


IN THE SUPREME COURT OF THE STATE OF NEVADA

JOE DAICHENDT,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
SUSAN JOHNSON, DISTRICT JUDGE,
Respondents,
and
ED UNDERWOOD,
Real Party in Interest.

No. 86635

FILED

JUN 16 2023

ELIZABETH A. CROWN
CLERK OF SUPREME COURT
BY: 
DEPUTY CLERK

*ORDER DENYING PETITION FOR A WRIT OF MANDAMUS
AND DENYING MOTION FOR STAY*

This original petition for a writ of mandamus challenges district court orders denying (1) petitioner's second motion to extend time to amend pleadings or add parties and motion for leave to file a second amended complaint and (2) motion to reconsider its order denying leave to amend, or in the alternative for a stay pending resolution of this petition.

This court has original jurisdiction to issue writs of mandamus, and the issuance of such extraordinary relief is solely within this court's discretion. *See Nev. Const. art. 6, § 4; D.R. Horton, Inc. v. Eighth Judicial Dist. Court*, 123 Nev. 468, 474-75, 168 P.3d 731, 736-37 (2007). Petitioner bears the burden to show that extraordinary relief is warranted, and such relief is proper only when there is no plain, speedy, and adequate remedy at law. *See Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 224, 228, 88 P.3d 840, 841, 844 (2004). An appeal is generally an adequate remedy precluding writ relief. *Id.* at 224, 88 P.3d at 841. Even when an appeal is not immediately available because the challenged order is interlocutory in

