

IN THE SUPREME COURT OF THE STATE OF NEVADA

SHALINI BHATIA

Petitioner,

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. 75429

FILED

APR 30 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 motion for summary judgment in a tort action. Having considered petitioner's arguments and the supporting documents, we are not persuaded that our extraordinary and discretionary intervention is warranted.¹ NRS 34.160; *Pan v. Eighth Judicial Dist. Court*, 120 Nev.

¹Petitioner did not include in her appendix a copy of the summary judgment order she challenges in this writ petition, which provides an additional basis for denying writ relief. NRAP 21(a)(4). While her petition cites to the order, the appendix contains a different order, which is not challenged in the petition.

On April 16, 2018, Dignity Health filed a motion to join this writ petition. Dignity Health was not included in petitioner's summary judgment motion, and nothing in the appendix shows that Dignity Health later joined in the motion. While Dignity Health states that the rulings challenged in this petition affect Dignity Health, petitioner challenges the order denying her summary judgment, not the rulings set forth in Dignity Health's motion to join the petition. Thus, we deny the motion to join.

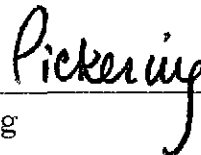
222, 228, 88 P.3d 840, 844 (2004); *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d. 849, 851 (1991). In particular, we perceive no reason to deviate from our general policy of declining to consider writ petitions challenging orders denying motions for summary judgment, see *Smith 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 an imminent trial setting, and it appears that the legal issues raised in the petition may be refined during further pretrial proceedings or at trial and that those issues may be adequately reviewed on an appeal from a final judgment, see *Pan*, 120 Nev. at 224, 88 P.3d at 841. Accordingly, we

ORDER the petition DENIED.



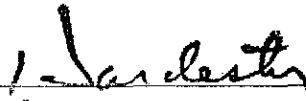
Douglas

C.J.



Pickering

J.



Hardesty

J.

cc: Hon. David M. Jones, District Judge
John H. Cotton & Associates, Ltd.
Kenneth M. Sigelman & Associates
Christiansen Law Offices
Eighth District Court Clerk