

IN THE SUPREME COURT OF THE STATE OF NEVADA

SUNRISE HOSPITAL AND MEDICAL
CENTER, LLC D/B/A SUNRISE
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
KATHLEEN E. DELANEY, DISTRICT
JUDGE,

Respondents,

and,

LAUREN NICKLES, INDIVIDUALLY
AND AS NATURAL PARENT AND
GUARDIAN OF J. N.; AND BRANDON
NICKLES, INDIVIDUALLY AND AS
NATURAL PARENT AND GUARDIAN
OF J. N.,

Real Parties in Interest.

No. 86126

FILED

MAR 06 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

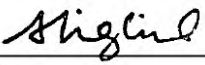
ORDER DENYING PETITION

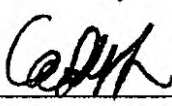
This is an original petition for a writ of mandamus challenging a district court order denying a motion for summary judgment in a medical malpractice action. Petitioner seeks extraordinary writ relief, arguing that the district court erred in finding that questions of fact remained as to real parties in interest's ostensible agency theory of liability and in denying summary judgment on this basis.


Writ relief is a disfavored vehicle to challenge a denial of a motion for summary judgement. *Smith v. Eighth Judicial Dist. Court*, 113 Nev. 1343, 1344, 950 P.2d 280, 281 (1997) (explaining that, generally, "we will not exercise our discretion to consider writ petitions that challenge

orders of the district court denying motions to dismiss or motions for summary judgment”). Thus, we decline to exercise our discretion to consider this petition. *See id.* at 1344-45, 950 P.2d at 281; *see also Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 843-44 (2004) (providing that an appeal after final judgment is generally an adequate remedy that precludes writ relief). Accordingly, we

ORDER the petition DENIED.


_____, C.J.
Stiglich


_____, J.
Cadish


_____, J.
Herndon

cc: Hon. Kathleen E. Delaney, District Judge
Hall Prangle & Schoonveld, LLC/Las Vegas
Claggett & Sykes Law Firm
Atkinson Watkins & Hoffmann LLP
Eighth District Court Clerk