

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHARLES SHIN LIN, M.D.,  
Petitioner,  
vs.  
THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE  
MARIA A. GALL, DISTRICT JUDGE,  
Respondents,  
and  
JUAN PABLO CEVASCO AS  
CONSERVATOR FOR MARIA DE LOS  
ANGELES CEVASCO LOPEZ,  
Real Parties in Interest.

No. 88357

FILED

APR 05 2024

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

*ORDER DENYING PETITION FOR WRIT OF MANDAMUS*

This is an original petition for a writ of mandamus challenging the district court's denial of summary judgment on the issues of plaintiff's incapacity and standing.<sup>1</sup> 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 Jud. 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 Jud. 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


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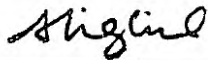
<sup>1</sup> Sean D. Beaty's March 27, 2024, request for leave to join in this petition for writ of mandamus is granted.

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 and its documentation, we are not persuaded that our extraordinary and discretionary intervention is warranted. Generally, we will not consider writ petitions challenging orders denying motions for summary judgment, and we are not persuaded that any exception to the general rule applies here. *Smith v. Eighth Jud. Dist. Court*, 113 Nev. 1343, 1344-45, 950 P.2d 280, 281 (1997). Accordingly, we

ORDER the petition DENIED.

  
\_\_\_\_\_, C.J.  
Cadish

  
\_\_\_\_\_, J.  
Stiglich

  
\_\_\_\_\_, J.  
Herndon

cc: Hon. Maria A. Gall, District Judge  
Lewis Brisbois Bisgaard & Smith, LLP/Las Vegas  
Gina Corena & Associates  
Bighorn Law/Las Vegas  
Eighth District Court Clerk