

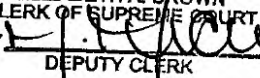
IN THE SUPREME COURT OF THE STATE OF NEVADA

COVENANT CARE VEGAS, INC D/B/A
SILVER HILLS HEALTHCARE
CENTER,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
KATHLEEN E. DELANEY, DISTRICT
JUDGE,
Respondents,
and
LORI GOLDSMITH, AS SPECIAL
ADMINISTRATOR FOR THE ESTATE
OF PAMELA SUSAN RUMEL; LORI
GOLDSMITH, INDIVIDUALLY AND
LISABETH WALLIN, INDIVIDUALLY,
Real Parties in Interest.

No. 89638

FILED

DEC 03 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS


This original petition for a writ of mandamus challenges a district court order granting judgment on the pleadings with leave to amend. This court has original jurisdiction to issue writs of mandamus, and the issuance of such extraordinary relief is solely within this court's discretion. *See Nev. Const. art. 6, § 4; 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. Even when an appeal is not immediately

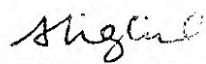
available because the challenged order is interlocutory in nature, the fact that the order may ultimately be challenged on appeal from a final judgment generally precludes writ relief. *Id.* at 225, 88 P.3d at 841.


Having considered the petition, we are not persuaded that our extraordinary intervention is warranted. Petitioner has not demonstrated that an appeal from a final judgment would not be a plain, speedy, and adequate remedy. Although petitioner asserts that real parties in interest may attempt to artfully plead around the requirements of NRS Chapter 41 and fail to join a necessary party, petitioner may make such arguments below, including in another motion for judgment on the pleadings and/or for summary judgment after an amended complaint is filed. At this juncture, however, petitioner's arguments are abstract and premature. Finally, this court typically will not entertain writ petitions challenging matters entrusted to the district court's sound discretion. *See Walker v. Second Jud. Dist. Ct.*, 136 Nev. 678, 680, 476 P.3d 1194, 1196 (2020) ("Where a district court is entrusted with discretion on an issue, the petitioner's burden to demonstrate a clear legal right to a particular course of action by that court is substantial."); *MEI-GSR Holdings, LLC v. Peppermill Casinos, Inc.*, 134 Nev. 235, 239, 416 P.3d 249, 254 (2018) (the decision to grant leave to amend is committed to the district court's sound discretion); *see also* NRCP 15(a)(2).

Accordingly, we

ORDER the petition DENIED.


_____, C.J.
Cadish


_____, J.
Stiglich


_____, J.
Herndon

cc: Hon. Kathleen E. Delaney, District Judge
Giovanniello Law Group
Bighorn Law/Las Vegas
Eighth District Court Clerk