

IN THE SUPREME COURT OF THE STATE OF NEVADA

FELIX GIRARD,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
MARY KAY HOLTHUS, DISTRICT
JUDGE,

Respondents,

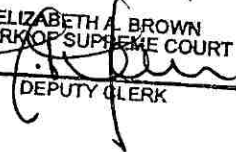
and

LIFE LINE SCREENING OF AMERICA,
LLC; AND LIFE LINE SCREENING
HOLDINGS, LLC,
Real Parties in Interest.

No. 85187

FILED

MAY 24 2023

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 granting summary judgment in a tort action.

Petitioner Felix Girard claims that writ relief is necessary to clarify whether an exculpatory waiver that prospectively limits liability of health care providers for negligence is void as against public policy in Nevada. Having reviewed the petition, we decline to exercise our discretion to entertain the petition. *D.R. Horton, Inc. v. Eighth Judicial Dist. Court*, 123 Nev. 468, 475, 168 P.3d 731, 737 (2007) (recognizing this court's broad discretion in determining whether to consider a writ petition). Writ relief is generally not available where a plain, speedy and adequate legal remedy exists, such as an appeal from a final judgment. *Pan v. Eighth Judicial*

Dist. Court, 120 Nev. 222, 224, 88 P.3d 840, 841 (2004). Because petitioner has an adequate remedy at law by way of an appeal, we deny the petition.

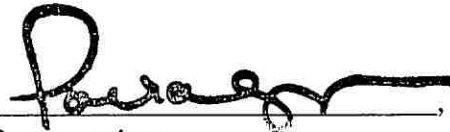
IT is so ORDERED.



_____, J.
Herndon



_____, J.
Lee



_____, J.
Parraguirre

cc: Hon. Mary Kay Holthus, District Judge
Burriss & Thomas
Lewis Brisbois Bisgaard & Smith, LLP/Las Vegas
Eighth District Court Clerk