

IN THE SUPREME COURT OF THE STATE OF NEVADA

DOUGLAS COUNTY CLERK, AMY BURGANS, IN HER OFFICIAL CAPACITY AS THE ELECTED CLERK OF DOUGLAS COUNTY, NEVADA,  
Petitioner,

vs.

THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF DOUGLAS; AND THE HONORABLE NATHAN TOD YOUNG, DISTRICT JUDGE,

Respondents,

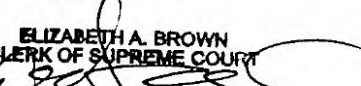
and

JASON GARRETT GIBSON, AN INDIVIDUAL,  
Real Party in Interest.

No. 89436

**FILED**

OCT 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 dismissing a preelection challenge. Having considered the petition and the supporting documents, we conclude petitioner has not met the burden of demonstrating that extraordinary relief is warranted. *Pan v. Eighth Jud. Dist. Ct.*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) (observing that the party seeking writ relief bears the burden of showing such relief is warranted); *Smith v. Eighth Jud. Dist. Ct.*, 107 Nev. 674, 677, 679, 818 P.2d 851, 851, 853 (1991) (recognizing that writ

relief is an extraordinary remedy and this court has the sole discretion in determining whether to grant relief). Extraordinary relief like a writ of mandamus or a writ of prohibition is available when there is no “plain, speedy, and adequate remedy in the ordinary course of law.” NRS 34.170; NRS 34.330; *Smith*, 107 Nev. at 677, 818 P.2d at 851. “The right to immediately appeal . . . will generally constitute an adequate and speedy legal remedy precluding writ relief.” *D.R. Horton, Inc. v. Eighth Jud. Dist. Ct.*, 123 Nev. 468, 474, 168 P.3d 731, 736 (2007).

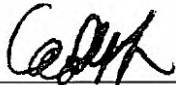
Here, the district court dismissed the preelection challenge as moot. That order was a final, appealable order. NRAP 3A(b)(1) (providing a final judgment is appealable); *Lee v. GNLV Corp.*, 116 Nev. 424, 426, 996 P.2d 416, 417 (2000) (defining a final judgment as “one that disposes of all the issues . . . and leaves nothing for the future consideration of the court” (internal quotation marks omitted)). Because an immediate appeal from the district court’s order is an adequate remedy in the ordinary course of law, we conclude petitioner has not demonstrated that extraordinary relief is warranted.<sup>1</sup> See *Chattah v. First Jud. Dist. Ct.*, No. 85298, 2022 WL 4180907 (Nev. Sept. 12, 2022) (Order Denying Petition) (denying a writ petition regarding a preelection challenge to a candidate’s qualification for

---

<sup>1</sup>The Honorable Justice Bell did not participate in the decision in this matter.

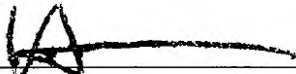
office because the district court had entered a written order that was a final judgment and thus an appeal was available). Accordingly, we

ORDER the petition DENIED.


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

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

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

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

  
\_\_\_\_\_, J.  
Lee

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

cc: Hon. Nathan Tod Young, District Judge  
Douglas County District Attorney/Minden  
Jason Garrett Gibson  
Douglas County Clerk