

IN THE SUPREME COURT OF THE STATE OF NEVADA

No. 36385

BALLY'S LINEN, A WHOLLY OWNED  
SUBSIDIARY OF PARBALL CORPORATION,  
A NEVADA CORPORATION D/B/A BALLY'S  
LAS VEGAS,

Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT COURT  
OF THE STATE OF NEVADA, IN AND FOR  
THE COUNTY OF CLARK, AND THE  
HONORABLE JAMES C. MAHAN, DISTRICT  
JUDGE,

Respondents,

and

FRANCIS G. AYALA,

Real Party in Interest.

**FILED**

AUG 17 2000

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

ORDER DENYING PETITION FOR


WRIT OF PROHIBITION OR MANDAMUS

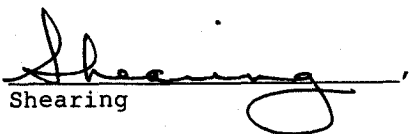
This original petition for a writ of prohibition, or mandamus, challenges District Judge James C. Mahan's denial of petitioner's motion to dismiss the underlying personal injury action based on the exclusive remedy provisions of the Nevada Industrial Insurance Act.


We have considered the petition and the answer of the real party in interest, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted at this time. Accordingly, we deny the petition. See NRAP 21(b); NRS 34.170; 34.330; State ex rel. Dep't Transp. v. Thompson, 99 Nev. 358, 662 P.2d 1338 (1983); see

also Smith v. District Court, 113 Nev. 1343, 950 P.2d 280  
(1997).

It is so ORDERED.<sup>1</sup>

  
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Maupin J.

  
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Shearing J.

  
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Becker J.

cc: Hon. James C. Mahan, District Judge  
Cohen, Johnson, Day, Jones & Royal  
Crockett & Myers  
Clark County Clerk

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<sup>1</sup>We deny petitioner's motion for a stay; the motion is moot.