

IN THE SUPREME COURT OF THE STATE OF NEVADA

ALEXANDER OCASIO,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
DAVID WALL, DISTRICT JUDGE,
Respondents,
and
THE HONORABLE ANN E.
ZIMMERMAN, JUSTICE OF THE
PEACE, AND THE LAS VEGAS COURT
CLERK OF SMALL CLAIMS ACTIONS
SHARON POWERS,
Real Parties in Interest.

No. 53263

FILED

MAR 05 2009

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

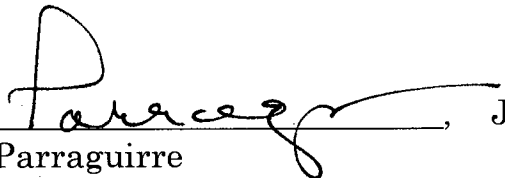
This original proper person petition for a writ of mandamus challenges the district court's alleged failure to rule on a writ petition pending in the district court.

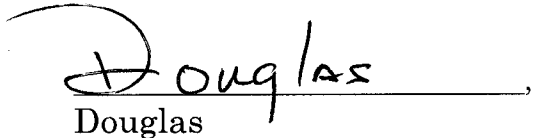
A writ of mandamus is available to compel the performance of an act that the law requires or to control a manifest abuse of discretion. See NRS 34.160; Round Hill Gen. Imp. Dist. v. Newman, 97 Nev. 601, 637 P.2d 534 (1981). Mandamus is an extraordinary remedy, however, and the decision to entertain such a petition is addressed to our sole discretion. See Poulos v. District Court, 98 Nev. 453, 455, 652 P.2d 1177, 1178 (1982). Petitions for extraordinary relief generally may only issue when there is no plain, speedy, and adequate remedy at law. Pan v. Dist. Ct., 120 Nev. 222, 224, 88 P.3d 840, 841 (2004). Petitioner bears the burden to

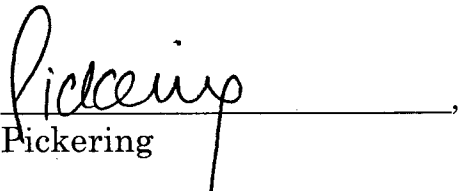
demonstrate that our extraordinary intervention is warranted. Id. at 228, 88 P.3d at 844.

Having reviewed the petition and its exhibits, we are not persuaded that our extraordinary intervention is warranted. In particular, the district court minutes indicate that the district court has granted petitioner's motion to expedite consideration of his district court writ petition, and we are confident that the district court will address the matter as its docket permits. Accordingly, we

ORDER the petition DENIED.¹


Parraguirre, J.


Douglas, J.


Pickering, J.

cc: Hon. David Wall, District Judge
Hon. Ann E. Zimmerman, Justice of the Peace
Alexander Ocasio
Eighth District Court Clerk
Las Vegas Justice Court Clerk

¹Good cause having been shown, we waive the filing fee for this petition. NRAP 21(e).