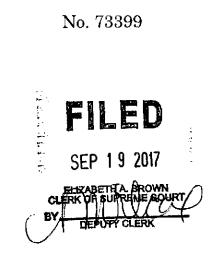
## IN THE SUPREME COURT OF THE STATE OF NEVADA

CA LAS VEGAS CACTUS ROAD LLC, Petitioner, vs. THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF CLARK; AND THE HONORABLE NANCY L. ALLF, DISTRICT JUDGE, Respondents, and NICHOLAS ABARR; AND COURTNEY ABARR, Real Parties in Interest.



## ORDER DENYING PETITION

This original petition for a writ of mandamus or prohibition challenges a district court order denying a motion for summary judgment in a tort action.

Having considered the petition and supporting documents, we are not persuaded that our extraordinary and discretionary intervention is warranted. *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004); *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 679, 818 P.2d 849, 851, 853 (1991); *see Smith v. Eighth Judicial Dist. Court*, 113 Nev. 1343, 1344-45, 950 P.2d 280, 281 (1997) (observing that this court generally will not consider writ petitions challenging orders denying summary judgment motions). As petitioner has an adequate legal remedy

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available in the form of an appeal from the final judgment, see Pan, 120 Nev. at 224, 88 P.3d at 841, we

ORDER the petition DENIED.

ary/2 J. Douglas J.

Gibbons

Pickering J. Pickering

cc: Hon. Nancy L. Allf, District Judge Bremer Whyte Brown & O'Meara, LLP Eglet Prince Eighth District Court Clerk

SUPREME COURT OF NEVADA

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