

IN THE SUPREME COURT OF THE STATE OF NEVADA

TONY R. HINES,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF
NEVADA, IN AND FOR THE
COUNTY OF CLARK; AND THE
HONORABLE TIMOTHY C.
WILLIAMS, DISTRICT JUDGE,
Respondents,
and
DWIGHT NEVEN,
Real Party in Interest.

No. 57496

FILED

FEB 10 2011

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

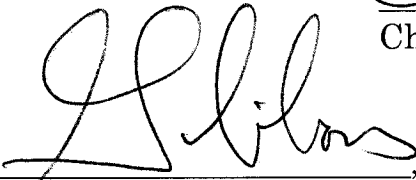
ORDER DENYING PETITION FOR WRIT OF MANDAMUS


This proper person original petition for a writ of mandamus challenges a district court order dismissing petitioner's tort action.


A writ of mandamus will issue only when the petitioner has no plain, speedy, and adequate legal remedy. NRS 34.170. Here, petitioner had an adequate and speedy legal remedy in the form of an appeal from the district court's order dismissing his complaint. NRAP 3A(b)(1) (allowing for appeals from final judgments); Pan v. Dist. Ct., 120 Nev. 222, 224, 88 P.3d 840, 841 (2004) (noting that this court has consistently

recognized that an appeal is an adequate legal remedy precluding writ relief); NRAP 21(b)(1). Accordingly, as writ relief is precluded, we

ORDER the petition DENIED.¹


_____, J.
Gibbons


_____, J.
Cherry


_____, J.
Pickering

cc: Hon. Timothy C. Williams, District Judge
Tony R. Hines
Attorney General/Las Vegas
Eighth District Court Clerk

¹No notice of entry of the district court's dismissal order was included in the supporting documents; thus, it is unclear whether the time for filing a notice of appeal has passed. NRAP 4(a)(1).