

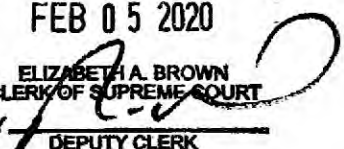
IN THE SUPREME COURT OF THE STATE OF NEVADA

THOMAS W. UMBACH, M.D.,  
Petitioner,  
vs.  
THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE  
JOSEPH HARDY, JR., DISTRICT  
JUDGE,  
Respondents,  
and  
CHRISTIAN MQUOWN,  
Real Party in Interest.

No. 80410

**FILED**

FEB 05 2020

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER DENYING PETITION FOR A WRIT OF MANDAMUS*

This is an original petition for a writ of mandamus challenging a district court order denying a motion to dismiss in a medical malpractice action.

As a general rule, “judicial economy and sound judicial administration militate against the utilization of mandamus petitions to review orders denying motions to dismiss and motions for summary judgment.” *State ex rel. Dep’t of Transp. v. Thompson*, 99 Nev. 358, 362, 662 P.2d 1338, 1340 (1983), *as modified by State v. Eighth Judicial Dist. Court*, 118 Nev. 140, 147, 42 P.3d 233, 238 (2002); *Buckwalter v. Dist. Court*, 126 Nev. 200, 201, 234 P.3d 920, 921 (2010) (noting that “[n]ormally this court will not entertain a writ petition challenging the denial of a motion to dismiss”). Although the rule is not absolute, *see Int’l Game Tech., Inc. v. Second Judicial Dist. Court*, 122 Nev. 132, 142-43, 127 P.3d 1088, 1096 (2006), petitioner has not established that an eventual appeal does not

afford an adequate legal remedy. NRS 34.170. Interlocutory review by extraordinary writ is not warranted in this case. For these reasons, we

ORDER the petition DENIED.

Pickering, C.J.  
Pickering

Hardesty, J.  
Hardesty

Cadish, J.  
Cadish

cc: Hon. Joseph Hardy, Jr., District Judge  
Lewis Brisbois Bisgaard & Smith, LLP/Las Vegas  
The Dysart Law Firm, PC  
Maddox, Isaacson & Cisneros, LLP  
Eighth District Court Clerk