

IN THE SUPREME COURT OF THE STATE OF NEVADA

UNIVERSITY MEDICAL CENTER OF
SOUTHERN NEVADA,

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

MARK BURSTEIN, ARBITRATOR;
GEORGE OEHLSEN, D.O.; AND
NEVADA SERVICE EMPLOYEES
UNION (SEIU), LOCAL 1107,
Real Parties in Interest.

No. 41845

FILED

AUG 22 2003

STEWART L. BELL
CLERK OF SUPREME COURT
DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT
OF MANDAMUS OR PROHIBITION

This original petition for a writ of mandamus or prohibition challenges a district court order that denied a petition for a writ of mandamus or prohibition and a motion for a temporary stay.

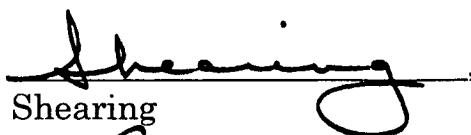
A writ of mandamus or prohibition will not issue if petitioner has a plain, speedy and adequate remedy at law.¹ An order of the district court denying a writ of mandamus or prohibition is a final judgment within the meaning of NRAP 3A(b)(1).² Therefore, petitioner has an

¹NRS 34.170 (mandamus); NRS 34.330 (prohibition).

²See Ashokan v. State, Dep't of Ins., 109 Nev. 662, 665, 856 P.2d 244, 246 (1993).

adequate remedy in the form of an appeal from the district court's order denying petitioner's petition for writ relief.³ Accordingly, we

ORDER the petition DENIED.⁴

 J.
Shearing

 J.
Leavitt

 J.
Becker

cc: Hon. Stewart L. Bell, District Judge
Alverson Taylor Mortensen Nelson & Sanders
Mark Burstein
Van Bourg, Weinberg, Roger & Rosenfeld
Clark County Clerk

³Although in Ashokan, this court exercised its discretion and considered the petition for writ relief, the instant case does not present the same urgency and strong necessity.

⁴In light of this order, we deny as moot petitioner's motion for stay.