

IN THE SUPREME COURT OF THE STATE OF NEVADA

DANA PREVOST,

Petitioner,

vs.

THE THIRD JUDICIAL DISTRICT OF  
THE STATE OF NEVADA, IN AND FOR  
THE COUNTY OF LYON; AND THE  
HONORABLE DAVID A. HUFF,

Respondents,

and

HOYE PLAZA, LLC,

Real Party in Interest.

No. 56806

**FILED**

**FEB 10 2011**

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


ORDER DENYING PETITION FOR WRIT OF CERTIORARI

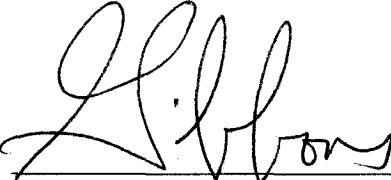
This original petition for a writ of certiorari challenges a district court order affirming in part and reversing in part a justice court order in an unlawful detainer action and awarding attorney fees and costs.


A writ of certiorari is available to correct a lower tribunal's judicial action if the tribunal exceeded its jurisdiction and "there is no appeal, nor, in the judgment of the court, any plain, speedy and adequate remedy." NRS 34.020(2); Dangberg Holdings v. Douglas Co., 115 Nev. 129, 978 P.2d 311 (1999). Whether a petition for a writ of certiorari will be considered is within this court's discretion. Dangberg Holdings, 115 Nev. at 138, 978 P.2d at 316. Moreover, petitioner bears the burden of demonstrating that this court's intervention by way of extraordinary writ relief is warranted. Pan v. Dist. Ct., 120 Nev. 222, 228, 88 P.3d 840, 844 (2004); NRAP 21(c) (providing that a petition for an extraordinary writ other than mandamus or prohibition generally shall be sought in the same manner as a petition for a writ of prohibition or mandamus).

After reviewing this petition and its supporting documentation, we are not persuaded that this court's intervention by way of extraordinary writ relief is warranted. Specifically, petitioner has failed to include with her petition parts of the district court record "essential to understand the matters set forth in the petition," including copies of the parties' appellate briefs. NRAP 21(a)(4); NRAP 21(c). Accordingly, we deny the petition. NRAP 21(b)(1); Dangberg Holdings, 115 Nev. at 138, 978 P.2d at 316.

It is so ORDERED.

  
Cherry, J.  
Cherry

  
Gibbons, J.  
Gibbons

  
Pickering, J.  
Pickering

cc: Hon. David A. Huff, District Judge  
McCormick, Barstow, Sheppard, Wayte & Carruth, LLP/Las Vegas  
Law Offices of John P. Schlegelmilch, Ltd.  
Lyon County Clerk