

IN THE SUPREME COURT OF THE STATE OF NEVADA

No. 35573

HAYDON BUILDING CORP., 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 GARY L. REDMON, DISTRICT JUDGE,

Respondents,

and

PACE CONTRACTING CO., A NEVADA CORPORATION; CLARK COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF NEVADA, CLARK COUNTY BOARD OF COMMISSIONERS,

Real Parties In Interest.

FILED

FEB 10 2000

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richard*
CHIEF DEPUTY CLERK

ORDER DENYING PETITION FOR

WRIT OF MANDAMUS OR PROHIBITION

This petition for a writ of mandamus or prohibition challenges a district court order and judgment granting a motion for a preliminary and permanent injunction and determining that petitioner is not eligible for a bidder's preference under NRS 338.147, a statute governing the award of public contracts. We note that petitioner has a right to appeal from the order and judgment challenged here. See NRAP 3A(b)(1) and (2) (authorizing an appeal from a final judgment, an order granting an injunction, and an order refusing a new trial). Petitioner thus has a plain, speedy, and adequate remedy in the ordinary course of the law that precludes our consideration of this petition for a writ of mandamus or prohibition. See NRS 34.170; 34.330; Heilig v. Christensen,

91 Nev. 120, 532 P.2d 267 (1975). Accordingly, we deny this petition.

It is so ORDERED.¹

Maupin J.
Maupin

Shearing J.
Shearing

Becker J.
Becker

cc: Hon. Gary L. Redmon, District Judge
Clark County District Attorney
McDonald Carano Wilson McCune Bergin Frankovich & Hicks
Haney, Woloson & Mullins
Clark County Clerk

¹We deny petitioner's motion for a stay as moot in light of this order.