

IN THE SUPREME COURT OF THE STATE OF NEVADA

UNIVERSAL HEALTH SERVICES
FOUNDATION D/B/A DESERT
SPRINGS HOSPITAL MEDICAL
CENTER; AND VALLEY HEALTH
SYSTEM, LLC,
Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE ABBI
SILVER, DISTRICT JUDGE,

Respondents,

and

RENEE MEHANNA, AN INDIVIDUAL
AND AS REPRESENTATIVE OF THE
ESTATE OF RICHARD CHAMOUN;
HELENE SOMO, AN INDIVIDUAL;
CHAMILLE CHAMOUN, AN
INDIVIDUAL; AND JANINE
CHAMOUN, AN INDIVIDUAL,
Real Parties in Interest.

No. 61746

FILED

NOV 16 2012

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *R. Malone*
DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

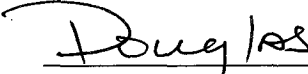
This original petition for a writ of mandamus challenges district court orders denying motions to dismiss in a medical malpractice and wrongful death action.


A writ of mandamus is available to compel the performance of an act that the law requires or to control an arbitrary or capricious exercise of discretion. NRS 34.160; International Game Tech. v. Dist. Ct., 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). Whether a petition for mandamus relief will be considered is purely discretionary with this court. Smith v. District Court, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991). It is

petitioners' burden to demonstrate that our extraordinary intervention is warranted. Pan v. Dist. Ct., 120 Nev. 222, 228, 88 P.3d 840, 844 (2004). Writ relief is generally available only where there is no plain, speedy, and adequate remedy in the ordinary course of law. NRS 34.170; NRS 34.330; Smith, 107 Nev. at 677, 818 P.2d at 851. Moreover, this court has held that the right to appeal is generally an adequate legal remedy precluding writ relief. Pan, 120 Nev. at 224, 88 P.3d at 841.

Having considered the petition, we conclude that our intervention by way of extraordinary relief is not warranted. Smith, 107 Nev. at 677, 818 P.2d at 851; NRAP 21(b)(1). Accordingly, we

ORDER the petition DENIED.


_____, J.
Douglas


_____, J.
Gibbons


_____, J.
Parraguirre

cc: Hon. Abbi Silver, District Judge
Hall Prangle & Schoonveld, LLC/Las Vegas
Ramzy P. Ladah
Eighth District Court Clerk