

IN THE SUPREME COURT OF THE STATE OF NEVADA

CECIL JAMES,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
JAMES M. BIXLER, DISTRICT JUDGE,
Respondents,
and
WALKER HOUSE APARTMENTS,
Real Party in Interest.

No. 60314

FILED

NOV 30 2012

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

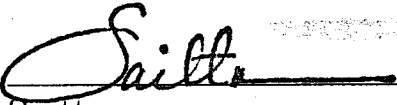
ORDER DENYING PETITION FOR WRIT OF CERTIORARI

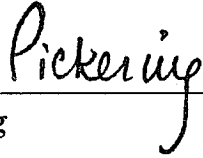
This original petition for a writ of certiorari challenges a district court order dismissing an appeal of a justice court order of summary eviction in an unlawful detainer action.

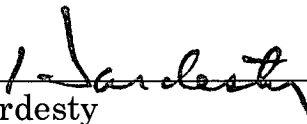
A writ of certiorari is available to correct a lower tribunal's judicial action if the tribunal exceeded its jurisdiction and "there is no appeal, nor, in the judgment of the court, any plain, speedy and adequate remedy." NRS 34.020(2); Dangberg Holdings v. Douglas Co., 115 Nev. 129, 138, 978 P.2d 311, 316 (1999). Whether a writ of certiorari will be considered is within this court's discretion. Dangberg Holdings, 115 Nev. at 138, 978 P.2d at 316. Petitioner bears the burden of demonstrating that this court's intervention by way of extraordinary writ relief is warranted. Pan v. Dist. Ct., 120 Nev. 222, 228, 88 P.3d 840, 844 (2004); see NRAP 21(c) (providing that a petition for an extraordinary writ other than mandamus or prohibition generally shall be sought in the same manner as a petition for a writ of mandamus or prohibition).

After reviewing this petition, answer, reply and the supporting documentation, we are not persuaded that this court's intervention by way of extraordinary writ relief is warranted. Pan, 120 Nev. at 228, 88 P.3d at 844; Dangberg Holdings, 115 Nev. at 138, 978 P.2d at 316. Accordingly, we

ORDER the petition DENIED.

 _____, J.
Saitta

 _____, J.
Pickering

 _____, J.
Hardesty

cc: Hon. James M. Bixler, Judge
Nevada Legal Services/Las Vegas
Thomas D. Harper, Ltd.
Eighth District Court Clerk