

IN THE SUPREME COURT OF THE STATE OF NEVADA

CITY OF LAS VEGAS,  
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK, AND THE HONORABLE  
KATHY A. HARDCASTLE, DISTRICT  
JUDGE,

Respondents,

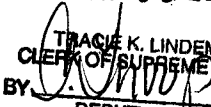
and

BOB'S BAIL BONDS OF LAS VEGAS,  
INC.; SENECA INSURANCE  
COMPANY; SWIFT BAIL BONDS, INC.;  
AND INTERNATIONAL FIDELITY  
INSURANCE COMPANY,  
Real Parties in Interest.

No. 51616

**FILED**

MAY 30 2008

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

ORDER DENYING PETITION  
FOR WRIT OF MANDAMUS OR PROHIBITION

This original petition for a writ of mandamus or prohibition challenges the reassignment of two district court bail bond appeals to Department 4, pursuant to Eighth Judicial District Court Administrative Order No. 07-10, which provides that all bond appeals will be assigned to Department 4 for resolution by respondent Chief Judge Kathy A. Hardcastle.

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 or an arbitrary or capricious


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<sup>1</sup>NRS 34.160; see also Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991).

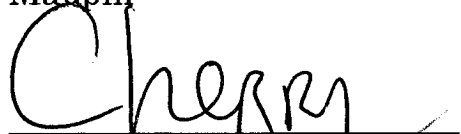
exercise of discretion.<sup>2</sup> The counterpart to a writ of mandamus, a writ of prohibition is available when a district court acts without or in excess of its jurisdiction.<sup>3</sup> Whether to consider a petition for extraordinary writ relief is within our sole discretion.<sup>4</sup>

Having considered this petition and the supporting documentation, we are not satisfied that our intervention by way of extraordinary relief is warranted.<sup>5</sup> Accordingly, we


ORDER the petition DENIED.<sup>6</sup>

 J.

Maupin

 J.

Cherry

 J.

Saitta

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

<sup>3</sup>NRS 34.320; State of Nevada v. Dist. Ct. (Anzalone), 118 Nev. 140, 146-47, 42 P.3d 233, 237 (2002).

<sup>4</sup>See Poulos v. District Court, 98 Nev. 453, 455, 652 P.2d 1177, 1178 (1982).

<sup>5</sup>NRAP 21(b); Pan v. Dist. Ct., 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) (noting that petitioner bears the burden to demonstrate that our intervention by way of extraordinary relief is warranted); see, e.g., EDCR 1.30 (authorizing the chief judge to control case management, generally).

<sup>6</sup>In light of this order, petitioner's motion for a stay is denied as moot.

cc: Hon. Kathy A. Hardcastle, District Judge  
Las Vegas City Attorney  
Jones Vargas/Las Vegas  
Law Offices of C. Conrad Claus  
Eighth District Court Clerk