

IN THE SUPREME COURT OF THE STATE OF NEVADA

WASHOE COUNTY, A SUBDIVISION  
OF THE STATE OF NEVADA;  
WASHOE COUNTY ASSESSOR; AND  
THE STATE OF NEVADA, BOARD OF  
EQUALIZATION,  
Petitioners,

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  
TODD LOWE AND BARBARA  
FREDERIC,  
Real Parties in Interest.

No. 45042

FILED

APR 25 2005

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 the district court's refusal to dismiss the portion of real parties in interest's pleadings that was brought as a petition for judicial review under the Nevada Administrative Procedure Act (APA), NRS Chapter 233B.<sup>1</sup> Petitioners contend that, by proceeding with real parties' action under the APA, the district court will exceed its jurisdiction.


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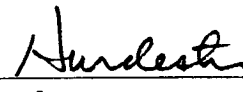
<sup>1</sup>See NRS 233B.010.

We have considered this petition, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted.<sup>2</sup> Accordingly, we deny the petition.<sup>3</sup>

It is so ORDERED.

  
\_\_\_\_\_, J.  
Rose

  
\_\_\_\_\_, J.  
Gibbons

  
\_\_\_\_\_, J.  
Hardesty

cc: Hon. Michael R. Griffin, District Judge  
Attorney General Brian Sandoval/Carson City  
Washoe County District Attorney Richard A. Gammick/Civil  
Division  
Norman J. Azevedo  
Carson City Clerk

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<sup>2</sup>We note that the district court specifically invited petitioners to renew their motion to dismiss, if appropriate, once additional information is submitted to the court.

<sup>3</sup>See NRAP 21(b); Smith v. District Court, 113 Nev. 1343, 950 P.2d 280 (1997) (recognizing that this court generally will not exercise its discretion to consider writ petitions challenging district court orders denying motions to dismiss).