

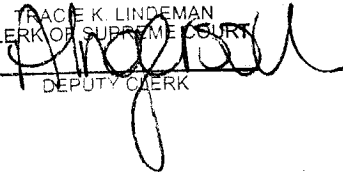
IN THE SUPREME COURT OF THE STATE OF NEVADA

FAISSAL L. AHMEAD,  
Petitioner,  
vs.  
THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE  
DOUGLAS SMITH, DISTRICT JUDGE,  
Respondents,  
and  
SOUTHERN HIGHLANDS HOME  
OWNERS ASSOCIATION,  
Real Party in Interest.

No. 64279

**FILED**

NOV 14 2013

FRANCIS K. LINDEMAN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER DENYING PETITION FOR  
WRIT OF MANDAMUS OR PROHIBITION*

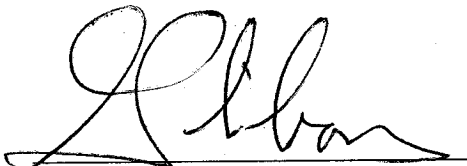
This is an original petition for a writ of mandamus or prohibition challenging the district court's oral ruling granting a stay and its ruling granting an extension of time to file an answer to the underlying complaint.

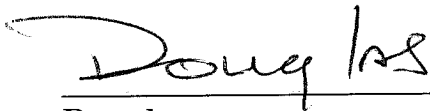
A writ of mandamus is available to compel the performance of an act that the law requires as a duty resulting from an office, trust, or station, or to control an arbitrary or capricious exercise of discretion. See NRS 34.160; *Int'l Game Tech., Inc. v. Second Judicial Dist. Court*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). This court may issue a writ of prohibition to arrest the proceedings of a district court exercising its judicial functions when such proceedings are in excess of the district court's jurisdiction. See NRS 34.320; *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991). It is within this court's sole discretion to consider a writ petition. *Smith*, 107 Nev. at 677, 818 P.2d at

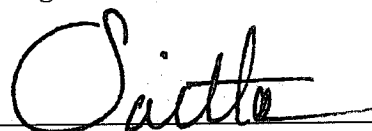
851. Petitioner bears the burden of demonstrating that extraordinary relief is warranted. *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004).

Having considered the petition, we conclude that our intervention by extraordinary writ relief is not warranted. See NRAP 21(b)(1); NRS 34.160; NRS 34.320; *Pan*, 120 Nev. at 228, 88 P.3d at 844. Accordingly, we

ORDER the petition DENIED.

  
Gibbons, J.

  
Douglas, J.

  
Saitta, J.

cc: Hon. Douglas Smith, District Judge  
Robert P. Bettinger  
Fennemore Craig Jones Vargas/Las Vegas  
Eighth District Court Clerk