

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ANDRE WILSON,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
JOSEPH HARDY, JR., DISTRICT
JUDGE,

Respondents,

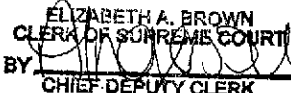
and

WEB EXPRESS LLC, AN ARIZONA
LIMITED LIABILITY COMPANY; AND
CHUCK RODRICK, AN INDIVIDUAL,
Real Parties in Interest.

No. 72104

FILED

JAN 30 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY: 
CHIEF DEPUTY CLERK

*ORDER DENYING PETITION
FOR WRIT OF MANDAMUS AND/OR PROHIBITION*

This is a petition for a writ of mandamus and/or prohibition challenging a district court order to produce documentation in a defamation case.¹


A writ of mandamus is available to compel the performance of an act which the law requires as a duty resulting from an office, trust or station, NRS 34.160, or to control and arbitrary or capricious exercise of discretion. *Round Hill Gen. Improvement Dist. v. Newman*, 97 Nev. 601,

¹We grant petitioner's January 24, 2017, motion to supplement the appendix. The clerk of the court is directed to file the proposed appendix provisionally received in this court on that same date and we have considered the documents contained in this supplemental appendix in resolving this matter.

603-04, 637 P.2d 534, 536 (1981). A writ of prohibition may issue to arrest the proceedings of a district court exercising its judicial functions when such proceedings are in excess of the jurisdiction of the district court. NRS 34.320. Having reviewed the petition and supporting documents, we are not persuaded that our extraordinary and discretionary intervention is warranted. *See Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) (providing that petitioner carries “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) (holding that “the issuance of a writ of mandamus or prohibition is purely discretionary”). Accordingly, we

ORDER the petition DENIED.


_____, C.J.
Silver


_____, J.
Tao


_____, J.
Gibbons

cc: Hon. Joseph Hardy, Jr., District Judge
The Law Office of Dan M. Winder, P.C.
Law Office of Hayes & Welsh
Michael Harnden
Eighth District Court Clerk