

IN THE SUPREME COURT OF THE STATE OF NEVADA

3 KIDS, LLC, A NEVADA LIMITED
LIABILITY COMPANY,

Petitioner,

vs.

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

Respondents,

and

NEVADA POWER COMPANY, A
NEVADA CORPORATION,

Real Party in Interest.

No. 56804

FILED

SEP 29 2010

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *A. Ingersoll*
DEPUTY CLERK

ORDER DENYING PETITION
FOR WRIT OF MANDAMUS, PROHIBITION, OR CERTIORARI


This original petition for a writ of mandamus, prohibition, or certiorari challenges a district court order granting a stay.

Writs of mandamus, prohibition, and certiorari are extraordinary remedies, and the decision to entertain a petition requesting these forms of relief is within this court's discretion. Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991) (mandamus and prohibition); Dangberg Holdings v. Douglas Co., 115 Nev. 129, 978 P.2d 311 (1999) (certiorari). Such relief is generally not available when a speedy and adequate legal remedy exists. See NRS 34.170 (mandamus); NRS 34.330 (prohibition); NRS 34.020(2) (certiorari).

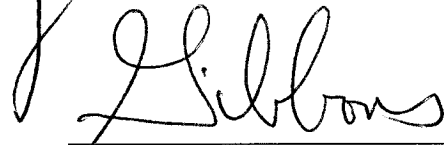
Here, we conclude that petitioner has a plain, speedy, and adequate remedy, and thus, our intervention by way of extraordinary

relief is not warranted. Specifically, once a final judgment is entered¹ and real party in interest files its appeal from that judgment, petitioner may then make a motion in this court seeking to vacate the district court's stay order. Accordingly, we deny the petition. Smith, 107 Nev. 674, 818 P.2d 849; Dangberg Holdings, 115 Nev. 129, 978 P.2d 311; NRAP 21(b) and (c).

It is so ORDERED.


_____, J.
Cherry


_____, J.
Saitta


_____, J.
Gibbons

cc: Hon. Stefany Miley, District Judge
Santoro, Driggs, Walch, Kearney, Holley & Thompson
Ballard Spahr Andrews & Ingersoll, LLP /Las Vegas
Eighth District Court Clerk

¹In addition to requesting that we direct the district court to vacate its stay order, petitioner asks that the district court be directed to enter judgment on the verdict. Because we are confident that the district court will enter a final judgment as soon as its docket allows, we conclude that our intervention by way of extraordinary relief is likewise not warranted with regard to this issue.