

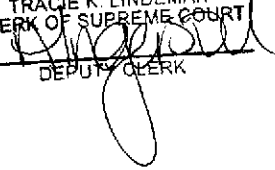
IN THE SUPREME COURT OF THE STATE OF NEVADA

DANNY L. HUGHES,  
Petitioner,  
vs.  
THE SECOND JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
WASHOE; AND THE HONORABLE  
PATRICK FLANAGAN, DISTRICT  
JUDGE,  
Respondents,  
and  
KAREN H. JOHNSON; WILLIAM B.  
JOHNSON, A HUSBAND AND WIFE  
D/B/A JOHNSON BEARING SUPPLY  
AND U.S. COLLARS LTD.,  
Real Parties in Interest.

No. 64728

**FILED**

**FEB 05 2014**

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

*ORDER DENYING PETITION FOR WRIT OF MANDAMUS*


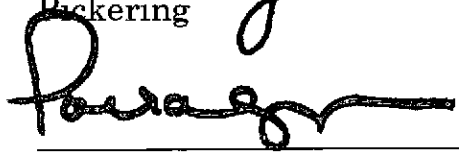
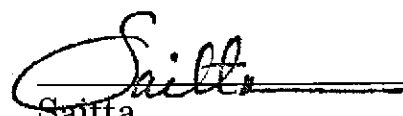
This original proper person petition for a writ of mandamus challenges a district court order denying petitioner's peremptory challenge of a judge.

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. *Int'l Game Tech., Inc. v. Second Judicial Dist. Court*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). It is petitioner's burden to demonstrate that this court's extraordinary intervention is warranted. *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004).

Having considered the petition and attached documents, we conclude that our extraordinary intervention is not warranted. *Id.* Specifically, petitioner's peremptory challenge was denied on the ground

that the district court judge had already ruled on a contested matter. See SCR 48.1(5) ("A notice of peremptory challenge may not be filed against any judge who has made any ruling on a contested matter . . ."). Accordingly, writ relief is not warranted, *Int'l Game Tech., Inc.*, 124 Nev. at 197, 179 P.3d at 558, and we

ORDER the petition DENIED.

  
Plickering, J.  
  
Parraguirre, J.  
  
Saltta, J.

cc: Hon. Patrick Flanagan, District Judge  
Danny L. Hughes  
Goedert & Associates  
Washoe District Court Clerk