IN THE SUPREME COURT OF THE STATE OF NEVADA

MARNELL CORRAO & ASSOCIATES, INC., A NEVADA CORPORATION,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF CLARK; AND THE HONORABLE VALORIE VEGA, DISTRICT JUDGE,
Respondents,
and
HANSEN MECHANICAL CONTRACTORS, INC., A NEVADA CORPORATION,
Real Party in Interest.

No. 58349

FILED

MAY 19 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY
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 denying a motion for partial summary judgment.

Extraordinary writ relief is not available when a plain, speedy, and adequate legal remedy exists, NRS 34.170; International Game Tech. v. Dist. Ct., 124 Nev. 193, 197, 179 P.3d 556, 558 (2008), and an appeal from the final judgment is usually an adequate legal remedy that precludes writ relief. International Game Tech., 124 Nev. at 197, 179 P.3d at 558; Pan v. Dist. Ct., 120 Nev. 222, 224-25, 88 P.3d 840, 841 (2004).

11-14806

Consequently, this court will generally not intervene to consider writ petitions challenging district court orders denying motions to dismiss or for summary judgment. "[S]uch petitions rarely have merit, often disrupt district court case processing, and consume an 'enormous amount' of this court's resources." International Game Tech., 124 Nev. at 197, 179 P.3d at 558-59 (quoting State ex rel. Dep't Transp. v. Thompson, 99 Nev. 358, 361-62, 662 P.2d 1338, 1340 (1983)). Moreover, this court's intervention is seldom warranted when, even if granted, it would resolve only part of the underlying action. Moore v. District Court, 96 Nev. 415, 417, 610 P.2d 188, 189 (1980) (determining that intervention is not appropriate if it would not dispose of the entire controversy, since the avoidance of a needless trial is not possible).

Here, having reviewed the petition and supporting documents, we are not persuaded that this court's extraordinary intervention is warranted in this matter. NRAP 21(b)(1); Smith v. District Court, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991). Accordingly, we

ORDER the petition DENIED.[1]

Cherry, J.
Cherry

Gibbons, J.
Gibbons

Pickering, J.
Pickering

[1]Petitioner's motion for stay is denied as moot in light of this order.

cc: Hon. Valorie Vega, District Judge
Johns & Durrant, LLP
Marquis & Aurbach
Kemp, Jones & Coulthard, LLP
Sutherland Law Firm
Eighth District Court Clerk