

IN THE SUPREME COURT OF THE STATE OF NEVADA

LAS VEGAS PAVING CORPORATION,  
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  
ELIZABETH GOFF GONZALEZ,  
DISTRICT JUDGE,

Respondents,

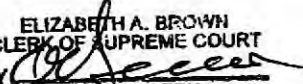
and

ALL NET DEVELOPMENT, INC., A  
NEVADA COMPANY; ALL NET, LLC, A  
NEVADA LIMITED LIABILITY  
COMPANY; DRIBBLE DUNK, A  
NEVADA LIMITED LIABILITY  
COMPANY; SAHARA LAS VEGAS  
CORP., A NEVADA CORPORATION;  
ALL NET LAND DEVELOPMENT, LLC,  
A NEVADA LIMITED LIABILITY  
COMPANY; SUBGALLAGHER  
INVESTMENT TRUST, A/K/A SUB  
GALLAGHER INVESTMENT TRUST  
AND SUB-GALLAGHER INVESTMENT  
TRUST; P. MOORE, AS TRUSTEE; AND  
JOSEPH R. BERLIN, AS INDIVIDUAL  
SURETY,  
Real Parties in Interest.

No. 83227

FILED

NOV 02 2021

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER DENYING PETITION  
FOR WRIT OF MANDAMUS OR PROHIBITION*

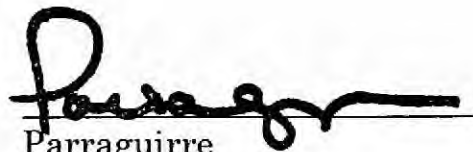
This original petition for a writ of mandamus or prohibition challenges a district court order denying summary judgment in a

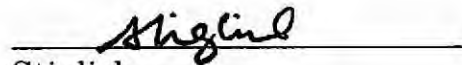
mechanics' lien matter. Real parties in interest have timely filed an answer to the petition, as directed, and petitioner has filed a reply.


Having considered the petition, answer, reply, and supporting documentation, we are not persuaded that our extraordinary intervention is warranted. *Walker v. Second Judicial Dist. Court*, 136 Nev., Adv. Op. 80, 476 P.3d 1194, 1197 (2020) (recognizing that, for purposes of traditional mandamus, petitioner must demonstrate a clear legal right to the relief sought and the absence of an alternate legal remedy). Subject to very few exceptions, we have declined to exercise our discretion to entertain writ petitions that challenge district court orders denying summary judgment. *Smith v. Eighth Judicial Dist. Court*, 113 Nev. 1343, 1344-45, 950 P.2d 280, 281 (1997). We decline to deviate from that rule here, particularly because the underlying matter is set for trial next month and because the issues presented can be raised on appeal from a final judgment, such that petitioner has a plain, speedy, and adequate legal remedy that precludes writ relief. NRS 34.170; NRS 34.330; *Walker*, 136 Nev., Adv. Op. 80, 476 P.3d at 1198, 1199 (noting that an appeal is usually an adequate and speedy legal remedy precluding writ relief and explaining that advisory mandamus is generally not available to resolve factual disputes or ones in which the petitioner does not demonstrate that our interlocutory consideration would promote judicial economy); *see also Moore v. Eighth Judicial Dist. Court*, 96 Nev. 415, 416-17, 610 P.2d 188, 189 (1980) (declining to issue writ relief

when doing so would not resolve the entire underlying controversy).  
Accordingly, we

ORDER the petition DENIED.<sup>1</sup>

 J.  
Parraguirre

 J.  
Stiglich

 J.  
Silver

cc: Hon. Elizabeth Goff Gonzalez, District Judge  
Marquis Aurbach Coffing  
Brownstein Hyatt Farber Schreck, LLP/Las Vegas  
Joseph R. Berlin  
Hanratty Law Group  
P. Moore  
Eighth District Court Clerk

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<sup>1</sup>In light of this order, petitioner's motion to expedite, and real parties in interest's motions for oral argument and to stay the district court proceedings, are denied as moot.