

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROBERT A. TURNER, III,  
Petitioner,  
vs.  
THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE  
NANCY L. ALLF, DISTRICT JUDGE,  
Respondents,  
and  
FEDERAL NATIONAL MORTGAGE  
ASSOCIATION (FANNY MAE),  
Real Party in Interest.

No. 60211

**FILED**

**FEB 15 2012**

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *R. Malone*  
DEPUTY CLERK


ORDER DENYING EMERGENCY PETITION  
FOR WRIT OF MANDAMUS

In his proper person petition for extraordinary relief, petitioner asks this court to issue a writ of mandamus directing the district court to “uphold state and federal rules of civil procedure regarding jurisdiction, default and response time limitations, and filing requirements for removal.” He also asks this court to “put a stop to the continuing enforcement of a Temporary Writ of Restitution,” which he asserts should never have been granted to real party in interest.

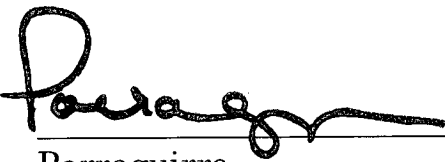
Where there is no plain, speedy, and adequate remedy in the ordinary course of law, extraordinary mandamus relief may be available. NRS 34.170; Smith v. District Court, 107 Nev. 674, 677, 679, 818 P.2d 849, 851, 853 (1991). A writ of mandamus is available to compel the performance of an act that the 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). Having considered the petition and supporting documents, we conclude that our intervention by way of extraordinary relief is not warranted. NRAP 21(b)(1); Smith, 107 Nev. 674, 818 P.2d 849. Accordingly, we

ORDER the petition DENIED.

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

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

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

cc: Hon. Nancy L. Allf, District Judge  
Robert B. Turner, III  
Pite Duncan, LLP  
Eighth District Court Clerk