IN THE SUPREME COURT OF THE STATE OF NEVADA

EMIL RUBIO ARREDONDO,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
KATHLEEN E. DELANEY, DISTRICT
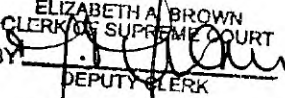JUDGE,
Respondents,
  and
TOMAS QUIROZ-LOPEZ,
Real Party in Interest.

No. 87405

FILED

NOV 17 2023

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

ORDER DENYING PETITION

This original petition for a writ of mandamus challenges a district court order denying a motion to enforce a settlement agreement and dismiss claims. Having considered the petition and its supporting documentation, we are not persuaded that our extraordinary and discretionary intervention is warranted. *See* NRS 34.160; NRS 34.170 (addressing mandamus standard); *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). Writ relief 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). Even when an appeal is not immediately available because the challenged order is interlocutory in nature, the fact that, ultimately, the order may be challenged on appeal from a final adverse judgment generally precludes writ relief. *Pan*, 120 Nev. at 225, 88 P.3d at 841. Moreover, we generally

decline to exercise our discretion as to petitions challenging orders denying motions to dismiss, 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.
Parraguirre

cc: Hon. Kathleen E. Delaney, District Judge
        Dennett Winspear, LLP
        Law Office of David Sampson
        Eighth District Court Clerk