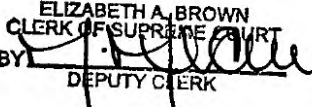


IN THE SUPREME COURT OF THE STATE OF NEVADA

SMITH'S FOOD & DRUG CENTERS,  
INC.,  
Petitioner,  
vs.  
THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE  
JASMIN D. LILLY-SPELLS, DISTRICT  
JUDGE,  
Respondents,  
and  
SHIRLEY FLETCHER,  
Real Party in Interest.

No. 88310

FILED  
APR 16 2024  
ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

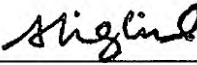
*ORDER DENYING PETITION*


This is an original petition for a writ of prohibition seeking to prevent the district court from allowing an extension of discovery to allow for additional disclosures. The decision to entertain a petition for extraordinary writ relief lies within the discretion of this court. *Smith v. Eighth Jud. Dist. Ct.*, 107 Nev. 674, 677, 679, 818 P.2d 849, 851, 853 (1991) (recognizing that writ relief is an extraordinary remedy and that this court has sole discretion in determining whether to entertain a writ petition). “This court may issue a writ of prohibition to arrest the proceedings of a district court exercising its judicial functions when such proceedings are in excess of the district court’s jurisdiction.” NRS 34.320; *Smith*, 107 Nev. at 677, 818 P.2d at 851. 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 Jud. Dist. Ct.*, 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. Further, as this court has explained, “extraordinary writs are generally not available to review discovery orders.” *Valley Health Sys., LLC v. Eighth Jud. Dist. Ct.*, 127 Nev. 167, 171, 252 P.3d 676, 678 (2011). Although these rules are not absolute, see *Int’l Game Tech., Inc. v. Second Jud. Dist. Ct.*, 122 Nev. 132, 142-43, 127 P.3d 1088, 1096 (2006), petitioner has not demonstrated that an appeal from a final judgment below would not afford a plain, speedy, and adequate remedy, see NRS 34.170, or that the district court’s order otherwise falls within any of the narrow grounds that may warrant writ relief. Having considered the petition and supporting documents, we are not persuaded that our extraordinary intervention is warranted. *Smith*, 107 Nev. at 679, 818 P.2d at 853. Accordingly, we

ORDER the petition DENIED.

  
\_\_\_\_\_, C.J.  
Cadish

  
\_\_\_\_\_, J.  
Stiglich

  
\_\_\_\_\_, J.  
Herndon

cc: Hon. Jasmin D. Lilly-Spells, District Judge  
Muehlbauer Law Office, Ltd.  
Deaver & Crafton  
Eighth District Court Clerk