

IN THE SUPREME COURT OF THE STATE OF NEVADA

FTE NETWORKS, INC.; RICHARD DE  
SILVA; AND LATERAL U.S. CREDIT  
OPPORTUNITIES FUND, LP,  
Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE  
JOANNA KISHNER, DEPT. 31,  
Respondents,

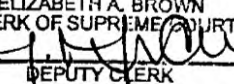
and

INNOVATIV MEDIA GROUP, INC.;  
JOSEPH CUNNINGHAM; FIRST  
CAPITAL REAL ESTATE TRUST, INC.;  
APAVA, INC. AND RICHARD & JANE  
LEIDER REVOCABLE TRUST,  
Real Parties in Interest.

No. 89707

FILED

DEC 02 2024

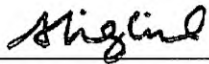
ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER DENYING PETITION FOR WRIT OF MANDAMUS*

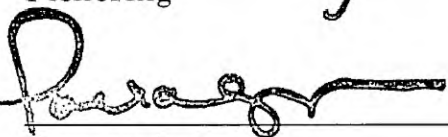
This emergency petition for a writ of mandamus challenges the district court's failure or refusal to dismiss the underlying corporations law case as not ripe and/or for lack of standing.

A writ of mandamus may be entered to control an arbitrary or capricious exercise of discretion. *Round Hill Gen. Improvement Dist. v. Newman*, 97 Nev. 601, 603-04, 637 P.2d 534, 536 (1981); *see also* NRS 34.160. Mandamus will not issue, however, when the petitioners have an adequate remedy at law. NRS 34.170; *Clay v. Eighth Jud. Dist. Ct.*, 129 Nev. 445, 449, 305 P.3d 898, 901 (2013). An appeal is generally an adequate remedy precluding writ relief. *Pan v. Eighth Jud. Dist. Ct.*, 120 Nev. 222, 224, 88 P.3d 840, 841 (2004).

Having reviewed the petition and supporting documents under these standards, we decline to exercise our original jurisdiction, as petitioners may appeal from any adverse final judgment. *See Walker v. Second Jud. Dist. Ct.*, 136 Nev. 678, 681, 476 P.3d 1194, 1197 (2020) (discussing the requirements to obtain intervention by writ); *Smith v. Eighth Jud. Dist. Ct.*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991) (recognizing that the issuance of a writ is discretionary). Accordingly, we  
ORDER the petition DENIED.

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

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

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

cc: Hon. Joanna Kishner, District Judge  
Lex Domus Law  
Marquis Aurbach Chtd.  
Baxter Baker Sidle Conn & Jones, P.A.  
Beckstrom & Beckstrom, LLP  
Eighth District Court Clerk