

IN THE SUPREME COURT OF THE STATE OF NEVADA

JAMES R. ABBEY, JR. AND COLLEEN
ABBEY TRUST DATED JULY 16, 1988,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
JESSIE WALSH, DISTRICT JUDGE,
Respondents,

and

CLASSIC DEVELOPMENT, LLC, A
NEVADA LIMITED LIABILITY
COMPANY,
Real Party in Interest.

No. 43047

FILED

APR 08 2004

JANETTE M. BLOOM
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 the district court's entry of a preliminary injunction in a foreclosure action. Specifically, petitioner "seeks a [w]rit of [m]andamus compelling the District Court to dissolve the preliminary injunction heretofore granted." We have considered the petition, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted. An appeal from an order granting or denying a preliminary injunction constitutes a plain,

speedy and adequate legal remedy that precludes mandamus relief.¹
Accordingly, we deny the petition.²

It is so ORDERED.

 C.J.
Shearing

 J.
Rose

 J.
Maupin

cc: Hon. Jessie Elizabeth Walsh, District Judge
William L. McGimsey
Law Offices of Michael V. Cristalli, Ltd.
Clark County Clerk

¹See NRAP 3A(b)(2); NRS 34.170; Karow v. Mitchell, 110 Nev. 958, 962, 878 P.2d 978, 981 (1994). We note, too, that only a written order granting or denying injunctive relief is appealable. Rust v. Clark Cty. School District, 103 Nev. 686, 747 P.2d 1380 (1987). Here, it is unclear whether the district court entered such an order.

²See NRAP 21(b).