

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHN DATTALA,  
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF CLARK;  
AND THE HONORABLE ADRIANA  
ESCOBAR, DISTRICT JUDGE,

Respondents,

and

EUSTACHIUS C. BURSEY; PRECISION  
ASSETS; ACRY DEVELOPMENT LLC;  
LILLIAN MEDINA; AND WFG  
NATIONAL TITLE INSURANCE  
COMPANY,

Real Parties in Interest.

No. 83939

**FILED**

FEB 18 2022


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 partial summary judgment in a property title dispute. 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 resolving motions for summary judgment, 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). Moreover, the district court stated it would consider certifying the challenged order as final pursuant to NRCP 54(b) if a written motion were filed, which would make the order appealable. See NRAP 3A(b)(1) (providing that final judgments are appealable); *Pan*, 120 Nev. at 223, 88 P.3d at 841 (recognizing that “an appeal is generally an adequate legal remedy that precludes writ relief”). We therefore,

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

  
\_\_\_\_\_, C.J.  
Parraguirre

  
\_\_\_\_\_, J.  
Hardesty

  
\_\_\_\_\_, Sr.J.  
Gibbons

cc: Hon. Adriana Escobar, District Judge  
Benjamin B. Childs  
Eustachius C. Bursey  
Law Offices of John Benedict  
Lillian Medina  
Wright, Finlay & Zak, LLP/Las Vegas  
The Ball Law Group LLC  
Eighth District Court Clerk

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<sup>1</sup>The motion to dismiss filed by real party in interest Precision Assets is denied as moot.

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