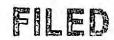
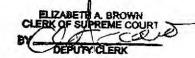
## IN THE SUPREME COURT OF THE STATE OF NEVADA

ALFRED R. WARNER, III,
Petitioner,
vs.
THE HONORABLE ADRIANA
ESCOBAR, DISTRICT JUDGE; AND
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK,
Respondents,
and
ANNIE LAURIE DIMARTINI; AND
HAROLD REILLY,
Real Parties in Interest.

No. 84074



JAN 21 2022



## ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This emergency, original petition for a writ of mandamus challenges an oral district court ruling denying petitioner's motion to set aside a default.

Having considered the petition and supporting documentation, we are not convinced 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, 818 P.2d 849, 851 (1991) (recognizing that writ relief is an extraordinary remedy and that this court has sole discretion in determining whether to entertain a writ petition). In particular, we are not persuaded that an appeal following a final judgment would be an inadequate remedy. See NAR 18(F) (party can appeal to challenge order

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striking trial de novo request); NAR 19(B) (an appeal may be taken from a judgment on an arbitration award to challenge an interlocutory district court order disposing of part of the action); NSTR 33 (allowing appeal from final judgment); Pan, 120 Nev. at 224, 88 P.3d at 841 (2004) ("[T]he right to appeal is generally an adequate legal remedy that precludes writ relief."). Accordingly, we

ORDER the petition DENIED.

Silver, J.

Cadish J.

Pickering J.

cc: Hon. Adriana Escobar, District Judge Robert W. Lueck, Ltd. Rumph & Peyton Qualey Law Group Eighth District Court Clerk

(O) 1947A