

IN THE SUPREME COURT OF THE STATE OF NEVADA

SOUTH SHORE GOLF VILLAS
HOMEOWNERS ASSOCIATION,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
ALLAN R. EARL, DISTRICT JUDGE,
Respondents,
and
P & H PLUMBING, INC.,
Real Party in Interest.

No. 55630

FILED

APR 09 2010

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *A. Ingerson*
DEPUTY CLERK

ORDER DENYING PETITION FOR
WRIT OF MANDAMUS OR PROHIBITION

This is an original petition for a writ of mandamus or prohibition in a constructional defect action.

This court has previously held that in the original proceedings, the petitioner bears the burden of demonstrating that extraordinary relief is warranted. Pan v. Dist. Ct., 120 Nev. 222, 228, 88 P.3d 840, 844 (2004). In order to meet this burden, the petitioner must submit an appendix containing any orders or parts of the record “that may be essential to understand the matters set forth in the petition.” NRAP 21(a)(4). Here, petitioner provided a copy of the district court order being challenged and the transcript of the hearing relating to that order, but failed to include other parts of the record, such as the complaint, motions, briefs, and other pleadings, that are essential to understanding the matters set forth in the petition. Id. Accordingly, as petitioner has failed to meet its burden of

demonstrating that extraordinary relief is warranted, NRAP 21(b)(1); Pan,
120 Nev. at 228, 88 P.3d at 844, we

ORDER the petition DENIED.

Cherry, J.
Cherry

Saitta, J.
Saitta

Gibbons, J.
Gibbons

cc: Hon. Allan R. Earl, District Judge
Angius & Terry LLP/Las Vegas
Helm & Associates
Eighth District Court Clerk