

IN THE SUPREME COURT OF THE STATE OF NEVADA

ALADDIN BAZAAR, LLC,
Petitioner,
vs.
THE EIGHTH JUDICIAL
DISTRICT COURT OF THE
STATE OF NEVADA, IN AND
FOR THE COUNTY OF CLARK,
AND THE HONORABLE
STEWART L. BELL, DISTRICT
JUDGE,
Respondents,
and
CAFFE FERRARO AT ALADDIN,
LLC; AND TERMINA, INC.,
Real Parties in Interest.

No. 41700

FILED

SEP 02 2003


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

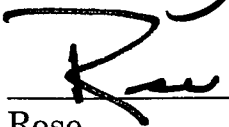
ORDER DENYING PETITION FOR WRIT OF MANDAMUS OR
PROHIBITION

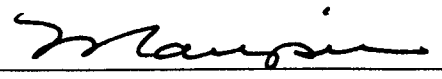
This original petition for a writ of mandamus or prohibition challenges district court orders that denied NRCP 54(b) certification of a summary judgment in a landlord-tenant dispute. We have considered the

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.


_____, C.J.
Agosti


_____, J.
Rose


_____, J.
Maupin

¹NRS 34.160 (stating that a writ of mandamus compels the performance of an act that the law requires as a duty resulting from an office, trust or station); NRS 34.320 (stating that a writ of prohibition “arrests the proceedings of any tribunal, corporation, board or person exercising judicial functions, when such proceedings are without or in excess of the jurisdiction of such tribunal, corporation, board or person”); Mallin v. Farmers Insurance Exchange, 106 Nev. 606, 611, 797 P.2d 978, 981-82 (1990) (indicating that NRCP 54(b) certification in a “parties” case rests within the district court’s discretion); Round Hill Gen. Imp. Dist. v. Newman, 97 Nev. 601, 603-04, 637 P.2d 534, 536 (1981) (recognizing that a writ of mandamus will not issue absent a manifest abuse of discretion).

²See NRAP 21(b).

cc: Hon. Stewart L. Bell, District Judge
McDonald Carano Wilson LLP/Las Vegas
Jerome A. DePalma
Clark County Clerk