

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROBERT ALGEE AND FINE  
CLOTHING, INC.,  
Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK, AND THE HONORABLE  
JESSIE WALSH, DISTRICT JUDGE,  
Respondents,

and

NAYERI MOUNDJIAN,  
Real Party in Interest.

No. 47477

**FILED**

JUL 14 2006

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

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This original petition for a writ of mandamus seeks to stay an eviction order. We directed petitioners to show cause why the petition should not be dismissed as moot, since the eviction took place on June 9, 2006, three days before this petition was docketed on June 12, 2006. Petitioners filed a timely response, arguing that the petition is not moot because they seek to be restored to the property for the remainder of the lease term.

We conclude that the petition is moot, at least with respect to the relief requested in the petition itself: a stay of the eviction.<sup>1</sup> To the extent that petitioners now implicitly wish to modify their requested relief to restoration of the leasehold, we determine that extraordinary relief is not warranted. In particular, petitioners have an adequate remedy at law,

<sup>1</sup>See NCAA v. University of Nevada, 97 Nev. 56, 624 P.2d 10 (1981).

by seeking such relief in the underlying action still pending in the district court.<sup>2</sup> Accordingly, we deny the petition.<sup>3</sup>

It is so ORDERED.

Maupin, J.  
Maupin

Gibbons, J.  
Gibbons

Hardesty, J.  
Hardesty

cc: Hon. Jessie Elizabeth Walsh, District Judge  
Rawlings Olson Cannon Gormley & Desruisseaux  
Mills & Mills  
Clark County Clerk

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<sup>2</sup>See NRS 34.170; Pan v. Dist. Ct., 120 Nev. 222, 88 P.3d 840 (2004).

<sup>3</sup>See NRAP 21(b); Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991).