

IN THE SUPREME COURT OF THE STATE OF NEVADA

LASZLO SCHOKA,
Petitioner,

vs.

THE STATE OF NEVADA
DEPARTMENT OF MOTOR VEHICLES,
Respondent.

No. 58537

FILED

JUN 14 2013

TRACE K. LINDEMAN
CLERK OF SUPREME COURT
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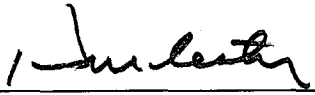
ORDER DENYING PETITION FOR WRIT OF MANDAMUS

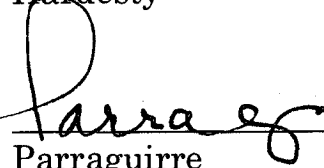
This is an original petition for a writ of mandamus seeking an order directing the Nevada Department of Motor Vehicles to issue and revoke Nevada drivers' licenses solely on the basis of state laws and not based on a resident's immigration status.

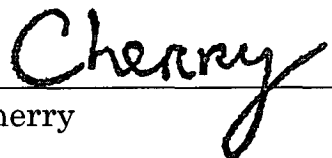
A writ of mandamus is available to compel the performance of an act that the law requires as a duty resulting from an office, trust, or station, or to control an arbitrary or capricious exercise of discretion. *See* NRS 34.160; *Int'l Game Tech., Inc. v. Second Judicial Dist. Court*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). Writ relief is generally not available, however, when the petitioner has a plain, speedy, and adequate remedy at law. *See* NRS 34.170; *Int'l Game Tech.*, 124 Nev. at 197, 179 P.3d at 558. It is within this court's discretion to determine if a writ petition will be considered. *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991). Petitioner bears the burden of demonstrating that extraordinary relief is warranted. *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004).

Having considered the petition, we conclude that petitioner has not met his burden of demonstrating that writ relief is warranted. See *id.* Accordingly, we deny the petition. See NRAP 21(b)(1).

It is so ORDERED.


_____, J.
Hardesty


_____, J.
Parraguirre


_____, J.
Cherry

cc: Laszlo Schoka
Attorney General/Dep't of Public Safety/Carson City