

IN THE SUPREME COURT OF THE STATE OF NEVADA

MCKNIGHT FAMILY, LLP,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
STEFANY ANN MILEY, DISTRICT
JUDGE,

Respondents,

and

ADEPT MANAGEMENT SERVICES,
INC.; NEVADA ASSOCIATION
SERVICES, INC.; TORREY PINES
HOMEOWNERS ASSOCIATION; AND
DESIGN 3.2 LLC,
Real Parties in Interest.

No. 56496

FILED

SEP 13 2010

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY [Signature]
DEPUTY CLERK

ORDER DENYING PETITION FOR
WRIT OF MANDAMUS OR PROHIBITION

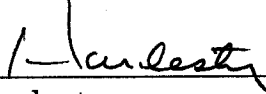
This original petition for a writ of mandamus or prohibition challenges a district court order dismissing a real property action.

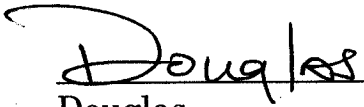
Having reviewed this petition and its supporting documentation, we are not persuaded that our intervention by way of extraordinary writ relief is warranted. In general, a writ may be issued only when petitioner has no plain, speedy, and adequate legal remedy, NRS 34.170; NRS 34.330, and this court has consistently held that an appeal is an adequate legal remedy that will preclude writ relief. Pan v. Dist. Ct., 120 Nev. 222, 224, 88 P.3d 840, 841 (2004).


Here, because the challenged district court order is appealable under NRAP 3A(b)(3), as an order denying an injunction, and under NRAP

3A(b)(1), as a final judgment, petitioner has an adequate legal remedy precluding writ relief in the form of an appeal from the district court's order. Accordingly, we deny the petition. NRAP 21(b)(1); Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991).

It is so ORDERED.¹


_____, J.
Hardesty


_____, J.
Douglas


_____, J.
Pickering

cc: Hon. Stefany Miley, District Judge
James S. Kent
Gibbs, Giden, Locher, Turner & Senet LLP
Needham & Needham
The Eighth District Court Clerk

¹In light of this order, we deny as moot petitioner's August 2, 2010, motion requesting an expedited resolution of its petition.