

IN THE SUPREME COURT OF THE STATE OF NEVADA

COPPER SANDS HOMEOWNERS
ASSOCIATION, INC., A NEVADA NON-
PROFIT CORPORATION; BRUCE
BEVILACQUA, AN INDIVIDUAL;
MARCIA JARRETT, AN INDIVIDUAL;
AND CHARLES WOOD, AN
INDIVIDUAL,

Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
JOANNA KISHNER, DISTRICT
JUDGE,

Respondents,

and

MURCHISON & CUMMING, LLP, A
REVOKED NEVADA LIMITED
LIABILITY PARTNERSHIP; AND
MICHAEL J. NUNEZ, INDIVIDUALLY
AND AS A PARTNER FOR
MURCHISON & CUMMING, LLP, A
REVOKED NEVADA LIMITED
LIABILITY PARTNERSHIP,
Real Parties in Interest.

No. 62916

FILED

MAY 15 2013

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *Angelina*
DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

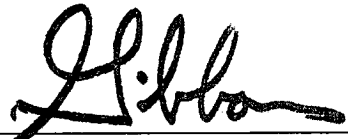
This is an original petition for a writ of mandamus challenging a district court order dismissing petitioners' claims against real parties in interest.

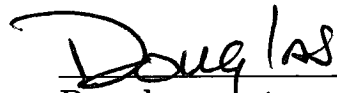
"A writ of mandamus is available to compel the performance of an act that the law requires as a duty resulting from an office, trust, or station or to control an arbitrary or capricious exercise of discretion." *Int'l*

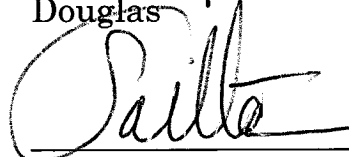
Game Tech., Inc. v. Second Judicial Dist. Court, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008) (citations omitted); see NRS 34.160. It is within this court's discretion to determine whether a writ petition will be considered. *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991). Petitioners bear the burden of demonstrating that this court's extraordinary intervention is warranted. *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004). Writ relief is generally available, however, only when there is no plain, speedy, and adequate remedy in the ordinary course of law. NRS 34.170. Moreover, this court has held that the right to appeal is typically an adequate legal remedy precluding writ relief. *Pan*, 120 Nev. at 224, 88 P.3d at 841.

Having considered the petition and appendix filed in this matter, we conclude that petitioners have not demonstrated that our intervention by way of extraordinary relief is warranted. NRAP 21(b)(1); *Smith*, 107 Nev. at 677, 818 P.2d at 851. Accordingly, we

ORDER the petition DENIED.


_____, J.
Gibbons


_____, J.
Douglas


_____, J.
Saitta

cc: Hon. Joanna Kishner, District Judge
Law Offices of Terry L. Wike
Murchison & Cumming, LLC/Las Vegas
Eighth District Court Clerk