

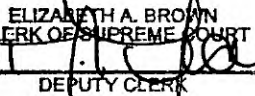
IN THE SUPREME COURT OF THE STATE OF NEVADA

ISLAND PACIFIC SEAFOOD MARKET,
INC.,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
JACQUELINE M. BLUTH, DISTRICT
JUDGE,
Respondents,
and
FAYE L. GARCIA,
Real Party in Interest.

No. 86790

FILED

JUL 14 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

*ORDER DENYING PETITION FOR WRIT OF PROHIBITION OR
MANDAMUS*

This original petition for a writ of prohibition or mandamus challenges a district court order granting NRCP 60 relief.

This court has original jurisdiction to issue writs of prohibition and 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 nature, the fact that the order may ultimately be

challenged on appeal from a final judgment generally precludes writ relief.
Id. at 225, 88 P.3d at 841.

Having considered the petition, we are not persuaded that our extraordinary intervention is warranted because petitioner has not demonstrated that an appeal from a final judgment would not afford a plain, speedy, and adequate remedy, *see* NRS 34.170; NRS 34.330, or that the district court's order otherwise falls within any of the narrow grounds that may warrant writ relief. Accordingly, we

ORDER the petition DENIED.

Stiglich

_____, C.J.
Stiglich

Cadish

_____, J.
Cadish

Herndon

_____, J.
Herndon

cc: Hon. Jacqueline M. Bluth, District Judge
Wilson, Elser, Moskowitz, Edelman & Dicker, LLP/Las Vegas
Paternoster Law Group
Eighth District Court Clerk