

IN THE SUPREME COURT OF THE STATE OF NEVADA

FREDERICK ZINKEVICH AND  
SANDRA ZINKEVICH, HUSBAND AND  
WIFE,  
Petitioners,  
vs.  
THE LAS VEGAS JUSTICE COURT,  
LAS VEGAS NEVADA, IN AND FOR  
THE COUNTY OF CLARK, AND THE  
HONORABLE T. L. ABBATANGELO,  
JUSTICE OF THE PEACE,  
Respondents,  
and  
PUCH LLC,  
Real Party in Interest.

No. 42997

FILED

APR 08 2004

JANE L. M. DELOTT  
CLERK OF SUPREME COURT  
BY *J. Richards*  
CHIEF DEPUTY CLERK

ORDER DENYING PETITION FOR  
WRIT OF MANDAMUS


This original petition for a writ of mandamus challenges a justice's court's summary eviction order. We have considered the petition, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted. Specifically, writ relief from a justice's court's order must generally be sought first in the district court.<sup>1</sup> Further, an appeal to the district court from the summary eviction order, or an independent district court action – as petitioner filed on March 1, 2004 –

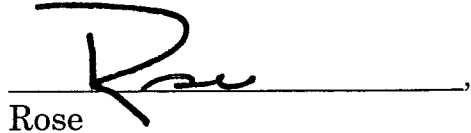
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<sup>1</sup>State of Nevada v. Justice Court, 112 Nev. 803, 805 n.3, 919 P.2d 401, 402 n.3 (1996).

constitutes a plain, speedy and adequate legal remedy that precludes mandamus relief in this court.<sup>2</sup> Accordingly, we deny the petition.<sup>3</sup>

It is so ORDERED.

 C.J.  
Shearing

 J.  
Rose

 J.  
Maupin

cc: Honorable Tony Abbatangelo, Justice of the Peace  
Law Offices of Barry Levinson  
Beckley Singleton, Chtd.  
Marguerite Creel, Court Administrator

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<sup>2</sup>NRS 34.170; NRS 40.380; Karow v. Mitchell, 110 Nev. 958, 962, 878 P.2d 978, 981 (1994).

<sup>3</sup>See NRAP 21(b).