

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHINA AUTO LOGISTICS, INC., A
NEVADA CORPORATION,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
TIMOTHY C. WILLIAMS, DISTRICT
JUDGE,

Respondents,

and

BARNA CAPITAL GROUP LTD, A
CYPRUS ENTITY, DERIVATIVELY ON
BEHALF OF CHINA AUTO
LOGISTICS, A NEVADA
CORPORATION,

Real Party in Interest.

No. 80216

FILED

MAR 05 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
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 pursuant to NRS 41.520(2) and NRCP 23.1 and an order denying a motion to reconsider.

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 the issue presented by the petition would not benefit from further legal and factual development in the district court or 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 at this time. For these reasons, we

ORDER the petition DENIED without prejudice.¹

Pickering, C.J.
Pickering

Hardesty, J.
Hardesty

Cadish, J.
Cadish

cc: Hon. Timothy C. Williams, District Judge
McDonald Carano LLP/Las Vegas
Glancy Prongay & Murray LLP
Aldrich Law Firm, Ltd.
Eighth District Court Clerk

¹We further deny petitioner's motion to stay as moot.