

IN THE SUPREME COURT OF THE STATE OF NEVADA

FIRST LIGHT HOMEOWNERS
ASSOCIATION, A NEVADA NON-
PROFIT CORPORATION,

Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
ALLAN R. EARL, DISTRICT JUDGE,

Respondents,

and

D.R. HORTON, INC., A DELAWARE
CORPORATION,

Real Party in Interest.

No. 46838

FILED

FEB 28 2006

JANETTE BLOOM
CLERK OF SUPREME COURT

DEPUTY CLERK


ORDER DENYING PETITION
FOR WRIT OF MANDAMUS OR PROHIBITION

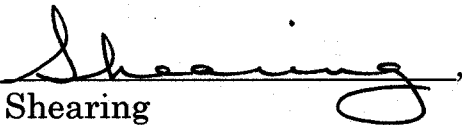
This is an original petition for writ of mandamus, or in the alternative, prohibition, challenging a district court order that grants a stay of constructional defect litigation and allows a developer-contractor to continue to inspect, test and repair alleged construction defects. Petitioner has also filed a motion to stay enforcement of the orders.

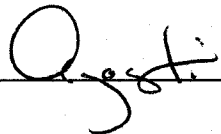
We have considered the petition, and we are not persuaded that petitioner has met its burden of demonstrating that our intervention

by way of extraordinary relief is warranted.¹ Accordingly, we deny the petition, and we deny petitioner's motion for stay.²

It is so ORDERED.³


_____, C.J.
Rose


_____, Sr. J.
Shearing


_____, Sr. J.
Agosti

cc: Hon. Allan R. Earl, District Judge
Quon Bruce Christensen Law Firm
Marquis & Aurbach
Clark County Clerk

¹NRAP 21(b); Pan v. Dist. Ct., 120 Nev. 222, 88 P.3d 840 (2004).

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

³The 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 January 6, 2006.