IN THE SUPREME COURT OF THE STATE OF NEVADA

DONNA J. JOHNSON, AN INDIVIDUAL: AND BUILD DESIGN CONCEPTS, INC., A NEVADA CORPORATION, Petitioners. VS. THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF CLARK; AND THE HONORABLE MICHELLE LEAVITT, DISTRICT JUDGE, Respondents, and HEIDI PUTZE, AN INDIVIDUAL; AND MAP 4, LLC, A NEVADA LIMITED-LIABILITY COMPANY, Real Parties in Interest.

No. 75696



ORDER DENYING PETITION

This petition for a writ of mandamus challenges a district court order granting summary judgment on a conversion claim. The decision to entertain a petition for a writ of mandamus is purely discretionary. Smith v. Eighth Judicial Dist. Court, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991). We decline to exercise that discretion in this case for two reasons. First, because petitioners have not provided copies of the relevant pleadings filed in the district court as required by NRAP 21(a)(4), and the district court's order does not explicitly address the legal issue raised in the petition, we cannot determine whether the district court considered the issue presented, making it difficult for us to say that a writ of mandamus should be issued, see NRS 34.160 (providing that mandamus is available to compel performance of an act required by law); Round Hill Gen. Improvement Dist.

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v. Newman, 97 Nev. 601, 603-04, 637 P.2d 534, 536 (1981) (providing that mandamus is available to remedy a manifest abuse or arbitrary and capricious exercise of discretion). See Pan v. Eighth Judicial Dist. Court, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) ("Petitioners carry the burden of demonstrating that extraordinary relief is warranted."). Second, the issue presented can be raised on appeal from a final judgment, so petitioners have a plain, speedy, and adequate remedy that precludes writ relief. NRS 34.170; Pan, 120 Nev. at 225, 88 P.3d at 841. We therefore

ORDER the petition DENIED.

Pickering

Gibbons

Hardesty,

cc: Hon. Michelle Leavitt, District Judge
The Law Offices of Matthew B. Beckstead
Accolade Law
Santoro Whitmire
Eighth District Court Clerk