

IN THE SUPREME COURT OF THE STATE OF NEVADA

COUNTRY CLUB AUTO SPA, LLC, A
NEVADA LIMITED LIABILITY
COMPANY; STEVEN CUCCIO, AN
INDIVIDUAL; AND TIM BOLTON, AN
INDIVIDUAL,
Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA, IN
AND FOR THE COUNTY OF CLARK, AND
THE HONORABLE DOUGLAS SMITH,
DISTRICT JUDGE,

Respondents,

and

ALL AMERICAN AUTO GLASS, INC., A
NEVADA CORPORATION,
Real Party in Interest.

No. 54664

FILED

OCT 08 2009

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DENYING PETITION
FOR A WRIT OF MANDAMUS OR PROHIBITION

This original petition for a writ of mandamus or prohibition challenges a district court's oral denial of a motion to vacate the trial date in a contract action. Having reviewed the petition and its supporting documents, we are not persuaded that writ relief is warranted. NRAP 21(b)(1); Smith v. District Court, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991) (stating that mandamus and prohibition are extraordinary remedies and whether a petition will be considered is within our sole discretion). Accordingly, we

ORDER the petition DENIED.¹

Cherry, J.
Cherry

Douglas, J.
Douglas

Gibbons, J.
Gibbons

cc: Hon. Douglas Smith, District Judge
Barron & Pruitt, LLP
Glaser, Weil, Fink, Jacobs, Howard & Shapiro, LLC.
Eighth District Court Clerk

¹We note that petitioners have not paid the supreme court filing fee for this case. NRS 2.250. Although we deny this petition, petitioners are still required to pay the filing fee. Accordingly, petitioners shall have 15 days from the date of this order to pay the filing fee.