

IN THE SUPREME COURT OF THE STATE OF NEVADA

ARTURO GARCIA REYES AND  
SANTIAGO GARCIA SUAREZ,  
Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK, AND THE HONORABLE  
ELIZABETH GOFF GONZALEZ,  
DISTRICT JUDGE,

Respondents,

and

ROBERT C. WILLIAMS AND REGINA  
WILLIAMS,  
Real Parties in Interest.

No. 47528

**FILED**

NOV 09 2006

JANETTE M. BLOOM  
CLERK OF SUPREME COURT

BY *J. Richards*  
CHIEF DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This original petition for a writ of mandamus challenges a district court order denying a motion to strike a request for a trial de novo.

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,<sup>1</sup> or to control a manifest abuse of discretion.<sup>2</sup> Mandamus is an extraordinary remedy, and it is within the discretion of this court to determine if a petition will be considered.<sup>3</sup> Having considered this

---


<sup>1</sup>See NRS 34.160.


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


<sup>3</sup>See Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991).

petition, we are not satisfied that this court's intervention by way of extraordinary relief is warranted. Accordingly, we deny the petition.<sup>4</sup>

It is so ORDERED.

  
\_\_\_\_\_, C.J.  
Rose

  
\_\_\_\_\_, J.  
Gibbons

  
\_\_\_\_\_, J.  
Maupin

cc: Hon. Elizabeth Goff Gonzalez, District Judge  
Lewis Brisbois Bisgaard & Smith, LLP  
Victor Lee Miller  
Clark County Clerk

---

<sup>4</sup>See NRAP 21(b); Smith, 107 Nev. 674, 818 P.2d 849.