

IN THE SUPREME COURT OF THE STATE OF NEVADA

NEVADA TRUST COMPANY; PETER  
H. KINGMAN; AND JAMES KRISS,  
Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE  
JOANNA KISHNER, DISTRICT  
JUDGE,

Respondents,

and


DARRYL JAMES LEWIS; MICHAEL  
TARASKA, AS TRUSTEE FOR THE  
DARRYL JAMES LEWIS LIFETIME  
TRUST,

Real Parties in Interest.

No. 88645

FILED

AUG 14 2024

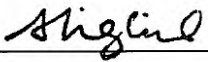
ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER DENYING PETITION  
FOR A WRIT OF MANDAMUS OR PROHIBITION*

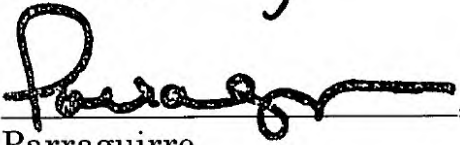
This original petition for a writ of mandamus or prohibition challenges a district court order denying summary judgment in a trust matter. Having considered the petition and its supporting documentation, we are not persuaded that our extraordinary and discretionary intervention is warranted. *Walker v. Second Jud. Dist. Ct.*, 136 Nev. 678, 681, 476 P.3d 1194, 1197 (2020) (recognizing that mandamus is an extraordinary remedy); *Smith v. Eighth Jud. Dist. Ct.*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991) (stating that writ relief “is purely discretionary with this court”). Petitioners have an adequate legal remedy in an appeal from the final judgment. *See Walker*, 136 Nev. at 681, 683, 476 P.3d at 1197-98 (explaining that the availability of a later appeal generally precludes writ

relief and rejecting contention that writ relief would be more expeditious than an appeal in the ordinary course). Moreover, we generally will not consider writ petitions challenging orders denying motions for summary judgment, and we are not persuaded that any exception to the general rule applies here. *Smith v. Eighth Jud. Dist. Ct.*, 113 Nev. 1343, 1344-45, 950 P.2d 280, 281 (1997). We therefore,

ORDER the petition DENIED.<sup>1</sup>

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

  
\_\_\_\_\_, J.  
Pickering

  
\_\_\_\_\_, J.  
Parraguirre

cc: Hon. Joanna Kishner, District Judge  
Wilson, Elser, Moskowitz, Edelman & Dicker, LLP/Las Vegas  
Wilde & Associates, LLC  
Eighth District Court Clerk

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<sup>1</sup>In light of this order, we deny petitioner's motion to stay the district court proceedings as moot.