

IN THE SUPREME COURT OF THE STATE OF NEVADA

BARBARA RAE SOLOMON,
Petitioner,

vs.

THE FIFTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF NYE,
AND THE HONORABLE ROBERT W.
LANE, DISTRICT JUDGE,

Respondents,

and

CYNTHIA MERRITT, INDIVIDUALLY;
AND JOSEPH MERRITT,
INDIVIDUALLY,
Real Parties in Interest.

No. 48786

FILED

APR 09 2007

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 dismissing petitioner's counterclaims.

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 Mandamus is an extraordinary remedy, and it is within this court's discretion to determine if a petition will be considered.³ Having reviewed this petition, we

¹See NRS 34.160.

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

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

conclude that our intervention by way of extraordinary relief is not warranted. Accordingly, we deny the petition.⁴

It is so ORDERED.

Parraguirre, J.
Parraguirre

Hardesty, J.
Hardesty

Douglas, J.
Douglas

cc: Hon. Robert W. Lane, District Judge
Law Offices of Douglas R. Johnson
Porter & Terry, LLC
Nye County Clerk

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