

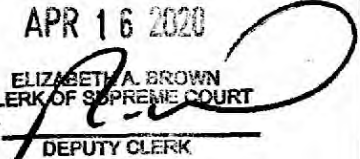
IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHN C. WAGNER; AND DENISE A.P.  
WAGNER,  
Petitioners,  
vs.  
THE SECOND JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
WASHOE; AND THE HONORABLE  
EGAN K. WALKER, DISTRICT JUDGE,  
Respondents,  
and  
CYPRUS AMAX MINERALS  
COMPANY,  
Real Party in Interest.

No. 80568

**FILED**

APR 16 2020

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

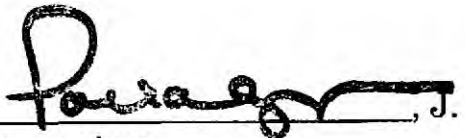
*ORDER DENYING PETITION*

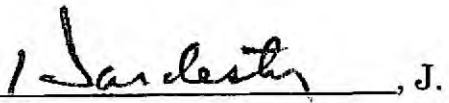
This original petition for a writ of prohibition or mandamus challenges a district court order granting a motion to dismiss in a tort action.

Having considered the petition and its documentation, we are not persuaded that our extraordinary and discretionary intervention is warranted. *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) (observing that the party seeking writ relief bears the burden of showing such relief is warranted); *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 679, 818 P.2d 849, 851, 853 (1991) (recognizing that writ relief is an extraordinary remedy and that this court has sole discretion in determining whether to entertain a writ petition). In particular, because petitioners have an adequate legal remedy in the form of an appeal from the final judgment in the case, we deny the petition. *Int'l Game Tech., Inc. v. Second Judicial Dist. Court*, 124 Nev.

193, 197, 179 P.3d 556, 558 (2008) (“Writ relief is not available . . . when an adequate and speedy legal remedy exists.”).

It is so ORDERED.

  
\_\_\_\_\_, J.  
Parraguirre

  
\_\_\_\_\_, J.  
Hardesty

  
\_\_\_\_\_, J.  
Cadish

cc: Hon. Egan K. Walker, District Judge  
Dean Omar Branham Shirley, LLP  
Matthew L. Sharp, Ltd.  
Thorndal Armstrong Delk Balkenbush & Eisinger/Reno  
Washoe District Court Clerk