

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROBERT N. PECCOLE; AND NANCY A.  
PECCOLE,  
Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE  
DOUGLAS SMITH, DISTRICT JUDGE,  
Respondents,

and

CITY OF LAS VEGAS; FORE STARS,  
LTD.; 180 LAND CO., LLC; SEVENTY  
ACRES, LLC; EHB COMPANIES, LLC;  
YOHAN LOWIE; VICKIE DEHART;  
AND FRANK PANKRATZ,  
Real Parties in Interest.

No. 71608

FILED

DEC 16 2016

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

*ORDER DENYING PETITION FOR WRIT OF PROHIBITION*

This original petition for a writ of prohibition challenges the respondent district court's jurisdiction to decide a pending motion to dismiss filed by the defendants who remain parties below.

Having considered the petition and appendix, we conclude that petitioners have not demonstrated that a writ of prohibition is warranted. NRS 34.330; *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228-29, 88 P.3d 840, 844 (2004). Appeals from interlocutory orders do not divest the district court of jurisdiction over the case or to resolve matters

that do not affect the appeal's merits. *Mack-Manley v. Manley*, 122 Nev. 849, 855, 138 P.3d 525, 529-30 (2006); *Hanley v. Zenoff*, 81 Nev. 9, 13, 398 P.2d 241, 243 (1965). Accordingly, we

ORDER the petition DENIED.

Cherry, J.  
Cherry

Douglas, J.  
Douglas

Gibbons, J.  
Gibbons

cc: Hon. Douglas Smith, District Judge  
Peccole & Peccole  
Las Vegas City Attorney  
The Jimmerson Law Firm, P.C  
Sklar Williams LLP  
EHB Companies, LLC  
Eighth District Court Clerk