

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

DANNY TAYLOR,  
Petitioner,

vs.

THE ELEVENTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
PERSHING; AND THE HONORABLE  
JIM C. SHIRLEY, DISTRICT JUDGE,  
Respondents.

No. 72733

FILED

MAY 31 2017

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
CITY CLERK

*ORDER DENYING PETITION  
FOR WRIT OF MANDAMUS*


This is an original petition for a writ of mandamus challenging the district court's alleged refusal to take action on motions filed in the underlying case or otherwise move the matter forward.

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 a manifest abuse of discretion. *See* NRS 34.160; *Round Hill Gen. Improvement Dist. v. Newman*, 97 Nev. 601, 603-04, 637 P.2d 534, 536 (1981). A petition for mandamus relief constitutes an extraordinary remedy, and whether such a petition will be considered is solely within our discretion. *See Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 679, 818 P.2d 849, 851, 853 (1991). Moreover, petitioner has the burden of demonstrating that our extraordinary intervention is warranted. *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004).

Having considered the petition and supporting documents, we conclude petitioner has not demonstrated that our intervention by way of extraordinary relief is warranted. *See id.* Accordingly, we deny the petition. NRAP 21(b)(1); *Smith*, 107 Nev. at 677, 818 P.2d at 851.

It is so ORDERED.

  
\_\_\_\_\_, C.J.  
Silver

  
\_\_\_\_\_, J.  
Tao

  
\_\_\_\_\_, J.  
Gibbons

cc: Hon. Jim C. Shirley, District Judge  
Danny Taylor  
Attorney General/Carson City  
Pershing County Clerk