

IN THE SUPREME COURT OF THE STATE OF NEVADA

TERRI A. PATRAW,  
Petitioner,  
vs.  
CARY GROTH AND NEVADA SYSTEM  
OF HIGHER EDUCATION,  
Respondents.

No. 58487

**FILED**

JUL 07 2011

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

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

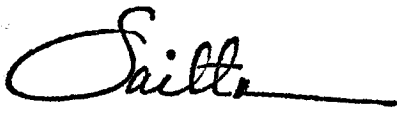
This original proper person petition for a writ of mandamus challenges district court orders denying a motion for NRCP 60(b) relief and an NRCP 59(e) motion to alter or amend the order denying NRCP 60(b) relief.

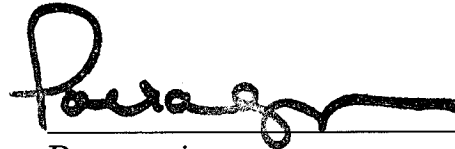
Where there is no plain, speedy, and adequate remedy in the ordinary course of law, NRS 34.170, a writ of mandamus is available to compel the performance of an act that the law requires or to control an arbitrary or capricious exercise of discretion. NRS 34.160; International Game Tech. v. Dist. Ct., 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). Mandamus is an extraordinary remedy, and whether a petition will be considered is within our sole discretion. Smith v. District Court, 107 Nev. 674, 677, 679, 818 P.2d 849, 851, 853 (1991).

Having considered the instant petition under this standard, we conclude that our extraordinary intervention by way of mandamus is not warranted. Accordingly, we deny the petition. Id.; NRAP 21(b)(1).

It is so ORDERED.

  
\_\_\_\_\_, C.J.  
Douglas

  
\_\_\_\_\_, J.  
Saitta

  
\_\_\_\_\_, J.  
Parraguirre

cc: Hon. Jerome Polaha, District Judge  
Terri A. Patraw  
Robison Belaustegui Sharp & Low  
Washoe District Court Clerk