

IN THE SUPREME COURT OF THE STATE OF NEVADA

RICHARD C. IDEN,  
Petitioner,  
vs.  
JAMES G. COX, DIRECTOR NDOC,  
Respondent.

No. 64764

**FILED**

**OCT 15 2014**

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY A. Malone  
DEPUTY CLERK

*ORDER DENYING PETITION FOR WRIT OF MANDAMUS*

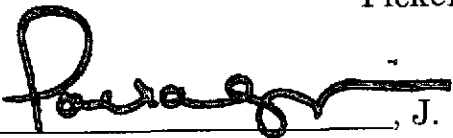
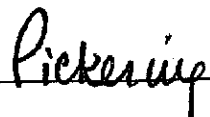
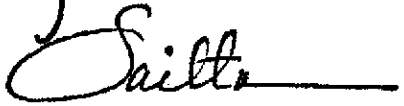
This proper person petition for a writ of mandamus challenges respondent's alleged failure to ensure that petitioner received all necessary medications.

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). Whether to consider a writ petition is within this court's discretion. *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).

Here, petitioner asserts that the settlement of a federal class action required the Nevada Department of Corrections to ensure that adequate measures were taken to provide inmates with necessary refills on their medications. Petitioner further maintains that, despite that settlement agreement, respondent has failed to provide him with refills of his necessary medications. But petitioner has not provided this court with any documents to support the assertions contained in his petition, and thus, he has not met his burden of demonstrating that extraordinary writ relief is warranted. *Pan*, 120 Nev. at 228, 88 P.3d at 844; *see* NRAP

21(a)(4) (stating that an appendix accompanying a petition for extraordinary relief shall include all documents "essential to understand the matters set forth in the petition"). Accordingly, we deny the petition. *See id.*; NRAP 21(b)(1).

It is so ORDERED.

 _____, J. Parraguirre	 _____, J. Pickering	 _____, J. Saitta
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cc: Richard Cary Iden  
Attorney General/Carson City