

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOY R. EVANS,

No. 38547

Petitioner,

vs.

THE SECOND JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
WASHOE, AND THE HONORABLE
PETER I. BREEN, DISTRICT JUDGE,

FILED

OCT 11 2001

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richard*
CHIEF DEPUTY CLERK

Respondents,

and

TAYLOR SAMUELS AND BRITTA
SAMUELS, INDIVIDUALLY AND AS
TRUSTEES OF THE SAMUELS
FAMILY 1999 TRUST DATED
JANUARY 5, 1999,

Real Parties in Interest.

ORDER DENYING PETITION FOR

WRIT OF MANDAMUS OR PROHIBITION

This original petition for a writ of mandamus or, alternatively, prohibition seeks a writ directing the district court, in a quiet title action, to give effect to another district court's order renewing a judgment. Both the writ of mandamus and the writ of prohibition are purely discretionary with this court and will not issue where there is a plain, speedy, and adequate remedy in the ordinary course of the law.¹ An appeal is deemed an adequate remedy,² and it appears that petitioner may appeal from a final judgment in this action. Therefore, we are not satisfied that this court's

¹See NRS 34.170; NRS 34.330.

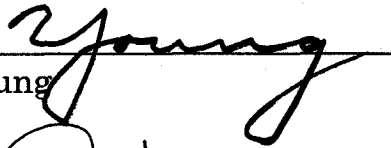
²See Guerin v. Guerin, 114 Nev. 127, 131, 953 P.2d 716, 719 (1998).

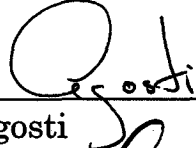
EXHIBIT A


01-17119

intervention by way of extraordinary relief is warranted at this time, and
we

ORDER the petition DENIED.³


_____, J.
Young


_____, J.
Agosti


_____, J.
Leavitt

cc: Hon. Peter I. Breen, District Judge
Margaret S. Evans
Otto & Pope
Washoe County Clerk

³See NRAP 21(b); Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991).