

IN THE SUPREME COURT OF THE STATE OF NEVADA

SYED AKBARULLAH, M.D.; AND
BRIAN LIPMAN, M.D.,
Petitioners,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
DAVID M. JONES, DISTRICT JUDGE,
Respondents,
and
WILLIAM NATHAN BAXTER,
Real Party in Interest.

No. 75335

FILED

APR 12 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This original petition for a writ of mandamus challenges a district court order denying a summary judgment motion in a tort action. Having considered petitioners' arguments and the supporting documents, we are not persuaded that our extraordinary and discretionary intervention is warranted. NRS 34.160; *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, 818 P.2d. 849, 851 (1991). In particular, we perceive no reason to deviate from our general policy of declining to consider writ petitions challenging orders denying motions for summary judgment, see *Smith v. Eighth Judicial Dist. Court*, 113 Nev. 1343, 1344, 950 P.2d 280, 281 (1997), as the underlying action has been pending since 2013 in district court and has a trial setting for early next month, and it appears that the legal issues raised in the petition may be refined during further pretrial

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proceedings or at trial and that those issues may be adequately reviewed on an appeal from a final judgment, *see Pan*, 120 Nev. 222, at 224 88 P.3d 840, 841. Accordingly, we

ORDER the petition DENIED.

Douglas

Douglas

, C.J.

Pickering

Pickering

, J.

Hardesty

Hardesty

, J.

cc: Hon. David M. Jones, District Judge
Carroll, Kelly, Trotter, Franzen, McKenna & Peabody
Naylor & Braster
Kenneth M. Sigelman & Associates
Christiansen Law Offices
Eighth District Court Clerk