

IN THE SUPREME COURT OF THE STATE OF NEVADA

CONSOLIDATED NEVADA CORP.;
AND PAUL A. MORABITO,
Petitioners,

vs.

THE SECOND JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
WASHOE; AND THE HONORABLE
BRENT T. ADAMS, DISTRICT JUDGE,
Respondents,

and

JH, INC., A NEVADA CORPORATION;
JERRY HERBST, AS TRUSTEE OF
THE HERBST GAMING TRUST; AND
BERRY-HINCKLEY INDUSTRIES, A
NEVADA CORPORATION,
Real Parties in Interest.

No. 59083

FILED

AUG 31 2011

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

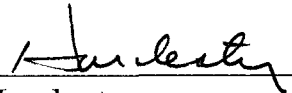
ORDER DENYING PETITION FOR WRIT OF MANDAMUS

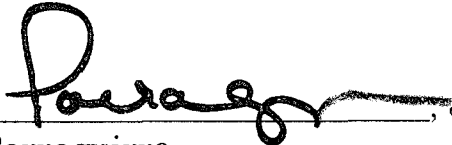
This original petition for a writ of mandamus challenges a district court final judgment, which petitioners assert is not truly a final judgment.

Extraordinary writ relief is unavailable when the petitioner has a plain, speedy, and adequate legal remedy such as an appeal. NRS 34.170; Pan v. Dist. Ct., 120 Nev. 222, 88 P.3d 840 (2004). A final judgment is appealable, NRAP 3A(b)(1), and we have determined that jurisdiction over the related appeals in Docket Nos. 57943 and 57944 is proper. Accordingly, as petitioners may raise their arguments in the

context of their appeals from the challenged order, writ relief is not warranted, NRAP 21(b)(1); Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991), and we

ORDER the petition DENIED.


_____, J.
Hardesty


_____, J.
Parraguirre

cc: Hon. Brent T. Adams, District Judge
Robison Belaustegui Sharp & Low
Lippes Mathias Wexler Freidman LLP
Jones Vargas/Reno
Washoe District Court Clerk