

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOSEPH L. MIZZONI,  
Petitioner,

vs.

THE SEVENTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF WHITE  
PINE,  
Respondent.

No. 61345

FILED

OCT 09 2012

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


ORDER DENYING PETITION FOR WRIT OF MANDAMUS

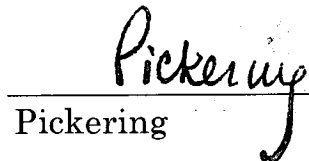
This is a proper person petition for a writ of mandamus seeking to compel the district court to resolve motions currently pending before it.

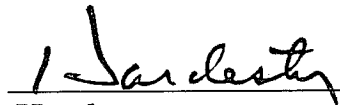
A writ of mandamus may be issued "to compel the performance of an act that the law requires as a duty resulting from an office, trust, or station." International Game Tech. v. Dist. Ct., 124 Nev. 193, 197, 179 P.3d 556, 558 (2008); see also NRS 34.160. A writ of mandamus is only available when the petitioner has no plain, speedy, and adequate remedy at law. NRS 34.170; International Game Tech., 124 Nev. at 197, 179 P.3d at 558. It is within this court's discretion to determine if a writ petition will be considered. Smith v. District Court, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991). Petitioner bears the burden of demonstrating that extraordinary relief is warranted. Pan v. Dist. Ct., 120 Nev. 222, 228, 88 P.3d 840, 844 (2004).

Having considered the petition, we conclude that petitioner has not met his burden of demonstrating that extraordinary writ relief is warranted. Id. Accordingly, we deny the petition. Smith, 107 Nev. at 677, 818 P.2d at 851; NRAP 21(b)(1).

It is so ORDERED.

\_\_\_\_\_, J.  
Saitta

\_\_\_\_\_, J.  
Pickering

\_\_\_\_\_, J.  
Hardesty

cc: Joseph L. Mizzoni  
Attorney General/Carson City  
White Pine County Clerk