

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHRISTOPHER BEAVOR,
Petitioner,
vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
RONALD J. ISRAEL, DISTRICT
JUDGE,

Respondents,
and

YACOV JACK HEFETZ,
Real Party in Interest.

No. 65656

FILED

SEP 16 2014

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This original petition for a writ of mandamus challenges a district court order granting a new trial motion in a breach of contract action.

Writ relief is generally available only when there is no plain, speedy, and adequate remedy in the ordinary course of law. NRS 34.170; NRS 34.330; *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991). Moreover, this court has held that the right to appeal is typically an adequate legal remedy precluding writ relief and that “writ relief is not available to correct an untimely notice of appeal.” *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 224-25, 88 P.3d 840, 841 (2004). Because a direct appeal is available from an order granting or

denying a new trial motion, NRAP 3A(b)(2), petitioner had an adequate legal remedy in the form of an appeal. *Pan*, 120 Nev. at 224, 88 P.3d at 841. Accordingly, we

ORDER the petition DENIED.

Hardesty, J.
Hardesty

Douglas, J.
Douglas

Cherry, J.
Cherry

cc: Hon. Ronald J. Israel, District Judge
Hofland & Tomsheck
Cohen-Johnson LLC
Eighth District Court Clerk