

IN THE SUPREME COURT OF THE STATE OF NEVADA

DIANA V. ORROCK; BLAINE K. JONES;
AND MARY ROONEY,
Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF CLARK,
AND THE HONORABLE MICHELLE
LEAVITT, DISTRICT JUDGE,

Respondents,

and

DAVID GARDNER; DERECK W.
ARMSTRONG; NICHOLAS D.
PHILLIPS; THE CLARK COUNTY
REGISTRAR OF VOTERS, JOE P.
GLORIA; AND THE CLARK COUNTY
CLERK, LYNN GOYA,
Real Parties in Interest.

No. 71204

FILED

NOV 07 2016

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. V. V. V.
DEPUTY CLERK

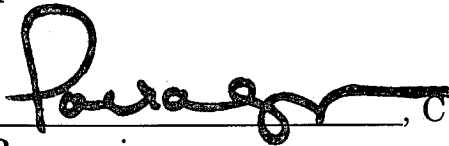
ORDER DENYING PETITION FOR WRIT OF MANDAMUS


This emergency petition for a writ of mandamus challenges a district court ruling denying petitioners' request to inspect ballots voted in the 2016 Clark County Republican primary for Assembly Districts 9, 21, and 41 and dismissing their election contests.

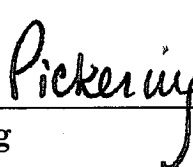
Having considered the petition, answers, reply and other documents before this court, we conclude that petitioners have not met their burden of demonstrating that extraordinary writ relief is warranted. *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) (providing that petitioner bears the burden of demonstrating that extraordinary relief is warranted); *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991) (explaining that it is within this court's sole discretion to determine if a writ petition will be

considered). Petitioners have failed to provide this court with a written district court order, responses to the statements of contest below, and transcripts of the district court hearing, and therefore, we are unable to adequately evaluate the reason for the district court's decision. *See* NRAP 21(a)(4) (requiring petitioner to submit any district court order and parts of the record essential to understand the matters set forth in the petition); *Pan*, 120 Nev. at 228-29, 88 P.3d at 844. Moreover, the arguments and information that were provided do not demonstrate that the district court's decision was arbitrary or capricious or that petitioners are otherwise entitled to relief. *Int'l Game Tech., Inc. v. Second Judicial Dist. Court*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008); *see* NRS 34.160. Accordingly, we

ORDER the petition DENIED.¹


_____, C.J.
Parraguirre


_____, J.
Hardesty


_____, J.
Pickering

cc: Hon. Michelle Leavitt, District Judge
Hansen Rasmussen, LLC
Koch & Scow, LLC
Clark County District Attorney/Civil Division
Eighth District Court Clerk

¹Real parties in interest's request for fees and costs is denied without prejudice to seek reimbursement for such expenses in the district court.