

IN THE SUPREME COURT OF THE STATE OF NEVADA

BROADVIEW, LLC, A NEW YORK
LIMITED LIABILITY COMPANY
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE J.
CHARLES THOMPSON, SENIOR
JUDGE,

Respondents,

and

CONVENTION CENTER DRIVE, LLC,
A NEVADA LIMITED LIABILITY
COMPANY,
Real Party in Interest.

No. 48942

FILED

MAR 01 2007

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Ribard*
CHIEF DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This original petition for a writ of mandamus challenges a district court order striking amended complaints and expunging a lis pendens in a real property contract dispute.

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, however, and its issuance is within this court's sole

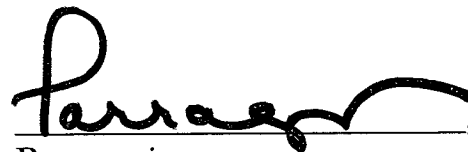
¹See NRS 34.160.

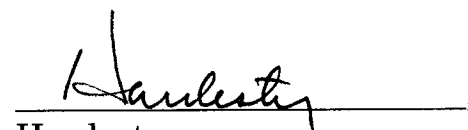
²See Round Hill Gen. Imp. Dist. v. Newman, 97 Nev. 601, 637 P.2d 534 (1981).


discretion.³ A petitioner seeking mandamus relief has the burden of demonstrating that this court's intervention is warranted.⁴

Having reviewed the petition and supporting documents, we are not convinced that our intervention is warranted in this matter.⁵ Accordingly, we deny the petition.⁶

It is so ORDERED.⁷


_____, J.
Parraguirre


_____, J.
Hardesty


_____, J.
Saitta

cc: Hon. Douglas W. Herndon, District Judge
Hon. J. Charles Thompson, Senior Judge
Sylvester & Polednak, Ltd.
Greenberg Traurig, LLP
Eighth District Court Clerk

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

⁴Pan v. Dist. Ct., 120 Nev. 222, 228-29, 88 P.3d 840, 844 (2004); NRAP 21(a).

⁵See NRCP 15(a).

⁶NRAP 21(b); Smith, 107 Nev. 674, 818 P.2d 849.

⁷In light of this order, we deny as moot petitioner's emergency motion for a stay and motion to supplement the record.