

IN THE SUPREME COURT OF THE STATE OF NEVADA

NANCY LORD,
Petitioner,

vs.

THE FIFTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF NYE;
AND THE HONORABLE KIMBERLY A.
WANKER, DISTRICT JUDGE,
Respondents.

No. 59911

FILED

DEC 23 2011

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

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This original petition for a writ of mandamus seeks to stay a district court's alleged ruling directing petitioner to transfer certain funds to avoid contempt.

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). It is petitioner's burden to demonstrate that our extraordinary intervention is warranted. Pan v. Dist. Ct., 120 Nev. 222, 228, 88 P.3d 840, 844 (2004). In order to satisfy that burden, petitioner must provide an appendix containing all "parts of the record before the respondent judge . . . that may be essential to understand the matters set forth in the petition." NRAP 21(a)(4); Pan, 120 Nev. at 228, 88 P.3d at 844. Here, petitioner has failed to provide this court with copies of any district court order directing her to turn over \$8294.94 or indicating that such a transfer was required to avoid contempt. Accordingly, petitioner has not met her burden of

demonstrating that extraordinary relief is warranted, and we therefore deny the petition. Id.; NRAP 21(b)(1).

It is so ORDERED.

Douglas, J.
Douglas

Pickering, J.
Pickering

Hardesty, J.
Hardesty

cc: Hon. Kimberly A. Wanker, District Judge
Nancy Lord
Nye County Clerk