

IN THE SUPREME COURT OF THE STATE OF NEVADA

U.S. BANK NATIONAL ASSOCIATION,  
AS TRUSTEE FOR J.P. MORGAN  
MORTGAGE ACQUISITION TRUST  
2006-CW2,  
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

COLLEGIUM FUND LLC SERIES 9, A  
NEVADA LIMITED LIABILITY  
COMPANY; AND TIERRA DE LAS  
PALMAS OWNERS ASSOCIATION, A  
NON-PROFIT CORPORATION,  
Real Parties in Interest.

No. 76699

FILED

NOV 16 2018

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK


*ORDER DENYING PETITION*

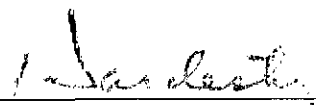
This original petition for a writ of mandamus challenges a district court order denying a motion for summary judgment in an action to quiet title. The decision to entertain a petition for a writ of mandamus is purely discretionary. *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991). As a general rule, we will not exercise that discretion when the petition challenges a district court order denying a motion for summary judgment. *Smith v. Eighth Judicial Dist. Court*, 113 Nev. 1343, 1344-45, 950 P.2d 280, 281 (1997). Petitioner argues that this petition falls within an exception to that general rule primarily because it raises important issues of law that require clarification and a decision could help resolve a large number of quiet title actions pending across the State.

Because we recently addressed those issues in *Bank of America, N.A. v. SFR Investments Pool 1, LLC*, 134 Nev., Adv. Op. 72, 427 P.3d 113 (2018), and there is nothing to preclude petitioner from seeking appropriate relief in district court based on that decision, we decline to exercise our discretion to consider this petition on the merits. Accordingly, we

ORDER the petition DENIED.

  
\_\_\_\_\_, J.  
Pickering

  
\_\_\_\_\_, J.  
Gibbons

  
\_\_\_\_\_, J.  
Hardesty

cc: Hon. David M. Jones, District Judge  
Ballard Spahr LLP/Las Vegas  
Pengilly Law Firm  
Clark Newberry Law Firm  
Eighth District Court Clerk