

IN THE SUPREME COURT OF THE STATE OF NEVADA

AMERICAN NEVADA CORPORATION
AND SILVER SPRINGS, INC.,

Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
MICHAEL CHERRY, DISTRICT
JUDGE,

Respondents,

and

THE GRAND LEGACY COMMUNITY
ASSOCIATION,

Real Party in Interest.

No. 43023

FILED

APR 06 2004


JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

ORDER DENYING PETITION FOR
WRIT OF MANDAMUS

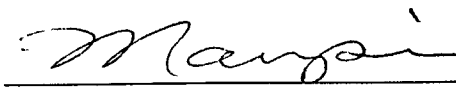
This original petition for a writ of mandamus challenges a district court order that denied petitioners' motion for partial summary judgment in a construction defect action. We have considered the petition, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted. In particular, petitioners seek to compel summary judgment only on "claims relating [to] the golf course walls."

But writ relief is not available to compel a partial summary judgment.¹
Accordingly, we deny the petition.²

It is so ORDERED.³

 C.J.
Shearing

 J.
Rose

 J.
Maupin

cc: Hon. Michael A. Cherry, District Judge
Lincoln, Gustafson & Cercos
Quon Bruce Law Firm
Clark County Clerk

¹Moore v. District Court, 96 Nev. 415, 610 P.2d 188 (1980) (refusing to consider a writ petition that sought to compel only partial summary judgment); see also Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991) (stating that the issuance of a writ of mandamus is purely discretionary with this court).

²See NRAP 21(b).

³Petitioners' request for a stay is denied as moot.