

IN THE SUPREME COURT OF THE STATE OF NEVADA

EVERI PAYMENTS INC.; AND EVERI
HOLDINGS, INC.,

Petitioners,

vs.

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

Respondents,

and

MARY PARRISH,

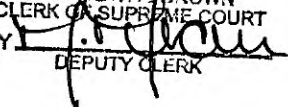
Real Party in Interest.

No. 87627

FILED

DEC 15 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT

BY  DEPUTY CLERK

*ORDER DENYING PETITION FOR WRIT OF MANDAMUS AND/OR
PROHIBITION*

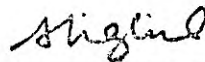
This original petition for a writ of mandamus and/or prohibition challenges a district court order denying a motion to dismiss.

This court has original jurisdiction to issue writs of mandamus and prohibition, and the issuance of 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). Petitioners bear 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 precluding writ relief. *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.

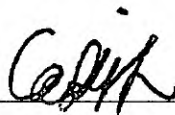
Having considered the petition, we are not persuaded that our extraordinary intervention is warranted. As a general rule, “judicial economy and sound judicial administration militate against the utilization of mandamus petitions to review orders denying motions to dismiss and motions for summary judgment.” *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), petitioners have not demonstrated that an appeal from a final judgment would not afford a plain, speedy, and adequate remedy, see NRS 34.170, or that the district court’s order otherwise falls within any of the narrow grounds that may warrant writ relief. Accordingly, we

ORDER the petition DENIED.¹



Stiglich

_____, C.J.



Cadish

_____, J.



_____, J.
Herndon

cc: Hon. Susan Johnson, District Judge
Dickinson Wright PLLC
O’Mara Law Firm, P.C.
Eighth District Court Clerk

¹Given this order, petitioners’ motion to stay is denied as moot.