

IN THE SUPREME COURT OF THE STATE OF NEVADA

ADVANTAGE CAPITAL
DEVELOPMENT CORP., F/K/A C.E.C.
INDUSTRIES CORP., A NEVADA
CORPORATION,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
VALORIE J. VEGA, DISTRICT JUDGE,
Respondents,

and

VICTORY VILLAGE LTD. III, A
NEVADA LIMITED PARTNERSHIP;
TRI CAPITAL CORPORATION, A
CALIFORNIA CORPORATION;
BUILDERS CONTROL SERVICE
COMPANY, INC., A CALIFORNIA
CORPORATION; AMERICAN
MOTORISTS INSURANCE COMPANY,
AN ILLINOIS CORPORATION;
MOONRIDGE DEVELOPMENT CORP.,
A NEVADA CORPORTION; DSM GOLF
ENTERPRISES, INC., A NEVADA
CORPORATION; CHARLES
MCHAFFIE, AN INDIVIDUAL; AND
MARRCSHARE LEASING, INC., A
CALIFORNIA CORPORATION,
Real Parties in Interest.

No. 45101

FILED

DEC 27 2005

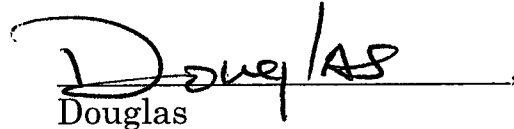
JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK

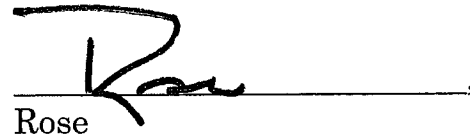
ORDER DENYING PETITION
FOR WRIT OF MANDAMUS OR PROHIBITION

This original petition for a writ of mandamus or prohibition challenges a district court order denying petitioner's motion to vacate an order granting real party in interest American Motorist Insurance

Company's motion for leave to file a third party complaint or, in the alternative, to reconsider the court's order allowing the trial to begin even though the five year statute had expired. We have considered this petition, and are not satisfied that this court's intervention by way of extraordinary relief is warranted.¹ Accordingly, we

ORDER the petition DENIED.²

 J.
Douglas

 J.
Rose

 J.
Parraguirre

cc: Hon. Valorie Vega, District Judge
Smith Larsen & Wixom
Wallace B. Adams
DSM Golf Enterprises, Inc.
Faux & Associates, P.C.
Hale Lane Peek Dennison & Howard/Las Vegas
Marrcshare Leasing, Inc.
Charles McHaffie
Moonridge Development Corp.
Schreck Brignone/Las Vegas
Streich Lang
Clark County Clerk

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

²Our denial of this petition in no way precludes petitioner from raising these issues on appeal if petitioner is aggrieved by the final judgment in the underlying case. See NRAP 3A(a), (b)(1).