

IN THE SUPREME COURT OF THE STATE OF NEVADA

No. 34739

LONNIE ROBNETT AND NEVADA HEATING,
AIR CONDITIONING AND PLUMBING,
INC., A NEVADA CORPORATION,

Petitioners,

vs.

THE SECOND JUDICIAL DISTRICT COURT
OF THE STATE OF NEVADA, IN AND FOR
THE COUNTY OF WASHOE, AND THE
HONORABLE JAMES W. HARDESTY,
DISTRICT JUDGE,

Respondents,

and

ROCHELLE MATSON,

Real Party in Interest.

FILED

OCT 20 1999

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

ORDER DENYING PETITION FOR WRIT OF PROHIBITION

This petition for a writ of prohibition challenges an order granting a motion under NRCP 59(a) for a new trial. We note that petitioners have a right to appeal from the order challenged here. See NRAP 3A(b)(2) (authorizing an appeal from an order granting a new trial). Petitioners thus have a plain, speedy and adequate remedy in the ordinary course of law that precludes our consideration of this petition for a writ of prohibition. See NRS 34.330; Heilig v. Christensen, 91 Nev. 120, 532 P.2d 267 (1975). Accordingly, we deny the petition for a writ of prohibition.

It is so ORDERED.

Maupin

Maupin J.

Shearing

Shearing J.

Becker

Becker J.

cc: Hon. James W. Hardesty, District Judge
Sprinkel & Burau LLC
Harris Trimmer & Thompson
Washoe County Clerk