


IN THE SUPREME COURT OF THE STATE OF NEVADA

MARIA SAXEY,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, FAMILY LAW DIVISION; AND
THE HONORABLE HEIDI ALMASE,
DISTRICT JUDGE,
Respondents,
and
DAVID BRIAN LINDQUIST,
Real Party in Interest.

No. 87460

FILED

NOV 13 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY: 
DEPUTY CLERK

ORDER DENYING PETITION

This is an original petition for a writ of mandamus challenging the district court's denial of summary judgment and rulings deferring the enforceability of a settlement agreement to trial. This court has original jurisdiction to issue writs of mandamus, and such extraordinary relief is solely within this court's discretion. *See Nev. Const. art. 6, § 4; D.R. Horton, Inc. v. Eighth Judicial Dist. Court*, 123 Nev. 468, 474-75, 168 P.3d 731, 736-37 (2007). Petitioner bears the burden to show that extraordinary relief is warranted, and such relief is proper only when there is no plain, speedy, and adequate remedy at law. *See Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 224, 228, 88 P.3d 840, 841, 844 (2004). An appeal is generally an adequate remedy. *Id.* at 224, 88 P.3d at 841. Even when an appeal is not immediately available because the challenged order is interlocutory in nature, the fact that the order may ultimately be challenged on appeal from a final judgment generally precludes writ relief. *Id.* at 225, 88 P.3d at 841.

Having considered the petition, we are not persuaded that our extraordinary intervention is warranted. As a general rule, "judicial economy and sound judicial administration militate against the utilization of mandamus petitions to review orders denying motions to dismiss and motions for summary judgment." *State ex rel. Dep't of Transp. v. Thompson*, 99 Nev. 358, 362, 662 P.2d 1338, 1340 (1983), as modified by *State v. Eighth Judicial Dist. Court*, 118 Nev. 140, 147, 42 P.3d 233, 238 (2002). Although this rule is not absolute, see *Int'l Game Tech., Inc. v. Second Judicial Dist. Court*, 122 Nev. 132, 142-43, 127 P.3d 1088, 1096 (2006), petitioner has not demonstrated that an appeal from a final judgment would not afford a plain, speedy, and adequate remedy, see NRS 34.170, nor that the district court's rulings otherwise fall within any ground that may warrant writ relief. Accordingly, we

ORDER the petition DENIED.


_____, C.J.
Stiglich


_____, J.
Cadish


_____, J.
Herndon

cc: Hon. Heidi Almase, District Judge, Family Division
Mills & Anderson
Ghandi Deeter Blackham
Eighth District Court Clerk