

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

MARTIN G. CROWLEY,
Petitioner,

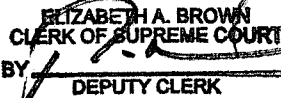
vs.

THE SECOND JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
WASHOE; AND THE HONORABLE
DAVID A. HARDY, DISTRICT JUDGE,
Respondents,
and
JOE PANICARO,
Real Party in Interest.

No. 75118

FILED

FEB 15 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

*ORDER DENYING PETITION
FOR WRIT OF MANDAMUS OR PROHIBITION*

This original petition for a writ of mandamus or prohibition challenges multiple pretrial district court rulings and orders in a case concerning a breach of contract claim and various counterclaims.

Having considered this petition and the appendix, we are not satisfied that this court's intervention by way of extraordinary relief is warranted at this time. *See* NRAP 21(b); *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991). In particular, trial is scheduled to begin next week and petitioner has an adequate and speedy legal remedy in the form of an appeal from any adverse final judgment, precluding writ relief. NRS 34.170; NRS 34.330; *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 225, 88 P.3d 840, 841 (2004); *see also Archon Corp. v. Eighth Judicial Dist. Court*, 133 Nev., Adv. Op. 101, 407 P.3d 702, 706 (2017) (recognizing that "[a] writ of mandamus is not a substitute for

an appeal,” but rather, the writ should be used sparingly, “for extraordinary causes”). Accordingly, we

ORDER the petition DENIED.



Silver

C.J.



Tao

J.



Gibbons

J.

cc: Hon. David A. Hardy, District Judge
Martin G. Crowley
Kozak & Associates, LLC
Washoe District Court Clerk