

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROYAL UNION NEVADA, LLC, A
NEVADA LIMITED LIABILITY
COMPANY,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
KATHLEEN E. DELANEY, DISTRICT
JUDGE,

Respondents,

and

SMS FINANCIAL, LLC,
Real Party in Interest.

No. 57420

FILED

DEC 29 2010

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

ORDER DENYING PETITION FOR
WRIT OF PROHIBITION OR MANDAMUS

This original petition for a writ of prohibition or mandamus challenges a district court order granting real party in interest's motion to intervene.

A petition for extraordinary writ relief is addressed solely to this court's discretion, Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991), and petitioner bears the burden to demonstrate that this court's intervention by way of extraordinary writ relief is warranted. See Pan v. Dist. Ct., 120 Nev. 222, 228, 88 P.3d 840, 844 (2005); see also NRAP 21(a)(3) (stating that a petitioner must include in its petition "the facts necessary to understand the issues presented by the petition"); NRAP 21(a)(4) (stating that a petitioner shall submit with the petition "a copy of any order or opinion, parts of the record before the respondent judge, . . . or any other original document that may be essential to understand the matters set forth in the petition").

Here, petitioner has failed to meet its burden to demonstrate that extraordinary writ relief is warranted, given its apparent delay in seeking this court's intervention, its failure to support its assertion that this matter is an emergency (other than vaguely suggesting that trial is imminent), and its failure to include in its appendix those documents essential to the understanding of the matters set forth in the petition. Regarding petitioner's failure to provide this court with essential documents, petitioner failed to provide, among other things, any district court order or complaint in intervention explaining petitioner's involvement in this case, instead providing only its statement that it is an employer of an individual named Vincent Hesser.

Accordingly, we

ORDER the petition DENIED.¹

Hardesty, J.
Hardesty

Douglas, J.
Douglas

Pickering, J.
Pickering

cc: Hon. Kathleen E. Delaney, District Judge
Frederick A. Santacroce
Snell & Wilmer, LLP/Las Vegas
Eighth District Court Clerk

¹In light of this order, we deny as moot petitioner's December 27, 2010, emergency motion for a stay.