

IN THE SUPREME COURT OF THE STATE OF NEVADA

CARSON-TAHOE HOSPITAL, A
NEVADA NON-PROFIT
CORPORATION,
Petitioner,

vs.

THE FIRST JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR CARSON CITY, AND THE
HONORABLE MICHAEL R. GRIFFIN,
DISTRICT JUDGE,

Respondents,
and

BUILDING & CONSTRUCTION
TRADES COUNCIL OF NORTHERN
NEVADA; CECIL HOFFMAN;
SOUTHWEST REGIONAL COUNCIL
OF CARPENTERS; CARPENTERS
UNION, LOCAL 971; AND LABOR
COMMISSIONER OF THE STATE OF
NEVADA,
Real Parties in Interest.

No. 43623

FILED

AUG 25 2004

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF PROHIBITION

This original petition for a writ of prohibition challenges a district court order granting declaratory relief in a labor dispute.

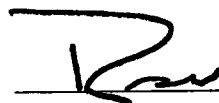
A writ of prohibition may issue only when there is no plain, speedy, and adequate remedy at law.¹ An appeal is generally an adequate remedy, precluding writ relief.² Petitioner filed an alternative notice of


¹NRS 34.330.

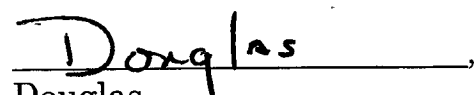
²See Pengilly v. Rancho Santa Fe Homeowners, 116 Nev. 646, 647-48 n.1, 5 P.3d 569, 570 n.1 (2000).

appeal from the district court's order on July 16, 2004. The appeal, separately pending in this court under Docket Number 43638, appears to afford petitioner with an adequate remedy.³ Thus, extraordinary relief is not available. Accordingly, we

ORDER the petition DENIED.⁴


_____, J.
Rose


_____, J.
Maupin


_____, J.
Douglas

cc: Hon. Michael R. Griffin, District Judge
Allison, MacKenzie, Russell, Pavlakis, Wright & Fagan, Ltd.
Attorney General Brian Sandoval/Las Vegas
Carson City District Attorney
Michael E. Langton
Desmond Lee
Daniel M. Shanley
Carson City Clerk

³We note that, under the circumstances, petitioner may be able to obtain an expedited briefing schedule in the appeal.

⁴We deny the July 30, 2004 motion to dismiss, filed by real parties in interest Southwest Regional Council of Carpenters and Carpenters Union, Local 971. Their August 10 and 11, 2004 motions for leave to file replies are denied as moot. The clerk of the court shall return, un-filed, their replies, provisionally received on August 10 and 11, 2004.