

IN THE SUPREME COURT OF THE STATE OF NEVADA

EARL H. DARNOLD; AND ANTHONY
FRISCO,
Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF CLARK;
AND THE HONORABLE RONALD J.
ISRAEL, DISTRICT JUDGE,

Respondents,

and

RUSSELL JACOBY; CAMELIA JACOBY;
AND DESERT LAND INVESTMENT
COMPANY, LLC,

Real Parties in Interest.

No. 66213

FILED

AUG 19 2014

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

ORDER DENYING PETITION FOR WRIT OF PROHIBITION

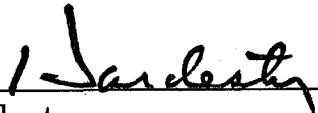
This original petition for a writ of prohibition challenges a district court order scheduling an evidentiary hearing regarding contempt allegations.

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 discretion whether 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).

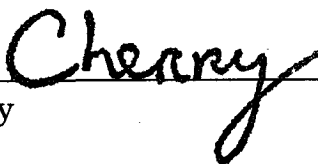
Having considered the petition and appendix, we conclude that writ relief is not appropriate, as petitioners have not demonstrated that the district court lacks jurisdiction to conduct the scheduled

evidentiary hearing. See NRS 34.320; *Smith*, 107 Nev. at 77, 818 P.2d at 851. Accordingly, we deny the petition. See NRAP 21(b)(1).

It is so ORDERED.¹


_____, J.
Hardesty


_____, J.
Douglas


_____, J.
Cherry

cc: Hon. Ronald J. Israel, District Judge
Cuthbert E.A. Mack
Benjamin B. Childs
Eighth District Court Clerk

¹In light of this order, we deny as moot petitioners' request for a stay of the August 21, 2014, hearing contained in the writ petition.