

IN THE SUPREME COURT OF THE STATE OF NEVADA

DONALD E. REESE,
Petitioner,

vs.

THE SECOND JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
WASHOE, AND THE HONORABLE
CONNIE J. STEINHEIMER, DISTRICT
JUDGE,

Respondents,

and

SPIGOT RESOURCES, INC., A
NEVADA CORPORATION,
Real Party in Interest.

No. 45708

FILED

OCT 06 2005

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

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

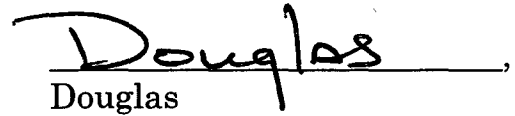
This is an original petition for a writ of mandamus, challenging district court orders rescinding a real estate sales contract and expunging a lis pendens.

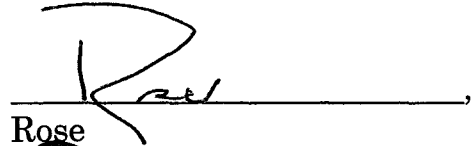
We have considered the petition and note that petitioner has filed an appeal from the same orders, which has been docketed as number 45393.¹ As an appeal is generally an adequate legal remedy that precludes writ relief, we are not satisfied that this court's intervention by

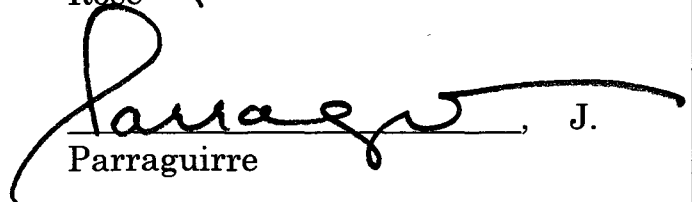
¹No stay motion has been filed in either case.

way of extraordinary relief is warranted.² Accordingly, we deny the petition.³

It is so ORDERED.

 J.
Douglas

 J.
Rose

 J.
Parraguirre

cc: Hon. Connie J. Steinheimer, District Judge
Walsh, Baker & Rosevear, P.C.
Law Offices of Mark Wray
Washoe District Court Clerk

²See NRS 34.170; Dayside Inc. v. Dist. Ct., 119 Nev. 404, 75 P.3d 384 (2003) (observing that an appeal from a final judgment generally constitutes a plain, speedy and adequate remedy sufficient to foreclose writ relief); Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991).

³See NRAP 21(b).