

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

AHMED ELNENAAY,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE T.
ARTHUR RITCHIE, JR., DISTRICT
JUDGE,
Respondents,
and
MERVAT O. ELNENAAY; AND
ELSAYED ELNENAAY,
Real Parties in Interest.

No. 72172

FILED

JUL 13 2017

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

*ORDER DENYING PETITION FOR
WRIT OF MANDAMUS OR PROHIBITION*

This original petition for a writ of mandamus or, alternatively, prohibition challenges various district court orders and seeks an order directing the district court to take various actions in connection with a child support order.¹

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 an arbitrary or capricious exercise of discretion. *See*


¹Petitioner submitted a writ petition on January 24, 2017, that was filed under this docket number and another writ petition on April 21, 2017, that was filed under Docket No. 72869. The supreme court subsequently determined that the writ petition in Docket No. 72869 should have been filed under this docket number as an amended writ petition, and, therefore, it transferred the amended writ petition to this docket number and administratively closed Docket No. 72869.


17-901464

NRS 34.160; *Int'l Game Tech., Inc. v. Second Judicial Dist. Court*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). 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). Petitioner bears the burden of demonstrating that extraordinary relief is warranted. See *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 that petitioner has failed to meet his burden of demonstrating that extraordinary writ 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.²


_____, C.J.
Silver


_____, J.
Tao


_____, J.
Gibbons

²Insofar as petitioner seeks to present an independent action before this court for the recognition and enforcement of a child support order, this court lacks jurisdiction to adjudicate that matter. See NRS 3.223(1)(a) (granting the family courts original jurisdiction over actions brought under Chapter 130 of the Nevada Revised Statutes) (amended, without effect on the present disposition, by 2017 Nev. Stat., ch. 172, § 194, at ___, effective July 1, 2017); see also Nev. Const. art 6, § 4(1) (providing that the court of appeals has original jurisdiction to issue writs as well as appellate jurisdiction over civil matters arising in district court).

cc: Hon. T. Arthur Ritchie, Jr., District Judge, Family Court Division
Ahmed Elnenaey
Elsayed Elnenaey
Pecos Law Group
Eighth District Court Clerk