

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ARSHID TORKAMAN, D.D.S.; G4  
DENTAL ENTERPRISES LLC D/B/A G4  
BY GOLPA; MIKE GOLPA, D.D.S., ANNA  
SHAGHARYAN, D.M.D.; AND SCOTT  
YOUNG, D.O.,

Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA, IN  
AND FOR THE COUNTY OF CLARK;  
AND THE HONORABLE MARY KAY  
HOLTHUS, DISTRICT JUDGE,

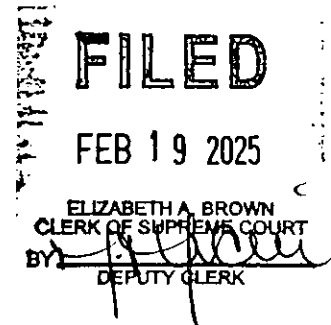
Respondents,

and

THE ESTATE OF JOHN CRONIN;  
JOCELYN CRONIN, INDIVIDUALLY,  
AND AS SURVIVING SPOUSE OF JOHN  
CRONIN; KYLEE CRONIN,  
INDIVIDUALLY, AND AS THE  
NATURAL DAUGHTER OF JOHN  
CRONIN; SAM CRONIN,  
INDIVIDUALLY, AND AS THE  
NATURAL SON OF JOHN CRONIN.

Real Parties in Interest.

No. 89098-COA



*ORDER DENYING PETITION FOR WRIT OF MANDAMUS*

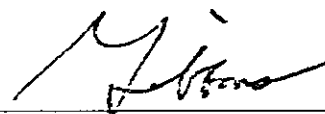
Arshid Torkaman, D.D.S., G4 Dental Enterprises LLC, Mike Golpa, D.D.S., Anna Shagharyan, D.M.D., and Scott Young, D.O. (collectively petitioners) filed an original petition for a writ of mandamus challenging a district court order denying a motion to dismiss and granting real parties in interest's motion to amend their pleadings.

"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." *Int'l Game Tech.*,

*Inc. v. Second Jud. Dist. Ct.*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008) (internal citations omitted); NRS 34.160. Mandamus is an extraordinary remedy, and it is within the discretion of this court to determine if a petition will be considered. *Smith v. Eighth Jud. Dist. Ct.*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991). "Petitioners carry 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). Importantly, "the right to appeal is generally an adequate legal remedy that precludes writ relief." *Id.* at 224, 88 P.3d at 841. Moreover, "even if 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 the final judgment generally precludes writ relief." *Id.* at 225, 88 P.3d at 841.

Based on our review of the writ petition and the documents before us, we conclude that petitioners have not demonstrated that our extraordinary intervention is warranted. *See id.* at 228, 88 P.3d at 844. Indeed, petitioners fail to demonstrate that they are unable to pursue their arguments through an appeal from a final judgment such that writ relief is warranted. *See id.* at 225, 88 P.3d at 841; *see also Smith*, 107 Nev. at 677, 818 P.2d at 851. Accordingly, we conclude that petitioners are not entitled to relief, and we

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

  
\_\_\_\_\_, J.  
Gibbons

  
\_\_\_\_\_, J.  
Westbrock

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<sup>1</sup>The Honorable Chief Judge Bonnie A. Bulla did not participate in the decision in this matter.

cc: Hon. Mary Kay Holthus, District Judge  
Quintairos, Prieto, Wood & Boyer, P.A.  
McBride Hall  
John H. Cotton & Associates, Ltd.  
Lipson Neilson P.C.  
Bighorn Law/Las Vegas  
Eighth District Court Clerk