

IN THE SUPREME COURT OF THE STATE OF NEVADA

LAS VEGAS SANDS, LLC, F/K/A LAS
VEGAS SANDS, INC.,

Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
KENNETH C. CORY, DISTRICT
JUDGE,

Respondents,

and

WYNN SUNRISE, LLC, A NEVADA
LIMITED LIABILITY COMPANY,
Real Party in Interest.

No. 47837

FILED

OCT 18 2006

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. R. [Signature]*
CHIEF DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This is an original writ petition challenging a district court order denying a motion to dismiss real party in interest's first cause of action for slander of title.


A writ of mandamus is available to compel the performance of an act that the law requires, or to control an arbitrary or capricious exercise of discretion.¹ Mandamus is an extraordinary remedy, a petition for which is addressed to this court's sole discretion.² This court generally will not consider writ petitions that challenge orders denying motions to

¹See NRS 34.160; Round Hill Gen. Imp. Dist. v. Newman, 97 Nev. 601, 637 P.2d 534 (1981).

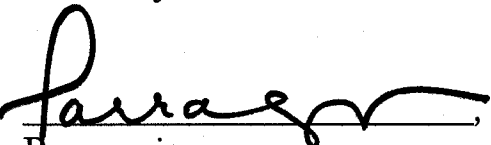
²See Poulos v. District Court, 98 Nev. 453, 455, 652 P.2d 1177, 1178 (1982).

dismiss.³ We note that a petitioner has the burden of demonstrating that this court's intervention is warranted.⁴ Having reviewed the petition, we determine that petitioner has not met its burden of demonstrating that extraordinary relief is warranted. Accordingly, we deny the petition.

It is so ORDERED.⁵


_____, J.
Becker


_____, J.
Hardesty


_____, J.
Parraguirre

cc: Hon. Kenneth C. Cory, District Judge
Lionel Sawyer & Collins/Las Vegas
Schreck Brignone/Las Vegas
Clark County Clerk

³Smith v. District Court, 113 Nev. 1343, 950 P.2d 280 (1997).

⁴See Pan v. Dist. Ct., 120 Nev. 222, 228, 88 P.3d 840, 844 (2004).

⁵In light of this order, petitioner need not comply with this court's August 8, 2006 notice to provide proof of service. We note, however, that NRAP 21(a) clearly requires service on the real party in interest and that compliance with our notice was due on August 25, 2006.