

IN THE SUPREME COURT OF THE STATE OF NEVADA

RICHARD L. RIGGINS, JR., AND
PATRICIA RIGGINS,
Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
STEWART L. BELL, DISTRICT JUDGE,
Respondents,
and
SARA MCALINDON,
Real Party in Interest.

No. 46359

FILED

FEB 28 2006

[Signature]
DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This original petition for a writ of mandamus challenges a district court order denying petitioner Richard L. Riggins, Jr.'s motion to dismiss.


A petition for a writ of mandamus is an extraordinary remedy, and whether a petition will be entertained is entirely within the discretion of this court.¹ We have considered this petition and we are not satisfied

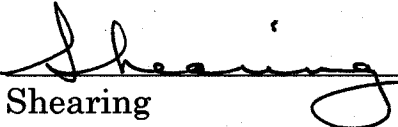
¹Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991).

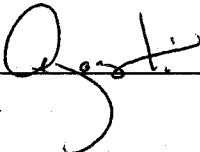
that this court's intervention by way of extraordinary relief is warranted.²

Accordingly, we deny the petition.³

It is so ORDERED.⁴


_____, C.J.
Rose


_____, Sr. J.
Shearing


_____, Sr. J.
Agosti

cc: Hon. Stewart L. Bell, District Judge
Delanoy Schuetze & McGaha, P.C.
Jon R. Turner
Clark County Clerk

²Id.

³See id.; NRAP 21(b).

⁴In light of this order, we deny as moot petitioners' request for a stay. The Honorable Miriam Shearing, Senior Justice, and the Honorable Deborah A. Agosti, Senior Justice, participated in the decision of this matter under general orders of assignment entered on January 6, 2006.