IN THE SUPREME COURT OF THE STATE OF NEVADA

FIDELITY AND DEPOSIT COMPANY OF MARYLAND, A SURETY FOR HIRE, **QUALIFIED TO DO BUSINESS IN THE** STATE OF NEVADA, Petitioner, vs. THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA. IN AND FOR THE COUNTY OF CLARK, AND THE HONORABLE JAMES A. BRENNAN, SENIOR JUDGE, Respondents, and CLARK COUNTY SCHOOL DISTRICT, A POLITICAL SUBDIVISION OF THE COUNTY OF CLARK, STATE OF NEVADA, Real Party in Interest.

No. 39686

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

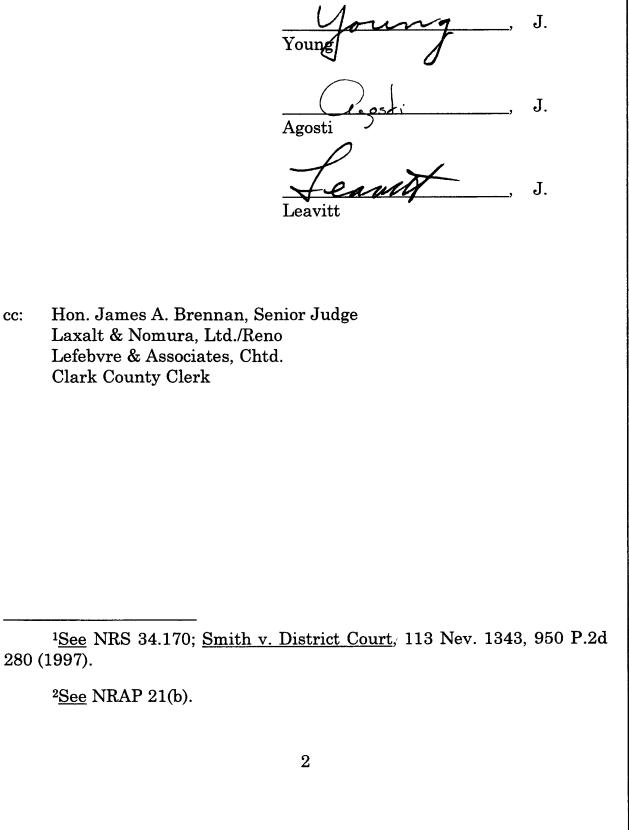
This is an original petition for a writ of mandamus, challenging a district court order that denied petitioner's motion to dismiss a third-party complaint for payment on a performance bond. We have considered the petition, and we are not satisfied that this court's

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intervention by way of extraordinary relief is warranted.¹ Accordingly, we deny the petition.²

It is so ORDERED.



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