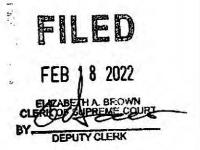
IN THE SUPREME COURT OF THE STATE OF NEVADA

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



ORDER DENYING PETITION

This original petition for a writ of mandamus challenges a district court partial summary judgment in a property title dispute. Having considered the petition and its supporting documentation, we are not persuaded that our extraordinary and discretionary intervention is warranted. See Pan v. Eighth Judicial Dist. Court, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) (observing that the party seeking writ relief bears the burden of showing such relief is warranted); Smith v. Eighth Judicial Dist. Court, 107 Nev. 674, 677, 679, 818 P.2d 849, 851, 853 (1991) (recognizing that writ relief is an extraordinary remedy and that this court has sole discretion in determining whether to entertain a writ petition). Specifically, we generally decline to exercise our discretion to grant writ petitions challenging orders resolving motions for summary judgment, and we are not convinced any of the exceptions apply in this case. See Smith v. Eighth

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Judicial Dist. Court, 113 Nev. 1343, 1344-45, 950 P.2d 280, 281 (1997) (discussing the exceptions to the general rule). Moreover, the district court stated it would consider certifying the challenged order as final pursuant to NRCP 54(b) if a written motion were filed, which would make the order appealable. See NRAP 3A(b)(1) (providing that final judgments are appealable); Pan, 120 Nev. at 223, 88 P.3d at 841 (recognizing that "an appeal is generally an adequate legal remedy that precludes writ relief"). We therefore,

ORDER the petition DENIED.1

Parraguirre

Hardesty, J.

Gilbons

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

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¹The motion to dismiss filed by real party in interest Precision Assets is denied as moot.

The Honorable Mark Gibbons, Senior Justice, participated in the decision of this matter under a general order of assignment.