

IN THE SUPREME COURT OF THE STATE OF NEVADA

BONNIE NYBERG QUAINANCE, AN
INDIVIDUAL IN HER OWN BEHALF
AND AS THE SPECIAL
ADMINISTRATOR OF THE ESTATE
OF GARY ALDEN QUAINANCE,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
DAVID M. JONES, DISTRICT JUDGE,
Respondents,

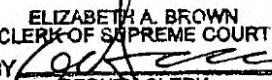
and

THE PALMER LAW FIRM P.C., A
PROFESSIONAL CORPORATION; AND
RICHARD B. HERMAN, P.C., A
PROFESSIONAL CORPORATION,
Real Parties in Interest.

No. 85761

FILED

DEC 17 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

*ORDER DENYING PETITION
FOR WRIT OF MANDAMUS OR PROHIBITION*

This emergency petition for a writ of mandamus or prohibition seeks a stay pending appeal, in light of the district court's failure to hear a stay motion filed below before the morning of an evidentiary hearing.


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). Writ relief is available only when there is no plain, adequate, and speedy legal remedy, *Pan*, 120 Nev. at 224, 88 P.3d at 841; NRS 34.170; NRS 34.330, and here, petitioner may move for a stay in her appeal, which was docketed in this court last week. *Nelson v. Heer*, 121 Nev. 832, 122 P.3d 1252 (2005), *as modified* (Jan. 25, 2006); NRAP 8. Thus, petitioner has an adequate legal remedy precluding writ relief. Moreover, we are not inclined to intervene before the district court has had an opportunity to consider petitioner's stay motion. *See* NRAP 8(a); *TRP Fund VI, LLC v. PHH Mortg. Corp.*, 138 Nev. Adv. Op. 21, 506 P.3d 1056 (2022). Accordingly, we

ORDER the petition DENIED.


_____, J.
Hardesty


_____, J.
Stiglich


_____, J.
Herndon

cc: Hon. David M. Jones, District Judge
Hatfield & Associates, Ltd.
Law Office of Mary F. Chapman, Ltd.
Eighth District Court Clerk