

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAN R. WILLIAMS,  
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF CLARK,  
AND THE HONORABLE STEFANY  
ANN MILEY, DISTRICT JUDGE,

Respondents,

and

JRJ INVESTMENTS, INC, D/B/A  
DESERT VOLKSWAGEN,  
Real Party in Interest.

No. 54550

**FILED**

**JAN 13 2010**

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

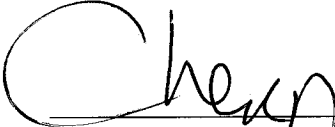
ORDER DENYING PETITION FOR WRIT OF MANDAMUS

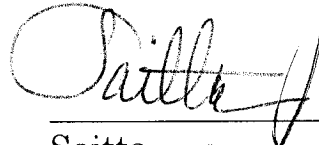
This original proper person petition for a writ of mandamus challenges a district court order granting real party in interest's motion to compel arbitration.

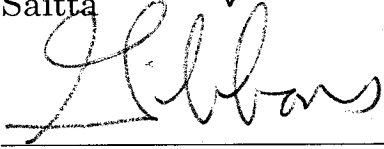
A writ of mandamus is available to compel the performance of an act that the law requires as a duty resulting from an office, trust, or station, or to control a manifest abuse of discretion. See NRS 34.160; Round Hill Gen. Imp. Dist. v. Newman, 97 Nev. 601, 603-04, 637 P.2d 534, 536 (1981). Whether mandamus relief will be considered is solely within this court's discretion. Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991). Petitioner has the burden of demonstrating that writ relief is warranted. Pan v. Dist. Ct., 120 Nev. 222, 228, 88 P.3d 840, 844 (2004).

Having reviewed the petition and its supporting documents,  
we conclude that our extraordinary intervention is not warranted.  
Accordingly, we

ORDER the petition DENIED.

  
\_\_\_\_\_, J.  
Cherry

  
\_\_\_\_\_, J.  
Saitta

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

cc: Hon. Stefany Miley, District Judge  
Dan R. Williams  
Jolley Urga Wirth Woodbury & Standish  
Eighth District Court Clerk