

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).<sup>1</sup>

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<sup>1</sup>Despite 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

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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.