

IN THE SUPREME COURT OF THE STATE OF NEVADA

COUNTY OF CLARK, NEVADA; AND
MARK W. SCHOFIELD, IN HIS
OFFICIAL CAPACITY AS CLARK
COUNTY ASSESSOR,
Petitioners,

vs.

FIRST JUDICIAL DISTRICT COURT
OF THE STATE OF NEVADA; AND
THE HONORABLE JAMES TODD
RUSSELL, DISTRICT JUDGE,
Respondents,
and
EDGE-STAR PARTNERS, LLC, A
NEVADA LIMITED LIABILITY
COMPANY,
Real Party in Interest.

No. 57325

FILED

JUN 09 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

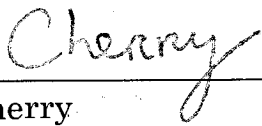
ORDER DENYING PETITION FOR WRIT OF PROHIBITION


This original petition for a writ of prohibition asks this court to conclude that the district court acted in excess of its jurisdiction in considering a petition for judicial review of an administrative tax decision.


A writ of prohibition may issue to confine the district court to the proper exercise of its prescribed jurisdiction when the court has acted in excess of its jurisdiction, see NRS 34.320, in cases where “there is not a plain, speedy and adequate remedy in the ordinary course of law.” NRS 34.170. Prohibition is an extraordinary remedy, and it is within this court’s discretion to determine if such petitions will be considered. Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991). Generally, an appeal from any adverse final judgment will provide an adequate legal remedy precluding writ relief. See Pan v. Dist. Ct., 120 Nev. 222, 224, 88 P.3d 840, 841 (2004).

Having reviewed the petition, answer, and accompanying documents, it appears that the district court has yet to resolve the underlying judicial proceedings. See NRS 233B.150. Once the district court resolves the proceedings, any aggrieved party may appeal from the district court's final judgment. NRAP 3A(b). Thus, this court's extraordinary intervention is not warranted at this time. See Smith, 107 Nev. 674, 818 P.2d 849; Pan, 120 Nev. at 224, 88 P.3d at 841. Accordingly, we

ORDER the petition DENIED.


_____, J.
Cherry


_____, J.
Gibbons


_____, J.
Pickering

cc: Hon. James Todd Russell, District Judge
Attorney General/Carson City
Clark County District Attorney/Civil Division
Kaempfer Crowell Renshaw Gronauer & Fiorentino
Carson City Clerk