

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.

No. 69735

FILED

MAR 18 2016

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 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

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.¹

Hardesty, J.
Hardesty

Saitta, J.
Saitta

Pickering, 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

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