

IN THE SUPREME COURT OF THE STATE OF NEVADA

ALBERT H. CAPANNA, M.D.; CAPANNA &
ASSOCIATES P.C.; CAPANNA'S
INTERNATIONAL NEUROSCIENCE
CONSULTANTS, INC.; ALBERT H.
CAPANNA, M.D., P.C.,

No. 37063

Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT COURT
OF THE STATE OF NEVADA, IN AND FOR
THE COUNTY OF CLARK, AND THE
HONORABLE MARK W. GIBBONS,
DISTRICT JUDGE,

FILED

APR 11 2001

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. P. [Signature]*
CHIEF DEPUTY CLERK

Respondents,

and

ZENIA SIMPSON,

Real Party in Interest.

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This original petition for a writ of mandamus challenges an order of the district court denying petitioners' motion for summary judgment and dismissal of the real party in interest's complaint based on the statute of limitations, and other grounds. We have considered the petition, the answer, and the reply, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted at this time.¹ Accordingly, we deny the petition.²

It is so ORDERED.

Young

Young J.

Leavitt

Leavitt J.

Becker

Becker J.

¹See NRAP 21(b); Smith v. District Court, 113 Nev. 1343, 950 P.2d 280 (1997).

²Although requested by petitioners, we have determined that oral argument is not warranted in this writ proceeding.

cc: Hon. Mark W. Gibbons, District Judge
John H. Cotton & Associates, Ltd.
Gary Logan
Clark County Clerk