

IN THE SUPREME COURT OF THE STATE OF NEVADA

TAYLOR STREET MARKET; GARY SINGH; REVA SINGH; AND HOVAL RAVINDER, IN THEIR INDIVIDUAL CAPACITIES,

Petitioners,

vs.

THE THIRD JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF CHURCHILL, AND THE HONORABLE DAVID A. HUFF, DISTRICT JUDGE,

Respondents,

and

LINDA LAWRENCE; BECKIE BARTEL; AND STEPHANI HIGGINS,
Real Parties in Interest.

No. 48326

FILED

DEC 07 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 challenges a district court order denying petitioners' motion to dismiss real parties in interest's first, second, and fourth causes of action.

This court will not exercise its discretion to consider petitions for extraordinary writ relief that challenge district court orders denying motions to dismiss or for summary judgment, unless no disputed factual issues exist and dismissal or summary judgment is clearly required by a statute or rule, or an important issue of law requires clarification.¹ Further, extraordinary writs are generally available only when our resolution of the legal question presented would affect all aspects of the

¹Smith v. District Court, 113 Nev. 1343, 950 P.2d 280 (1997).

underlying case.² It is petitioners' burden to show that our intervention by way of extraordinary relief is warranted.³

We have considered this petition, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted at this time. Accordingly, we deny the petition.⁴

It is so ORDERED.

Becker, J.
Becker

Hardesty, J.
Hardesty

Parraguirre, J.
Parraguirre

cc: Hon. David A. Huff, District Judge
Jack E. Kennedy & Associates
Martin G. Crowley
Churchill County Clerk

²Moore v. District Court, 96 Nev. 415, 610 P.2d 188 (1980).

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

⁴See NRAP 21(b); Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991).