

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

AUTO CLUB GROUP INSURANCE
COMPANY, A MICHIGAN
CORPORATION,

Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
JENNIFER P. TOGLIATTI, DISTRICT
JUDGE,

Respondents,

and

JOAN CALHOUN, AN INDIVIDUAL,
Real Party in
Interest.

No. 71259

FILED

SEP 15 2016

RACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK


ORDER DENYING PETITION

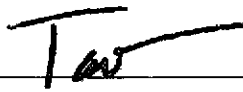
This original petition for a writ of mandamus challenges a district court order denying petitioner's motion for summary judgment. An appellate court will generally not exercise its discretion to consider writ petitions that challenge orders denying motions for summary or motions to dismiss. *See State of Nevada v. Eighth Judicial Dist. Court*, 118 Nev. 140 (2002); *see also State ex rel. Dep't Transp. v. Thompson*, 99 Nev. 358, 662 P.2d 1338 (1983). Appellate courts have allowed very few exceptions where considerations of sound judicial economy and administration militated in favor of granting such petitions, and in cases where no disputed factual issues exist and pursuant to clear authority under a statute or rule, the district court is obligated to grant summary judgment or dismiss an action. *See Smith v. Eighth Judicial Dist. Court*, 113 Nev. 1343, 950 P.2d 280 (1997). Such circumstances do not exist here.

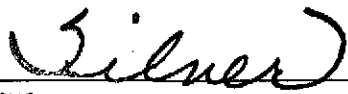
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Further, we note that it appears the issues raised in the petition challenging the district court's denial of petitioner's motion for summary judgment can be addressed on direct appeal from any adverse final judgment. NRAP 3A(b)(1); see *Consolidated Generator v. Cummins Engine*, 114 Nev. 1304, 971 P.2d 1251 (1998) (stating that interlocutory orders entered prior to final judgment may be heard on appeal from final judgment). Accordingly, we conclude this court's intervention by way of extraordinary relief is not warranted at this time, and we deny the petition. See NRAP 21(b).

It is so ORDERED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Silver

cc: Hon. Jennifer P. Togliatti, District Judge
Alverson Taylor Mortensen & Sanders
Law Office of Karen H. Ross
Eighth District Court Clerk