

IN THE SUPREME COURT OF THE STATE OF NEVADA

MEHMET ERTUGRUL,
INDIVIDUALLY; RUBEN
PANGILINAN, INDIVIDUALLY; P & T
TRUCKING, INC., A NEVADA
CORPORATION; FEDEX GROUND
PACKAGE SYSTEMS, INC. D/B/A,
HOME DELIVERY, A FOREIGN
CORPORATION,

Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
VALORIE J. VEGA, DISTRICT JUDGE,

Respondents,

and

MIRANDA LUCERO, INDIVIDUALLY,
Real Party in Interest.

No. 48853

FILED

FEB 05 2007

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

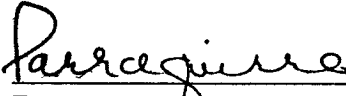
ORDER DENYING PETITION AND DENYING MOTION FOR STAY


This original petition for writ of mandamus or, in the alternative, for a writ of prohibition, challenges a district court order denying petitioners' motion to enforce settlement and to dismiss the complaint below. We have considered the petition, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted at this time. See NRAP 21(b).


This court generally will not exercise its discretion to consider writ petitions that challenge orders of the district court denying motions to dismiss. State ex rel. Dep't Transp. v. Thompson, 99 Nev. 358, 662 P.2d 1338 (1983). We have allowed very few exceptions where considerations of sound judicial economy and administration militated in favor of granting

such petitions, and in cases where no disputed factual issues exist and, pursuant to clear authority under a statute or rule, the district court is obligated to dismiss an action. Smith v. District Court, 113 Nev. 1343, 1344-45, 950 P.2d 280, 281 (1997). It does not appear that such circumstances exist here. Further, we note that it appears this court can review the district court's denial of petitioners' motion to enforce settlement on direct appeal from any adverse final judgment. NRAP 3A(b)(1); see Consolidated Generator v. Cummins Engine, 114 Nev. 1304, 971 P.2d 1251 (1998) (stating that interlocutory orders entered prior to final judgment may be heard on appeal from final judgment). Accordingly, we deny the petition.¹

It is so ORDERED.


_____, J.
Parraguirre


_____, J.
Hardesty


_____, J.
Saitta

cc: Hon. Valorie Vega, District Judge
Marquis & Aurbach
Prince & Keating, LLP
Eighth District Court Clerk

¹Petitioners have also moved for a stay of the district court proceedings pending this court's decision on the writ petition. In light of the instant order resolving the petition, we deny the motion for stay as moot.