IN THE SUPREME COURT OF THE STATE OF NEVADA

KOSAL TOUCH, INDIVIDUALLY, AND D/B/A JELLY DONUT,

No. 37543

Petitioner,

vs.

THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF WASHOE, AND THE HONORABLE STEVEN P. ELLIOTT, DISTRICT JUDGE,

Respondents,

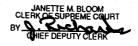
and

NATIONAL UNION FIRE INSURANCE COMPANY,

Real Party in Interest.

FILED

JUN 13 2001



ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This is an original petition for a writ of mandamus challenging a district court order denying petitioner's crossmotion for summary judgment in an insurance matter. We have considered the petition and the answer thereto, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted at this time. Accordingly, we deny the petition.

It is so ORDERED.

Young, J.

Becker, J.

¹See NRAP 21(b); NRS 34.170; <u>Smith v. District Court</u>, 113 Nev. 1343, 950 P.2d 280 (1997); <u>Smith v. District Court</u>, 107 Nev. 674, 818 P.2d 849 (1991).

cc: Hon. Steven P. Elliott, District Judge
Haefner & Enzenberger
Kenneth R. Bick
Jones Vargas
Washoe County Clerk