

IN THE SUPREME COURT OF THE STATE OF NEVADA

SOUTHERN HILLS MEDICAL  
CENTER, LLC, D/B/A SOUTHERN  
HILLS HOSPITAL AND MEDICAL  
CENTER,  
Petitioner,  
vs.  
THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE  
ERIKA D. BALLOU, DISTRICT JUDGE,  
Respondents,  
and  
EMMANUEL GARCIA,  
Real Party in Interest.

No. 84636

FILED

JUN 24 2022

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

*ORDER DENYING PETITION*

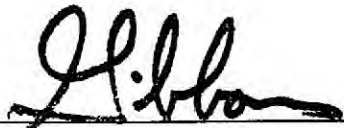
This original petition for a writ of mandamus or prohibition challenges a district court order denying a motion to dismiss in a medical malpractice action. Having considered the petition and its documentation, we are not persuaded that our extraordinary and discretionary intervention is warranted. *See Walker v. Second Judicial Dist. Court*, 136 Nev. 678, 683, 476 P.3d 1194, 1198 (2020) (declining to grant writ relief when a later appeal was available); *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). Generally, we will not consider writ petitions challenging orders denying motions to dismiss, and we are not persuaded that any exception to the

general rule applies here. *Int'l Game Tech., Inc. v. Second Judicial Dist. Court*, 124 Nev. 193, 197-98, 179 P.3d 556, 558-59 (2008) (discussing writ petitions challenging denials of motions to dismiss). We therefore

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

  
Parraguirre, C.J.

  
Pickering, J.

  
Gibbons, Sr.J.

cc: Hon. Erika D. Ballou, District Judge  
Hall Prangle & Schoonveld, LLC/Las Vegas  
Burris & Thomas  
Eighth District Court Clerk

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