

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL KOBRIN; AND RODNEY HOLT,
Petitioners,

vs.

CLARK COUNTY JUSTICE COURT,
HENDERSON TOWNSHIP; STEVEN
KILGORE, DEPUTY DIRECTOR; THE
EIGHTH JUDICIAL DISTRICT COURT OF
THE STATE OF NEVADA, IN AND FOR
THE COUNTY OF CLARK; THE
HONORABLE MICHELLE LEAVITT,
DISTRICT JUDGE,

Respondents,

and

U.S. BANK NATIONAL ASSOCIATION;
STEVEN BAIRD; THE BAIRD GROUP,
INC., A NEVADA CORPORATION; THE
FOUNTAINS, HOA; NATIONAL DEFAULT
SERVICING CORPORATION; AND
TIFFANY & BOSCO, P.A.,
Real Parties in Interest.

No. 61277

FILED

JUL 18 2012

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

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This is an original proper person petition for a writ of mandamus in a real property foreclosure action.

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). Whether a writ of mandamus will be considered is purely discretionary with this court. Smith v. District Court, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991). It is petitioners' 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 appendix, we conclude that our intervention by way of extraordinary relief is not warranted. NRAP 21(b)(1); Smith, 107 Nev. at 677, 818 P.2d at 851. Accordingly, we ORDER the petition DENIED.

Cherry, C.J.
Cherry

Douglas, J.
Douglas

Saitta, J.
Saitta

cc: Hon. Michelle Leavitt, District Judge
Rodney Holt
Michael Kobrin
Tiffany & Bosco, P. A.
Wright, Finlay & Zak, LLP
Steven Baird
Eighth District Court Clerk