IN THE SUPREME COURT OF THE STATE OF NEVADA

MERCHANTS BUILDING
MAINTENANCE OF CALIFORNIA,
LLC,

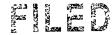
Petitioner,

VS

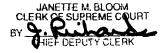
THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF CLARK, AND THE HONORABLE DAVID WALL, DISTRICT JUDGE, Respondents,

and
MIGUEL LOPEZ, AN INDIVIDUAL;
ROUSE PROPERTY MANAGEMENT,
INC., A MARYLAND CORPORATION;
AND H-S LAS VEGAS ASSOCIATES, A
BUSINESS OF UNKNOWN
ORGANIZATION,
Real Parties in Interest.

No. 44154



NOV 1 5 2004



ORDER DENYING PETITION FOR WRIT OF MANDAMUS OR PROHIBITION

This original petition for a writ of mandamus or prohibition challenges a district court order denying petitioner's motion to dismiss the second amended complaint in the underlying case, which substituted petitioner as a defendant. We have considered this petition, and we are

SUPREME COURT OF NEVADA

(O) 1947A

not satisfied that this court's intervention by way of extraordinary relief is warranted. Accordingly, we deny the petition.¹

It is so ORDERED.²

Becker J.

Agosti J.

Gibbons

cc: Hon. David Wall, District Judge
John D. Augenstein
Hutchison & Steffen, Ltd.
Simon Law Office
Thorndal Armstrong Delk Balkenbush & Eisinger/Las Vegas
Clark County Clerk

¹See NRAP 21(b); Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991).

²We deny as most petitioner's November 5, 2004 motion for a stay.