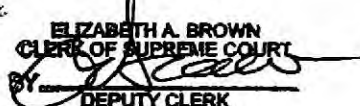


IN THE SUPREME COURT OF THE STATE OF NEVADA

VINCENT JAMES JOHN ROMEO,  
Petitioner,  
vs.  
THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE  
ELHAM ROOHANI, DISTRICT JUDGE,  
Respondents,  
and  
GRANT, MORRIS, DODDS, PLLC;  
STEVEN L. MORRIS, LTD.; AND  
STEVEN L. MORRIS,  
Real Parties in Interest.

No. 83125

FILED  
JAN 14 2022  
ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER DENYING PETITION*

This original petition for a writ of mandamus or prohibition challenges the district court's failure to dismiss certain claims in a legal malpractice and tort action.<sup>1</sup> We are not persuaded that our extraordinary and discretionary intervention is warranted. *See 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 relief where, as here, factual issues remain.<sup>2</sup> *See Walker v. Second Judicial*

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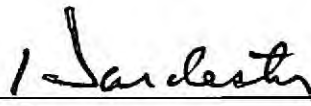
<sup>1</sup>The Honorable Elizabeth Goff Gonzalez presided over this case in district court when this petition was filed.

<sup>2</sup>Having further considered the arguments presented in the October 15, 2020, motion to strike one of petitioner's reply briefs, we agree that petitioner raised new issues for the first time in his replies and decline to  
*continued on next page...*

*Dist. Court*, 136 Nev., Adv. Op. 80, 476 P.3d 1194, 1196 (2020) (setting forth the requisites for issuance of mandamus relief); *Wynn Resorts, Ltd. v. Eighth Judicial Dist. Court*, 133 Nev. 369, 373, 399 P.3d 334, 340-41 (2017) (providing that this court does not exercise its discretion to issue a writ of mandamus or prohibition when a petition presents factual issues). Petitioner also urges us to order the district court to dismiss real parties in interest Steven L. Morris, LTD and Steven L. Morris' claims against him because they removed petitioner as a party in their amended third-party complaint. Because petitioner has an adequate remedy at law, writ relief is not warranted. See NRS 34.170; NRS 34.330. We therefore

ORDER the petition DENIED.

  
Parraguirre

  
Hardesty, J.

  
Pickering, J.

cc: Hon. Elham Roohani, District Judge  
VJJR Attorney at Law  
Santoro Whitmire  
Olson, Cannon, Gormley, & Stoberski  
Grant Morris Dodds PLLC  
Eighth District Court Clerk

consider those issues. See *Bongioui v. Sullivan*, 122 Nev. 556, 570 n.5, 138 P.3d 433, 444 n.5 (2006) (declining to consider an issue raised for the first time in a reply brief); see also *Romeo v. Eighth Judicial Dist. Court*, No. 83125 (Nev. Oct. 28, 2021) (Order Denying Motion) (denying the motion to strike but noting that this court will not consider improperly raised arguments).