

IN THE SUPREME COURT OF THE STATE OF NEVADA

EARL J. BARNES, II,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
ELIZABETH GOFF GONZALEZ,
DISTRICT JUDGE,
Respondents,
and
FARMERS GROUP, INC.; AND
FARMERS INSURANCE EXCHANGE,
Real Parties in Interest.

No. 77069

FILED

JUL 11 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This is an original petition for a writ of mandamus challenging the district court's denial of petitioner's counter-motion for summary judgment in a tort action. Having considered petitioner's and real parties in interest's argument and the supporting documents, we conclude that our extraordinary and discretionary intervention is not warranted because an appeal from a final judgment provides an adequate remedy. See NRS 34.160; NRS 34.170; *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 224, 228, 88 P.3d 840, 841, 844 (2004) (stating that an appeal is generally an adequate legal remedy precluding writ relief and recognizing that petitioner bears the burden of demonstrating that writ relief is warranted, unless the district court is obligated to summarily adjudicate the action or an important issue of law requires clarification); *Smith v. Eighth Judicial Dist. Court*, 113 Nev. 1343, 1344-45, 950 P.2d 280, 281 (1997) (observing that this court generally will not consider writ petitions challenging orders denying

motions for summary judgment); *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991) (observing that issuance of the writ is subject to this court's discretion).

Accordingly, we

ORDER the petition DENIED.

Hardesty, J.
Hardesty

Stiglich, J.
Stiglich

Silver, J.
Silver

cc: Hon. Elizabeth Goff Gonzalez, District Judge
Rempfer Mott Lundy, PLLC
Greenman Goldberg Raby & Martinez
The Feldman Law Firm, P.C.
Eighth District Court Clerk