

IN THE SUPREME COURT OF THE STATE OF NEVADA

RONALD TAITANO,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE ROB
BARE, DISTRICT JUDGE,
Respondents,
and
THE CITY OF LAS VEGAS,
Real Party in Interest.

No. 69171

FILED

MAY 09 2016

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK


ORDER DENYING PETITION

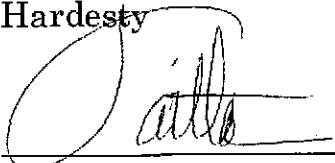
This is a petition for a writ of mandamus challenging the district court's dismissal of petitioner's appeal for failure to prosecute and requesting that the district court be made to hear the appeal on the merits. The petition was filed November 17, 2015. Although "[t]he petitioner shall submit *with the petition* an appendix," NRAP 21(a)(4) (emphasis added), an appendix to the petition was not received until December 10, 2015. Petitioner did not submit the appendix with his petition; thus he did not demonstrate circumstances warranting our review, *see Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) ("Petitioners carry the burden of demonstrating that extraordinary relief is warranted."). Moreover, petitioner's appendix

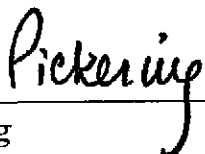
demonstrates that his appeal was heard on the merits and that the district court reversed and remanded the matter to the trial court.

Accordingly, we

ORDER the petition DENIED.¹


_____, J.
Hardesty


_____, J.
Saitta


_____, J.
Pickering

cc: Hon. Rob Bare, District Judge
Mueller Hinds & Associates
Attorney General/Carson City
Las Vegas City Attorney
Clark County District Attorney
Eighth District Court Clerk

¹Petitioner's motion to amend petition by removing party of interest is denied as moot. We direct the clerk of the court to file petitioner's appendix received December 10, 2015, and the amended petition received on December 9, 2015.