

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

(JANE DOE) MURDY, A MINOR
CHILD BY AND THROUGH HER
GUARDIAN AND MOTHER,
KIMBERLY J. KERR,
Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
NANCY L. ALLF, DISTRICT JUDGE,
Respondents,

and

CENTRAL CHRISTIAN CHURCH, A
DOMESTIC NON-PROFIT
CORPORATION; AND THE JOSH
STEVENS FOUNDATION,
Real Parties in Interest.

No. 74017

FILED

NOV 27 2017

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

*ORDER DENYING PETITION FOR
WRIT OF MANDAMUS OR PROHIBITION*

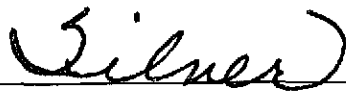
This original petition for a writ of mandamus, or, in the alternative, prohibition, seeks an order overturning the district court's denial of petitioners' request to exempt their case from the Court Annexed Arbitration Program.

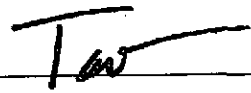
A writ of mandamus is available to compel the performance of an act that the law requires as a duty resulting from an office, trust, or station or to control an arbitrary or capricious exercise of discretion. *See* NRS 34.160; *Int'l Game Tech., Inc. v. Second Judicial Dist. Court*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). A writ of prohibition is available to arrest the proceedings of any tribunal, corporation, board or person exercising judicial functions, when such proceedings are without or in

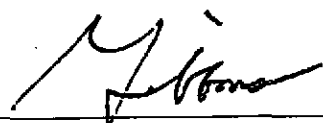
excess of the jurisdiction of such tribunal, corporation, board or person. NRS 34.320. This court has broad discretion as to whether to entertain a petition for extraordinary relief. *D.R. Horton, Inc. v. Eighth Judicial Dist. Court*, 123 Nev. 468, 475, 168 P.3d 731, 737 (2007). Petitioners bear the 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 petitioners have failed to demonstrate that extraordinary writ relief is warranted. *See id.* 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: Hon. Nancy L. Allf, District Judge
Hanratty Law Group
Law Office of Gary P. Sinkeldam APC
Olson, Cannon, Gormley, Angulo & Stoberski
Eighth District Court Clerk