

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHN DATTALA,

Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE  
ADRIANA ESCOBAR, DISTRICT  
JUDGE,

Respondents,

and

EUSTACHIUS C. BURSEY; PRECISION  
ASSETS; ACRY DEVELOPMENT LLC;  
LILLIAN MEDINA; AND WFG  
NATIONAL TITLE INSURANCE  
COMPANY,

Real Parties in Interest.

No. 83939

**FILED**

**JAN 27 2022**

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK


***ORDER DENYING MOTION  
FOR STAY***

This is an original petition for a writ of mandamus challenging a district court order granting summary judgment, a motion to expunge lis pendens, and a motion to expunge deed of trust. Petitioner has filed a motion seeking a stay prohibiting further transfer of the subject properties, which real parties in interest have opposed. Petitioner filed a reply.

At the outset, we note that petitioner failed to demonstrate that filing the motion for stay in the district court was impracticable. NRAP 8(a). Petitioner had ample time to do so between the date of the district court's order on October 22, 2021, and when he filed the motion for stay in this court on December 20, 2021.

Moreover, even assuming that it was impracticable to seek a stay in the district court, and based upon our consideration of the motion, the oppositions thereto, and the reply, this court concludes that petitioner failed to demonstrate that the following factors militate in favor of granting a stay: (1) whether the object of the petition will be defeated if the stay is denied; (2) whether petitioner will suffer irreparable or serious injury if the stay is denied; (3) whether real parties in interest will suffer irreparable or serious injury if the stay is granted; and (4) whether petitioner is likely to prevail on the merits of the petition. NRAP 8(c); *see also Fritz Hansen A/S v. Eighth Judicial Dist. Court*, 116 Nev. 650, 659, 6 P.3d 982, 987 (2000). Accordingly, the motion for stay is denied.

It is so ORDERED.

  
\_\_\_\_\_, C.J.  
Parraguirre

  
\_\_\_\_\_, J.  
Hardesty

  
\_\_\_\_\_, J.  
Stiglich

cc: Hon. Adriana Escobar, District Judge  
Benjamin B. Childs  
Eustachius C. Bursey  
Law Offices of John Benedict  
Lillian Medina  
Wright, Finlay & Zak, LLP/Las Vegas  
The Ball Law Group LLC  
Eighth District Court Clerk