

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

WENDELL DWAYNE O'NEAL,  
Petitioner,  
vs.  
TERRI ALBERTSON, DIRECTOR,  
NEVADA DMV,  
Respondent.

No. 74607

**FILED**

MAR 06 2018

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

*ORDER DENYING PETITION  
FOR WRIT OF MANDAMUS*

This original petition for a writ of mandamus seeks an order directing the director of the Department of Motor Vehicles to take various enforcement actions.

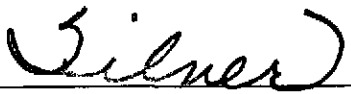
A writ of mandamus is available to compel the performance of an act that the law requires as a duty resulting from an office, trust, or station or to control an arbitrary or capricious exercise of discretion. *See* NRS 34.160; *Int'l Game Tech., Inc. v. Second Judicial Dist. Court*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). This court has broad discretion as to whether to entertain a petition for extraordinary relief. *D.R. Horton, Inc. v. Eighth Judicial Dist. Court*, 123 Nev. 468, 474-75, 168 P.3d 731, 736-37 (2007). 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).

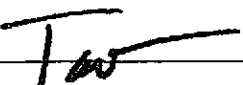
Having considered the petition, we conclude that petitioner has failed to demonstrate that extraordinary writ relief is warranted. *See id.*


18-900398

Accordingly, we deny the petition. See NRAP 21(b)(1); *D.R. Horton*, 123 Nev. at 475, 168 P.3d at 737.

It is so ORDERED.

, C.J.  
Silver

, J.  
Tao

, J.  
Gibbons

cc: Wendell Dwayne O'Neal  
Attorney General/Carson City  
Attorney General/Las Vegas