


IN THE SUPREME COURT OF THE STATE OF NEVADA

VALLEY HEALTH SYSTEMS, LLC,
D/B/A SPRING VALLEY HOSPITAL,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
VERONICA BARISICH, DISTRICT
JUDGE,
Respondents,
and
KURTISS HINTON; MICHAEL
SCHNEIER, M.D., AN INDIVIDUAL;
AND MICHAEL SCHNEIER
NEUROSURGICAL CONSULTING,
P.C., A NEVADA CORPORATION,
Real Parties in Interest.

No. 83423

FILED

SEP 23 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DENYING PETITION


This original petition for a writ of mandamus challenges a district court order granting in part a motion for reconsideration and reinstating a previously dismissed claim in a professional negligence matter.

This court has original jurisdiction to issue writs of mandamus, and the issuance of such extraordinary relief is solely within this court's discretion. *See Nev. Const. art. 6, § 4; D.R. Horton, Inc. v. Eighth Judicial Dist. Court*, 123 Nev. 468, 474-75, 168 P.3d 731, 736-37 (2007). Petitioners bear the burden to show that extraordinary relief is warranted, and such relief is proper only when there is no plain, speedy, and adequate remedy at law. *See Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 224, 228, 88

P.3d 840, 841, 844 (2004). An appeal is generally an adequate remedy precluding writ relief. *Id.* at 224, 88 P.3d at 841. Even when an appeal is not immediately available because the challenged order is interlocutory in nature, the fact that the order may ultimately be challenged on appeal from a final judgment generally precludes writ relief. *Id.* at 225, 88 P.3d at 841.

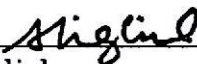
Having considered the petition, we are not persuaded that our extraordinary intervention is warranted because petitioner has not demonstrated that an appeal following a final judgment would not be a plain, speedy, and adequate remedy. *Cf. Int'l Game Tech., Inc. v. Second Judicial Dist. Court*, 124 Nev. 193, 197-98, 179 P.3d 556, 558-59 (2008) (recognizing the court's general policy to "decline to consider writ petitions challenging district court orders denying motions to dismiss" except in limited circumstances). Accordingly, we

ORDER the petition DENIED.


_____, C.J.
Hardesty



Parraguirre


_____, J.
Stiglich

cc: Hon. Veronica Barisich, District Judge
Lewis Brisbois Bisgaard & Smith, LLP/Las Vegas
Injury Lawyers of Nevada
McBride Hall
Bighorn Law/Las Vegas
Eighth District Court Clerk