

IN THE SUPREME COURT OF THE STATE OF NEVADA

RYDER FIRENZE, LLC, A NEVADA
LIMITED LIABILITY COMPANY;
RYDER HOMES OF CALIFORNIA,
INC.; AND RYDER HOMES OF
NEVADA, INC., A NEVADA
CORPORATION,

Petitioners,

vs.

THE SECOND JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
WASHOE, AND THE HONORABLE
STEVEN P. ELLIOTT, DISTRICT
JUDGE,

Respondents,

and

PAUL AND BRETT CANADY,
Real Parties in Interest.

No. 56457

FILED

JAN 18 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS


This original petition for a writ of mandamus challenges a district court order denying a motion to dismiss and lifting a stay in a constructional defect action and an order denying reconsideration.

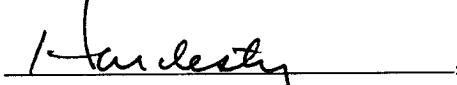
The writ of mandamus is an extraordinary remedy, and the decision to entertain a petition requesting such relief is addressed solely to this court's discretion. See Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991). Petitioners bear the burden of demonstrating that this court's intervention by way of extraordinary relief is warranted. Pan v. Dist. Ct., 120 Nev. 222, 228, 88 P.3d 840, 844 (2004).

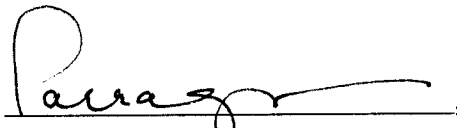
Having reviewed this petition and its supporting documentation, petitioner has failed to persuade us that our intervention

by way of extraordinary relief is warranted.¹ NRAP 21(b)(1); Smith, 107 Nev. 674, 818 P.2d 849. Accordingly, we

ORDER the petition DENIED.


Saitta, J.


Hardesty, J.


Parraguirre, J.

cc: Hon. Steven P. Elliott, District Judge
Castronova Law Offices, P.C.
Lewis & Roca, LLP/Reno
Washoe District Court Clerk

¹Petitioners' failure to include with their petition a complete copy of the challenged district court order lifting the stay further militates against this court's extraordinary intervention. See NRAP 21(a)(4) (providing that the petitioners' appendix "shall include a copy of any order . . . that may be essential to understand the matters set forth in the petition"); Pan, 120 Nev. at 228-29, 88 P.3d 840, 844.