

IN THE SUPREME COURT OF THE STATE OF NEVADA

CITY OF NORTH LAS VEGAS,

No. 36595

Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT COURT  
OF THE STATE OF NEVADA, IN AND FOR  
THE COUNTY OF CLARK, AND THE  
HONORABLE GENE T. PORTER, DISTRICT  
JUDGE,

**FILED**

**JUL 12 2001**

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

Respondents,

and

JOHN ARMSTRONG AND MICHAEL THOMAS,

Real Parties in Interest.

ORDER DENYING PETITION

FOR WRIT OF MANDAMUS

This original petition for a writ of mandamus challenges a district court order granting the real parties in interest's petitions for a writ of mandamus and/or petitions to compel arbitration. We have considered this petition and the answer thereto, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted at this time. A writ will not issue where petitioner has a plain, speedy and adequate remedy in the ordinary course of law, such as an appeal.<sup>1</sup> Petitioner has an appeal pending from the challenged order. Accordingly, we vacate our stay of the

<sup>1</sup>See NRS 34.170; Hickey v. District Court, 105 Nev. 729, 731, 782 P.2d 1336, 1338 (1989) (stating that an appeal is an adequate remedy).

01-11835

district's order compelling arbitration previously entered on  
December 11, 2000, and

ORDER this petition DENIED.<sup>2</sup>

Young J.  
Young  
Leavitt J.  
Leavitt  
Becker J.  
Becker

cc: Hon. Gene T. Porter, District Judge  
Gugino & Schwartz  
Ashworth & Benedict  
Clark County Clerk  
John Dean Harper

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<sup>2</sup>See NRAP 21(b). In light of our disposition, we deny as moot petitioner's motion to file a reply brief to the real parties in interest's answer. The clerk of this court shall return unfiled the reply and the appendix to the reply received on March 23, 2001. We also deny as moot petitioner's motion to supplement the record and the North Las Vegas Police Officers Association's motion for leave to file an amicus curiae brief. The clerk of this court shall return unfiled the excerpts of record received on June 28, 2001, and the amicus brief received on July 5, 2001.