

IN THE SUPREME COURT OF THE STATE OF NEVADA

TRACY ANN HARRISON,  
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE  
CYNTHIA DIANNE STEEL, DISTRICT  
JUDGE,

Respondents,

and

RICHARD KEVIN HARRISON; SIERRA  
SETTLEMENT FUNDING COMPANY,  
LLC; GOLD & SILVER PAWN SHOP,  
INC.; RICK HARRISON, LLC; AND  
SIERRA MEDICAL SERVICES, LLC,  
Real Parties in Interest.

No. 59971

**FILED**

JAN 04 2012

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

ORDER DENYING PETITION FOR WRIT OF CERTIORARI

This original petition for a writ of certiorari challenges the district court's denial of petitioner's application for an order shortening time.

Petitioner seeks to compel the district court to grant her application for an order shortening time with regard to her motion, which sought, among other things, to continue the trial and discovery deadlines and for an award of attorney fees.<sup>1</sup> A writ of certiorari is available to confine an inferior tribunal, board, or officer exercising judicial functions


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<sup>1</sup>To the extent that petitioner also requests that we compel the district court to grant her motion to continue and to hold a hearing on the other relief requested in her motion, as the district court has not ruled on these requests, any request for such relief is premature.

to the limits of its jurisdiction. NRS 34.020(2). Because the district court's exercise of jurisdiction is not at issue here, a writ of certiorari is not an appropriate vehicle for the relief petitioner seeks. Id. Indeed, such relief should be more appropriately sought through a petition for a writ of mandamus. See International Game Tech. v. Dist. Ct., 124 Nev. 193, 197, 179 P.3d 556, 558 (2008) (noting that a writ of mandamus is generally available to control an arbitrary or capricious exercise of discretion). Accordingly, because petitioner has failed to seek relief through the appropriate vehicle, we decline to exercise our discretion to extraordinarily intervene in the district court proceedings. Dangberg Holdings v. Douglas Co., 115 Nev. 129, 138, 978 P.2d 311, 316 (1999); NRAP 21(b)(1) and (c). We therefore

ORDER the petition DENIED.<sup>2</sup>

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

  
\_\_\_\_\_, J.  
Gibbons

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

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<sup>2</sup>We note that, although petitioner sought relief prior to the January 9 and 10, 2012, trial dates, petitioner has failed to comply with the procedures for emergency writ proceedings. See NRAP 21(a)(6) (providing that when petitioner requests that relief be granted in less than 14 days, the petition must comply with the requirements of NRAP 27(e)); NRAP 27(e) (setting forth the requirements for emergency motions). In addition, the certificate of service included with the petition does not reflect service on the district court judge, as required by NRAP 21(a)(1).

Our denial of this petition is without prejudice to petitioner's right to renew her request for extraordinary relief by utilizing the appropriate vehicle in compliance with the procedural requirements detailed above.

cc: Hon. Cynthia Dianne Steel, District Judge, Family Court Division  
James W. Kwon  
Thomas Michaelides  
Solomon Dwiggins & Freer  
Eighth District Court Clerk