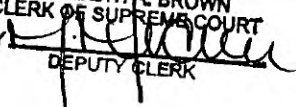


IN THE SUPREME COURT OF THE STATE OF NEVADA

FORTUNET, INC.,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
TIMOTHY C. WILLIAMS, DISTRICT
JUDGE,
Respondents,
and
JULIE ROSTEN,
Real Party in Interest.

No. 89276

FILED
SEP 24 2024
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY: 
DEPUTY CLERK

ORDER DENYING PETITION

This is an original petition for a writ of mandamus seeking to compel the district court to reverse its award of prejudgment interest on attorney fees and release remainder of supersedeas bond.

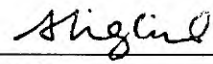
A writ of mandamus is available to compel the performance of an act that the law requires as a duty resulting from an office, trust, or station or to control an arbitrary or capricious exercise of discretion. *See* NRS 34.160; *Int'l Game Tech., Inc. v. Second Jud. Dist. Ct.*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). Whether a petition for extraordinary writ relief will be entertained rests within this court's sound discretion. *D.R. Horton, Inc. v. Eighth Jud. Dist. Ct.*, 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 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.

Having considered the petition, we are not persuaded that our intervention is warranted. Petitioner has not demonstrated that it does not have a plain, speedy, and adequate remedy by way of an appeal. NRAP 3A(b)(8) (permitting an appeal from a special order entered after a final judgment, including a post-judgment order awarding or refusing attorney fees or costs); *Pan*, 120 Nev. at 224, 88 P.3d at 841. Accordingly, writ relief is improper, and we

ORDER the petition DENIED.


_____, C.J.
Cadish


_____, J.
Stiglich


_____, J.
Herndon

cc: Hon. Timothy C. Williams, District Judge
Hartwell Thalacker, Ltd.
Lex Domus Law
Eighth District Court Clerk