

IN THE SUPREME COURT OF THE STATE OF NEVADA

KENNETH A. FRIEDMAN,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE ABBI
SILVER, DISTRICT JUDGE,
Respondents,
and
NEVADA DEPARTMENT OF
CORRECTIONS,
Real Party in Interest.

No. 62454

FILED

MAR 13 2014

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *T. K. Lindeman*
DEPUTY CLERK

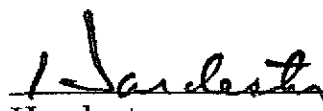
ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This is a proper person original petition for a writ of mandamus seeking to compel the district court to make rulings and allow the underlying case to proceed.

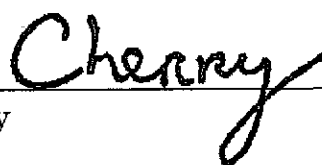
A writ of mandamus is available to compel the performance of an act that the law requires as a duty resulting from an office, trust, or station, or to control an arbitrary or capricious exercise of discretion. *See* NRS 34.160; *Int'l Game Tech., Inc. v. Second Judicial Dist. Court*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). It is within this court's sole discretion to determine if a writ petition will be considered. *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991). Petitioner bears the burden of demonstrating that extraordinary relief is warranted. *Pan v. Eighth Judicial Dist. Court*, 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 relief is warranted. *See Pan*, 120 Nev. at 228, 88 P.3d at 844; NRAP 21(b)(1). Accordingly, we

ORDER the petition DENIED.

 _____, J.
Hardesty

 _____, J.
Douglas

 _____, J.
Cherry

cc: Hon. Abbi Silver, District Judge
Kenneth A. Friedman
Attorney General/Carson City
Eighth District Court Clerk