IN THE SUPREME COURT OF THE STATE OF NEVADA

VENANCIO BANAGA BAISA,
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
ESTATE OF THOMAS JOSEPH SMITH, BY AND THROUGH ITS SPECIAL ADMINISTRATORS M. SMITH BANFIELD AND SHERYL BELL; M. SMITH BANFIELD; THOMAS SMITH; PATRICK SMITH; LVGV, LLC D/B/A THE M RESORTS SPA AND CASINO,
Real Parties in Interest.

No. 90116

FILED
JAN 02 2026
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY
DEPUTY CLERK

ORDER DENYING PETITION

This original petition for a writ of mandamus[1] or prohibition challenges a district court order denying a motion to enforce a settlement agreement.

Having considered the petition, we are unconvinced that our intervention is warranted. *Walker v. Second Jud. Dist. Ct.*, 136 Nev. 678, 680, 476 P.3d 1194, 1196 (2020) (holding that mandamus relief is appropriate "only where the lower court has *manifestly* abused [its] discretion or acted arbitrarily or capriciously"). The decision to entertain a mandamus petition is within our sole discretion, and a petitioner has the

[1]Although this petition is titled "Petition for Writ of Mandamus or Prohibition," Baisa only argues for mandamus relief.

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burden of demonstrating that such extraordinary relief is warranted. *See Pan v. Eighth Jud. Dist. Ct.*, 120 Nev. 222, 224, 88 P.3d 840, 841 (2004); *Smith v. Eighth Jud. Dist. Ct.*, 107 Nev. 674, 677, 818 P.3d 849, 851 (1991). Petitioner fails to satisfy this burden, as he has an adequate legal remedy in the form of an appeal from a final judgment. *See Walker*, 136 Nev. at 681-83, 476 P.3d at 1197-98 (explaining that the availability of a later appeal generally precludes writ relief and rejecting the contention that writ relief would be more expeditious than an appeal in the ordinary course of law). Petitioner also fails to show that there is clear legal error requiring our intervention. *See Orbitz Worldwide, LLC v. Eighth Jud. Dist. Ct.*, 139 Nev. 367, 371, 535 P.3d 1173, 1177 (2023).

Nor are we persuaded that this petition presents legal issues of statewide importance requiring our clarification, or that judicial economy and administration would be promoted by our intervention. *See id.* at 683, 476 P.3d at 1198. "Advisory" mandamus is generally inappropriate where a petitioner fails to show that an issue has broader importance beyond a "singular, fact-based issue" that would do little beyond resolving a disagreement with a district court's findings. *Id.* at 684-85, 476 P.3d at 1199. Accordingly, we

ORDER the petition DENIED.[2]

Pickering, J.
Pickering

Cadish, J.
Cadish

Lee, J.
Lee

[2]Consistent with this decision, we lift the stay entered by this court on April 21, 2025.

cc: Hon. Kathleen E. Delaney, District Judge
Holland & Hart LLP/Las Vegas
Pyatt Silvestri
Price Beckstrom, PLLC
Brandon Smerber Law Firm
Eighth District Court Clerk