

IN THE SUPREME COURT OF THE STATE OF NEVADA

BANK OF AMERICA, N.A.,
Petitioner,

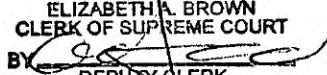
vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
MARK R. DENTON,
Respondents,
and
LKIMMY, INC.,
Real Party in Interest.

No. 91205

FILED

FEB 12 2026

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER DENYING PETITION

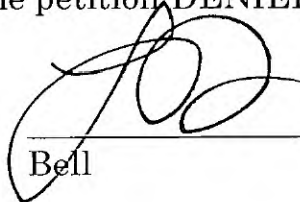
This is an original petition for a writ of mandamus challenging a district court order denying a motion for summary judgment in a tort action.

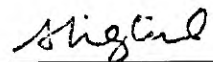
Having considered the parties' briefing and the record, we are not persuaded that our extraordinary and discretionary intervention is warranted. *See Pan v. Eighth Jud. Dist. Ct.*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) (observing that the party seeking writ relief bears the burden of showing such relief is warranted); *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). Namely, the district court found in its August 4, 2025, order that there were "complex issues involved in this case" that precluded it from granting Bank of America's motion for summary judgment. We are not persuaded that the district court manifestly abused its discretion in making this finding and allowing the litigation to proceed. *See Scarbo v. Eighth Jud. Dist. Ct.*, 125 Nev. 118, 121,

206 P.3d 975, 977 (2009) (“This court may issue a writ of mandamus to compel the performance of an act which the law requires as a duty resulting from an office or where discretion has been manifestly abused or exercised arbitrarily or capriciously.” (internal quotation marks omitted)); *see also Walker v. Second Jud. Dist. Ct.*, 136 Nev. 678, 680-81, 476 P.3d 1194, 1197 (2020) (“[M]andamus is available only where the law is overridden or misapplied, or when the judgment exercised is manifestly unreasonable or the result of partiality, prejudice, bias or ill will.” (internal quotation marks omitted)).

While well-taken, petitioner’s argument regarding litigation expenses does not in itself warrant our intervention. *See Hansen v. Eighth Jud. Dist. Ct.*, 116 Nev. 650, 658, 6 P.3d 982, 986-87 (2000) (recognizing, albeit in the context of a request for a stay, that the prospect of incurring litigation expenses does not rise to the level of warranting this court’s intervention). Accordingly, we

ORDER the petition DENIED.¹


_____, J.
Bell


_____, J.
Stiglich


_____, J.
Cadish

cc: Hon. Mark R. Denton, District Judge
Wilson, Elser, Moskowitz, Edelman & Dicker, LLP/Las Vegas
Hong & Hong
Eighth District Court Clerk

¹In light of this disposition, we vacate the stay imposed by our September 26, 2025, order.