

IN THE SUPREME COURT OF THE STATE OF NEVADA

MIKE SHIRZADE A/K/A MASOUD
SHIRZADEGAN, AN INDIVIDUAL;
SHIRZADE'S ENTERPRISES, INC., A
CALIFORNIA CORPORATION DOING
BUSINESS AS SHIRZADE
ENTERPRISES, INC.,

Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF CLARK
AND THE HONORABLE SUSAN
JOHNSON, DISTRICT COURT JUDGE,

Respondents,

AND


KOLBY MEIER,

Real Party in Interest.

No. 90630

FILED

JUN 09 2025

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER DENYING PETITION

This is an original petition for a writ of mandamus seeking to compel the district court to reverse its denial of a motion for relief from an order granting partial summary judgment and to decide the motion on the merits.

The decision to entertain a petition for extraordinary writ relief lies within the discretion of this court. *Smith v. Eighth Jud. Dist. Ct.*, 107 Nev. 674, 677, 679, 818 P.2d 849, 851, 853 (1991) (recognizing that writ relief is an extraordinary remedy and that this court has sole discretion in determining whether to entertain a writ petition). A writ of mandamus is available only to compel the performance of a legally required act or to cure an arbitrary or capricious exercise of discretion. *Round Hill Gen.*


25-25475

Improvement Dist. v. Newman, 97 Nev. 601, 603-04, 637 P.2d 534, 536 (1981).


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. NRS 34.170; *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. *Pan*, 120 Nev. 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 generally precludes writ relief. *Id.* at 225, 88 P.3d at 841.

Having considered the petition and supporting documents, we are not persuaded that our intervention is warranted. Petitioner has not demonstrated that he lacks a plain, speedy, and adequate remedy by way of an appeal from a subsequent final judgment. *Pan*, 120 Nev. at 224, 88 P.3d at 841. Accordingly, writ relief is improper, and we

ORDER the petition DENIED.


_____, C. J.
Herndon


_____, J.
Parraguirre


_____, J.
Stiglich

cc: Hon. Susan Johnson, District Judge
Law Office of Joseph P. Reiff
Chasey Law Offices
Eighth District Court Clerk