

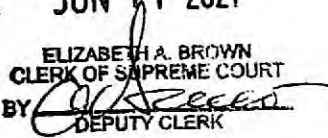
IN THE SUPREME COURT OF THE STATE OF NEVADA

VICKIE'S DINER, INC.,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
CRYSTAL ELLER, DISTRICT JUDGE,
Respondents,
and
VALENTIN ARCILA; NEVADA POWER
COMPANY, A NEVADA
CORPORATION; 1700 VEGAS, LLC, A
NEVADA LIMITED LIABILITY
COMPANY; AND BRYANT ZHU,
Real Parties in Interest.

No. 82785

FILED

JUN 11 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER DENYING PETITION

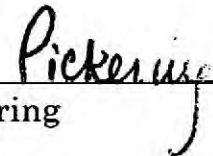
This original petition for a writ of mandamus challenges district court orders denying a motion to dismiss or, alternatively, for summary judgment, and denying in part a motion for reconsideration.


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). Generally, we will not consider writ petitions challenging orders denying summary judgment, and we are not persuaded that any exception to the general rule

applies here.¹ *Smith v. Eighth Judicial Dist. Court*, 113 Nev. 1343, 1344-45, 950 P.2d 280, 281 (1997) (discussing writ petitions challenging denials of summary judgment); *see also Walker v. Second Judicial Dist. Court*, 136 Nev., Adv. Op. 80, 476 P.3d 1194, 1198-99 (2020) (declining to provide advisory mandamus relief when the underlying issue involved factual disputes). Moreover, petitioner failed to provide all of the briefing pertaining to the challenged orders, further warranting denial of the petition. *See* NRAP 21(a)(4) (providing a petitioner shall submit an appendix containing all documents “essential to understand the matters set forth in the petition”). Accordingly, we

ORDER the petition DENIED.


_____, J.
Cadish


_____, J.
Pickering


_____, J.
Herndon

cc: Hon. Crystal Eller, District Judge
Thorndal Armstrong Delk Balkenbush & Eisinger/Las Vegas
Weinberg, Wheeler, Hudgins, Gunn & Dial, LLC
Cottle Law Firm
Gonzalez & Flores Law Firm
Harper Selim
Eighth District Court Clerk

¹Petitioner bases its challenge to the order denying reconsideration on the district court’s denial of summary judgment therein.