

IN THE SUPREME COURT OF THE STATE OF NEVADA

C.M., A MINOR, BY AND THROUGH
HER ADOPTIVE PARENT AND
GUARDIAN GARNETTE MCCRACKEN
AND GUARDIAN AD LITEM KRISTEN
WOODS; E.R., A MINOR, BY AND
THROUGH HER NATURAL PARENT
AND GUARDIAN DAKOTA ROUTH;
K.J., A MINOR, BY AND THROUGH
HER NATURAL PARENT AND
GUARDIAN CHAD JENSEN; M.C. A
MINOR, BY AND THROUGH HER
NATURAL PARENT AND GUARDIAN
VICTORIA COOPER; MADISON
THOMPSON; MACKENZIE
THOMPSON; AND KYLIE THOMPSON,
Petitioners,

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

JEFFREY SCHULTZ, INDIVIDUALLY,
AND IN HIS OFFICIAL CAPACITY;
WENDY PHELPS, INDIVIDUALLY,
AND IN HER OFFICIAL CAPACITY;
BRIANNA ROBINSON,
INDIVIDUALLY, AND IN HER
OFFICIAL CAPACITY; CLARK
COUNTY SCHOOL DISTRICT, A
POLITICAL SUBDIVISION OF THE
STATE OF NEVADA,
Real Parties in Interest.

No. 86696

FILED

MAR 21 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER DENYING PETITION

This original petition for a writ of mandamus challenges the district court's decision to grant partial summary judgment on petitioners' Title IX claims.

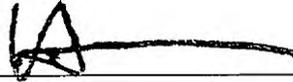
A writ of mandamus is available to compel the performance of an act that the law requires as a duty resulting from an office, trust, or station or to control an arbitrary or capricious exercise of discretion. *See* NRS 34.160; *Int'l Game Tech., Inc. v. Second Jud. Dist. Ct.*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). Whether a petition for extraordinary writ relief will be entertained rests within this court's sound discretion. *D.R. Horton, Inc. v. Eighth Jud. Dist. Ct.*, 123 Nev. 468, 474-75, 168 P.3d 731, 736-37 (2007).

We decline to entertain the writ petition because petitioners have a sufficient alternative to remedy any alleged error in the summary judgment order. "Generally, the availability of appeal after final judgment is considered an adequate and speedy remedy that precludes mandamus relief from orders granting partial summary judgment." *Renown Reg'l Med. Ctr. v. Second Jud. Dist. Ct.*, 130 Nev. 824, 828, 335 P.3d 199, 202 (2014). Petitioners have not demonstrated a countervailing justification to depart from our general rule. We do not find any important areas of law needing clarification, nor do considerations of judicial economy weigh in favor of considering the petition. *Cf. id.* (stating that such factors, when applicable, weigh in favor of writ consideration).¹

¹Despite our refusal to consider the merits of the petition, we take this opportunity to clarify petitioners' burden in citing to the record. Petitioners failed to pin cite their assertions of fact, instead citing to entire documents.

Accordingly, we

ORDER the petition DENIED.


_____, J.
Herndon


_____, J.
Lee


_____, J.
Bell

cc: Hon. Kathleen E. Delaney, District Judge
H&P Law, PLLC
Marquis Aurbach Chtd.
Eighth District Court Clerk

For example, many of their assertions cite to the entire operative complaint. Such citation violates Nevada's Rules of Appellate Procedure, which state that "every assertion in briefs regarding matters in the record *shall be supported by a reference to the page and volume number, if any, of the appendix where the matter relied upon is to be found.*" NRAP 28(e) (emphasis added). Proper legal citation aids the court and the parties in identifying the sources of propositions alleged in the briefing.