

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROBERT FUNK,
Appellant,
vs.
AURORA LOAN SERVICES, LLC,
Respondent.

No. 57406

FILED

SEP 15 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY Angela
DEPUTY CLERK

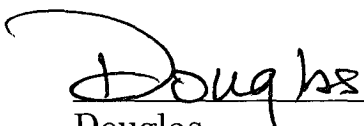
ORDER OF AFFIRMANCE


This is an appeal from a district court order denying a petition for a writ of prohibition or mandamus. Second Judicial District Court, Washoe County; Steven R. Kosach, Judge.

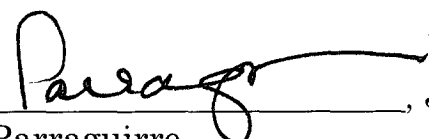
Having reviewed the parties' briefs and the record on appeal, we conclude that the district court did not abuse its discretion in denying appellant's petition for a writ of prohibition or mandamus. Reno Newspapers v. Sheriff, 126 Nev. ___, ___, 234 P.3d 922, 924 (2010) (stating that a district court denial of a writ petition is reviewed for an abuse of discretion). Appellant has failed to demonstrate why he did not have a plain, speedy, and adequate remedy at law in the form of an appeal from the justice court judgment, see JCRCP 72; JCRCP 72A, and therefore writ

relief was not warranted. NRS 34.170; NRS 34.330; Pan v. Dist. Ct., 120 Nev. 222, 224, 88 P.3d 840, 841 (2004). Accordingly, we

ORDER the judgment of the district court AFFIRMED.¹


_____, J.
Douglas


_____, J.
Hardesty


_____, J.
Parraguirre

cc: Hon. Steven R. Kosach, District Judge
Margaret M. Crowley, Settlement Judge
Rick Lawton
Brooks Bauer LLP
Washoe County District Attorney/Civil Division
Washoe District Court Clerk

¹Appellant failed to address in any manner the district court's denial of his motion for a temporary restraining order, which was included in the order denying his writ petition, and therefore we do not address it. Mainor v. Nault, 120 Nev. 750, 777, 101 P.3d 308, 326 (2004).