

IN THE SUPREME COURT OF THE STATE OF NEVADA

JON GREGORY SANCHEZ,  
Petitioner,  
vs.  
THE SECOND JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
WASHOE; AND THE HONORABLE  
LIDIA STIGLICH, DISTRICT JUDGE,  
Respondents,  
and  
JAMES BORELLI; AND KELLY  
BORELLI,  
Real Parties in Interest.

No. 72009

**FILED**

JAN 26 2017

ELIZABETH A. BROWN  
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 vacating as premature a motion to vacate an arbitration award.

Having considered the petition and supporting documents, we conclude that writ relief is unwarranted. The district court correctly determined that, under subsection 2 of NRS 38.218, petitioner needed to serve his motion “in the manner provided by rule of court for the service of a summons in a civil action” because “a civil action involving the agreement to arbitrate” was not pending. NRS 38.218(2); *see Int’l Game Tech., Inc. v. Second Judicial Dist. Court*, 124 Nev. 193, 198, 179 P.3d 556, 559 (2008) (“Statutory interpretation is a question of law that we review de novo, even in the context of a writ petition.”). Petitioner’s argument regarding the meaning of “judicial relief” in NRS 38.218(1) is unavailing. Subsection 1 provides that “an application for judicial relief . . . must be made by motion.” Thus, when the term “motion” is used in subsection 2,

that term necessarily refers to the "application for judicial relief" described in subsection 1. Accordingly, we

ORDER the petition DENIED.<sup>1</sup>

Douglas, J.

Douglas

Gibbons, J.

Gibbons

Pickering, J.

Pickering

cc: Second Judicial District Court Dept. 8  
Law Offices of Steven F. Bus, Ltd.  
Washoe District Court Clerk

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<sup>1</sup>Petitioner's motion for a stay is denied as moot.