

IN THE SUPREME COURT OF THE STATE OF NEVADA

HERBERT WALDMAN,

No. 38680

Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
NANCY M. SAITTA, DISTRICT JUDGE,

Respondents,

and

RICHARD S. GILMAN,

Real Party in Interest.

FILED

JAN 02 2002

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

ORDER DENYING PETITION
FOR WRIT OF MANDAMUS OR PROHIBITION

Attorney Herbert Waldman, through this petition for a writ of mandamus or prohibition, challenges a district court order denying summary judgment and refusing to dismiss Richard Gilman's malpractice action based upon the statute of limitation.

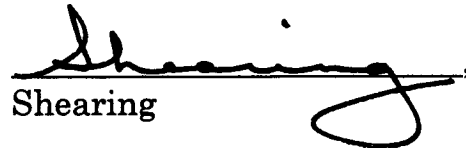
We generally decline to consider writ petitions that challenge orders denying motions to dismiss or for summary judgment.¹ Although we occasionally deviate from this policy to promote sound judicial economy and administration, such as when no factual disputes exist and the district court is obligated to dismiss an action pursuant to clear authority,² that is not the case here. Petitioner Waldman has not established any

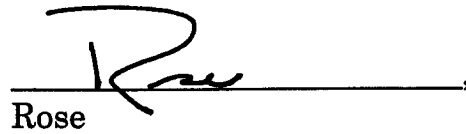
¹See Smith v. District Court, 113 Nev. 1343, 950 P.2d 280 (1997).

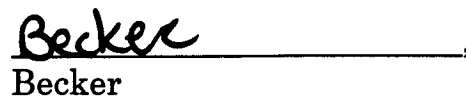
²Id.

persuasive reason for us to intervene at this stage of the underlying litigation, and we decline to do so. Accordingly, we deny the petition.³

It is so ORDERED.

 _____, J.
Shearing

 _____, J.
Rose

 _____, J.
Becker

cc: Hon. Nancy M. Saitta, District Judge
Hutchison & Steffen
Law Offices of Richard McKnight, P.C.
Clark County Clerk

³See NRAP 21(b).