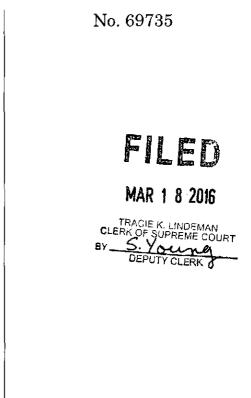
## IN THE SUPREME COURT OF THE STATE OF NEVADA

MEDICWEST AMBULANCE, INC., A NEVADA CORPORATION: AND MATTHEW JIVIDEN, AN INDIVIDUAL, Petitioners, vs. THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA. IN AND FOR THE COUNTY OF CLARK; AND THE HONORABLE JERRY A. WIESE, DISTRICT JUDGE, Respondents, and RICHARD BREWER, AN INDIVIDUAL; ASHLEY BREWER, AN INDIVIDUAL; DENNIS W. MCADOREY, AN INDIVIDUAL: TARA MCADOREY, AN INDIVIDUAL: AND ALIONA CRAIG, AN INDIVIDUAL. Real Parties in Interest.



## ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This original petition for a writ of mandamus challenges a district court order denying a motion for summary judgment in a tort action.

Having considered the petition and the arguments that petitioners made in district court, we are not persuaded that the district court arbitrarily or capriciously exercised its discretion in denying petitioners' motion without prejudice. *Int'l Game Tech, Inc. v. Second Judicial Dist. Court,* 124 Nev. 193, 197, 179 P.3d 556, 558 (2008); *Pan v. Eighth Judicial Dist. Court,* 120 Nev. 222, 228, 88 P.3d 840, 844 (2004). Accordingly, we conclude that our extraordinary and discretionary

SUPREME COURT OF NEVADA intervention is unwarranted at this time. Smith v. Eighth Judicial Dist. Court, 107 Nev. 674, 677, 679, 818 P.2d 849, 851, 853 (1991). We therefore ORDER the petition DENIED.<sup>1</sup>

arlast J. Hardestv J.

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ickering\_\_\_, J. Pickering

cc: Hon. Jerry A. Wiese, District Judge Phillip Hack & Associates APC Bailey Kennedy Injury Lawyers of Nevada Mazzeo Law LLC Eighth District Court Clerk

<sup>1</sup>In light of our disposition of this writ petition, petitioners' March 15, 2016, motion for a stay is denied as moot.

SUPREME COURT OF NEVADA