

IN THE SUPREME COURT OF THE STATE OF NEVADA

CLARK COUNTY SCHOOL DISTRICT,
A POLITICAL SUBDIVISION OF THE
STATE OF NEVADA; AND GENE
EDWARD JOHNSON,
Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
JACKIE GLASS, DISTRICT JUDGE,
Respondents,

and

PAMELA DUFFY; ELIZABETH
FORSTER; DENISE BARRANCO; JOAN
GOMEZ; VINCENT BARRANCO; AND
MARLENE STELLING,
Real Parties in Interest.

No. 47332

FILED

MAY 22 2006

JANET M. BLOOM
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 granting the real parties in interest's second motion to strike cost bonds.

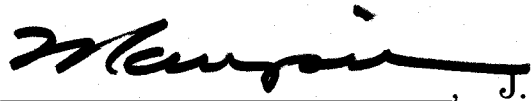
A writ of mandamus is available to compel the performance of an act that the law requires as a duty resulting from an office, trust, or station,¹ or to control a manifest abuse of discretion.² This court may

¹See NRS 34.160.

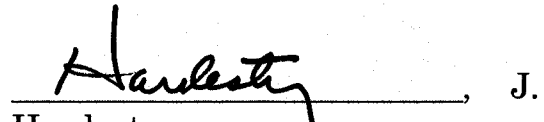
²See Round Hill Gen. Imp. Dist. v. Newman, 97 Nev. 601, 637 P.2d 534 (1981).

issue a writ of prohibition to arrest the proceedings of a district court exercising its judicial functions, when such proceedings are in excess of the district court's jurisdiction.³ Both mandamus and prohibition are extraordinary remedies, and it is within the discretion of this court to determine if a petition will be considered.⁴ Having considered this petition, we are not satisfied that this court's intervention by way of extraordinary relief is warranted. Accordingly, we deny the petition.⁵

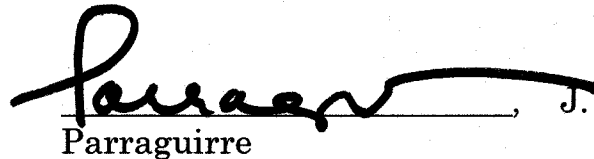
It is so ORDERED.⁶

 J.

Maupin

 J.

Hardesty

 J.

Parraguirre

cc: Honorable Jackie Glass, District Judge
Daniel L. O'Brien
William R. Brenske
Clark County Clerk

³See NRS 34.320.

⁴See, Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991).

⁵See NRAP 21(b); Smith, 107 Nev. at 674, 818 P.2d at 849.

⁶In light of this order, we deny as moot petitioners' request for a stay.