

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

FILED

JUN 05 2002

STATE OF NEVADA
CLERK OF SUPREME COURT
J. Richard

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

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

It is so ORDERED.

Young, J.
Young

Agosti, J.
Agosti

Leavitt, J.
Leavitt

cc: Hon. James A. Brennan, Senior Judge
Laxalt & Nomura, Ltd./Reno
Lefebvre & Associates, Chtd.
Clark County Clerk

¹See NRS 34.170; Smith v. District Court, 113 Nev. 1343, 950 P.2d 280 (1997).

²See NRAP 21(b).