

IN THE SUPREME COURT OF THE STATE OF NEVADA

EMIL MORNEAULT, RPH,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF CLARK;
AND THE HONORABLE MONICA
TRUJILLO, DISTRICT JUDGE,
Respondents,

and

PATRICIA ANN ADAMS,
INDIVIDUALLY, IN HER CAPACITY AS
TRUSTEE OF THE STEWART FAMILY
TRUST, DATED JANUARY 31, 2007, IN
HER CAPACITY AS SPECIAL
ADMINISTRATOR OF THE ESTATE OF
CONNIE STEWART AND IN HER
CAPACITY AS SPECIAL
ADMINISTRATOR OF THE ESTATE OF
GARY STEWART; GARY LINCK
STEWART, JR., AN INDIVIDUAL;
MARY KAY FALLON, AN INDIVIDUAL;
ELIZABETH A. HODGE, AN
INDIVIDUAL; AND MINH NGUYEN,
M.D.,
Real Parties in Interest.

No. 83699

FILED

DEC 17 2021

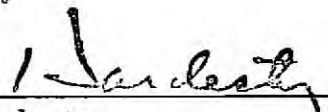
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Youney
DEPUTY CLERK


ORDER DENYING PETITION FOR A WRIT OF MANDAMUS

This original petition for a writ of mandamus challenges a district court order denying a motion to dismiss in part. Having considered the petition and its supporting documentation, we are not persuaded that our extraordinary and discretionary intervention is warranted. *See 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). Specifically, we generally decline to exercise our discretion to grant writ petitions challenging orders denying motions to dismiss, and we are not convinced any of the exceptions apply in this case. See *Smith v. Eighth Judicial Dist. Court*, 113 Nev. 1343, 1344-45, 950 P.2d 280, 281 (1997) (discussing the exceptions to the general rule). We therefore

ORDER the petition DENIED.¹


_____, C.J.
Hardesty


_____, J.
Herndon


_____, Sr.J.
Gibbons

cc: Hon. Monica Trujillo, District Judge
Weinberg, Wheeler, Hudgins, Gunn & Dial, LLC/Las Vegas
Hayes Wakayama
Lewis Brisbois Bisgaard & Smith, LLP/Las Vegas
Eighth District Court Clerk

¹The Honorable Mark Gibbons, Senior Justice, participated in the decision of this matter under a general order of assignment.