

IN THE SUPREME COURT OF THE STATE OF NEVADA

LAKEVIEW COMPANY, A NEVADA
GENERAL PARTNERSHIP; AND GARY
BOUCHARD, AN INDIVIDUAL,
Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
JESSIE ELIZABETH WALSH,
DISTRICT JUDGE,

Respondents,

and

MILESTONE ENTERTAINMENT, LLC
D/B/A HACIENDA CINEMAS; AND
FOXFIRE SERVICES, LLC,
Real Parties in Interest.

No. 59134

FILED

SEP 15 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *Angela*
DEPUTY CLERK

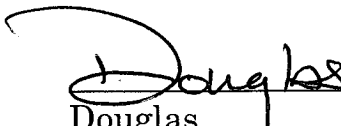
ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This original petition for a writ of mandamus seeks to prevent the district court from entering a final judgment in the underlying matter, following the entry of an order holding petitioners in contempt and imposing sanctions. The petition is based on petitioners' position that, if the final judgment is entered, this court will lose jurisdiction to review the contempt order. Petitioners, however, are mistaken, and we therefore deny the petition.

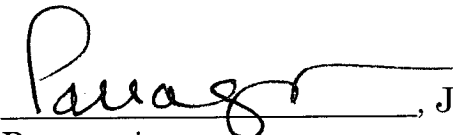
Specifically, an interlocutory order may be challenged in the context of any appeal from the final judgment. See Consolidated Generator v. Cummins Engine, 114 Nev. 1304, 1312, 971 P.2d 1251, 1256 (1998). While Pengilly v. Rancho Santa Fe Homeowners, 116 Nev. 646, 5 P.3d 569 (2000), holds that contempt orders are not independently

appealable, an interlocutory contempt order is not excepted from the general rule stated in Consolidated Generator, and it therefore may be reviewed in an appeal from the final judgment. Writ relief is unavailable when petitioner has a plain, speedy, and adequate remedy such as an appeal. NRS 34.170; Pan v. Dist. Ct., 120 Nev. 222, 224-25, 88 P.3d 840, 841 (2004). Accordingly, 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.¹

 _____, J.
Douglas

 _____, J.
Hardesty

 _____, J.
Parraguirre

cc: Hon. Jessie Elizabeth Walsh, District Judge
Pico Rosenberger
McCullough, Perez & Associates, Ltd.
Eighth District Court Clerk

¹We deny petitioners' emergency stay motion as moot in light of this order.