1997). We decline to deviate from that rule here, particularly because the

issue presented can be raised on appeal from a final judgment, such that petitioner has a plain, speedy, and adequate legal remedy that precludes writ relief. NRS 34.170; *Pan*, 120 Nev. at 224, 88 P.3d at 841 (providing that an appeal is an adequate legal remedy precluding writ relief); *Moore v. Eighth Judicial Dist. Court*, 96 Nev. 415, 417, 610 P.2d 188, 189 (1980) (observing that writ relief is generally not warranted when granting the requested relief will not resolve the entire controversy). Accordingly, we

ORDER the petition DENIED.


_____, C.J.
Stiglich


_____, J.
Lee


_____, J.
Bell

cc: Hon. Veronica Barisich, District Judge
Lewis Brisbois Bisgaard & Smith, LLP/Las Vegas
Brandon L. Phillips, Attorney At Law, PLLC
Eighth District Court Clerk