

IN THE SUPREME COURT OF THE STATE OF NEVADA

STEVEN LARUE SCOTT,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE ERIC
JOHNSON, DISTRICT JUDGE,
Respondents,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 70623

FILED

JUL 13 2016

RACHEL LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

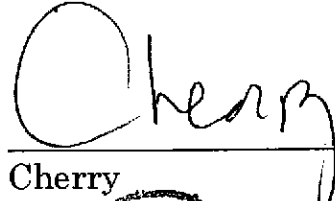
This original pro se petition for a writ of mandamus challenges a “Notice of Stay Pending Nevada Supreme Court Appeal” filed in district court by real party in interest.


Petitioner asks this court to “determine an adequate remedy” in the event that “the injunction (stay) was illegally imposed on petitioner.” Despite the title of real party in interest’s notice, no stay order has been entered in district court. Regardless, petitioner has exercised his appeal rights by appealing from the order dismissing his complaint, *see Scott v. Camby*, Docket No. 70093, and any error with the order dismissing petitioner’s complaint will be reviewed in the context of that appeal. *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 224, 88 P.3d 840, 841 (2004) (explaining that the right to appeal provides an adequate legal remedy precluding writ relief). In the event petitioner’s appeal was filed before the district court resolved a timely filed tolling


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motion, that appeal will be dismissed as premature and the district court retains jurisdiction to resolve petitioner's motion for reconsideration. As petitioner has not met his burden of demonstrating that writ relief is warranted, *Pan*, 120 Nev. at 228, 88 P.3d at 844, we

ORDER the petition DENIED.


_____, J.
Cherry


_____, J.
Douglas


_____, J.
Gibbons

cc: Hon. Eric Johnson, District Judge
Steven Larue Scott
Attorney General/Carson City
Attorney General/Las Vegas
Eighth District Court Clerk