


IN THE SUPREME COURT OF THE STATE OF NEVADA

DEERFIELD BEACH OUTPATIENT
SURGICAL CENTER, A FLORIDA
LIMITED LIABILITY COMPANY,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF CLARK
AND THE HONORABLE SUSAN
JOHNSON, DISTRICT JUDGE, DEPT.
22,
Respondents,
and
PROMED CAPITAL VENTURE, A
NEVADA LIMITED LIABILITY
COMPANY,
Real Party in Interest.

No. 90114

FILED

MAR 07 2025

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DENYING PETITION

This is an original petition for a writ of prohibition and a writ of mandamus challenging district court orders granting partial summary judgment, denying petitioner's motion for leave to amend its pleadings, denying a motion in limine, and denying petitioner's countermotion for summary judgment.

This court has original jurisdiction to issue writs of mandamus and prohibition, 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. As a general rule, "judicial economy and sound judicial administration militate against the utilization of mandamus petitions to review orders denying motions to dismiss and motions for summary judgment." *State ex rel. Dep't of Transp. v. Thompson*, 99 Nev. 358, 362, 662 P.2d 1338, 1340 (1983), *as modified by State v. Eighth Jud. Dist. Ct.*, 118 Nev. 140, 147, 42 P.3d 233, 238 (2002). Although this rule is not absolute, *see Int'l Game Tech., Inc. v. Second Jud. Dist. Ct.*, 122 Nev. 132, 142-43, 127 P.3d 1088, 1096 (2006), petitioner has not demonstrated that an appeal from a final judgment would not afford a plain, speedy, and adequate remedy, *see* NRS 34.170, NRS 34.330, or that the

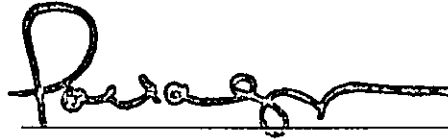
district court's order otherwise falls within any of the narrow grounds that may warrant writ relief. Accordingly, we

ORDER the petition DENIED.¹



Herndon

C.J.



Parraguirre

J.



Stiglich

J.

cc: Hon. Susan Johnson, District Judge
McDonald Carano LLP/Las Vegas
McDonald Carano LLP/Reno
Garman Turner Gordon LLP
Eighth District Court Clerk

¹In light of this ruling, petitioner's motion to stay the district court proceeding is denied.

Cause appearing, petitioner's motion to exceed the word limit for petitions for writ is granted. NRAP 21(d). The petition was filed February 14, 2025.

Petitioner's motion to seal and redact portions of petitioner's appendix is granted. SRCR 7. The redacted appendix was filed February 14, 2025. The clerk of this court shall file the unredacted portion of the appendix received February 19, 2025, under seal.