

IN THE SUPREME COURT OF THE STATE OF NEVADA

PETER JASON HELFRICH,
Petitioner,
vs.
THE FIFTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF NYE,
Respondent.

No. 66192

FILED

JAN 15 2015

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY: *Tracie K. Lindeman*
CHIEF DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS


This is a pro se petition for a writ of mandamus asserting various challenges to a protective custody proceeding under NRS Chapter 432B involving petitioner's child.

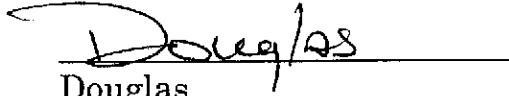
A writ of mandamus is available to compel the performance of an act that the law requires as a duty resulting from an office, trust, or station, or to control an arbitrary or capricious exercise of discretion. NRS 34.160; *Int'l Game Tech., Inc. v. Second Judicial Dist. Court*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). It is within this court's sole discretion to determine if a writ petition will be considered. *See Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991). Petitions for extraordinary relief generally may issue only when there is no plain, speedy, and adequate remedy at law. *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 224, 88 P.3d 840, 841 (2004). Petitioner bears the burden of demonstrating that extraordinary relief is warranted. *Id.* at 228, 88 P.3d at 844.

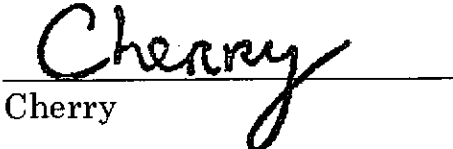
Having considered the petition and the attached documents, we conclude that petitioner has not demonstrated that our intervention by

extraordinary writ relief is warranted. NRS 34.160; *Smith*, 107 Nev. at 677, 818 P.2d at 851. Petitioner has legal remedies that may be pursued in the district court. In particular, petitioner may request the appointment of counsel, see NRS 432B.420(1), may pursue legal options for placement of his child with a guardian under NRS 432B.466-.468, and may move to disqualify a judge. See NRS 1.235. Under these circumstances, we conclude that writ relief is unnecessary at this time and we deny the petition. See NRAP 21(b)(1), *Pan*, 120 Nev. at 224, 88 P.3d at 841.¹

It is so ORDERED.

 J.
Parraguirre

 J.
Douglas

 J.
Cherry

cc: Hon. Robert W. Lane, District Judge
Peter Jason Helfrich
Attorney General/Carson City
Nye County Clerk

¹We have reviewed the pro se documents received from petitioner and conclude that any relief requested therein is not warranted.