

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

FELTON L. MATTHEWS, JR.,
Petitioner,

vs.

THE SEVENTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF WHITE
PINE; THE EIGHTH JUDICIAL
DISTRICT COURT OF THE STATE OF
NEVADA, IN AND FOR THE COUNTY
OF CLARK; THE FIRST JUDICIAL
DISTRICT COURT OF THE STATE OF
NEVADA, IN AND FOR THE COUNTY
OF STOREY; AND THE FIRST
JUDICIAL DISTRICT COURT OF THE
STATE OF NEVADA, IN AND FOR THE
COUNTY OF CARSON CITY,

Respondents,

and

THE STATE OF NEVADA,
Real Party in Interest.

No. 75549

FILED

AUG 15 2018

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

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

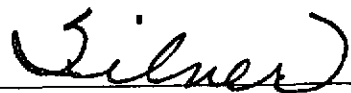
This is an original petition for a writ of mandamus.

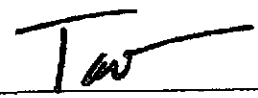
A writ of mandamus is available to compel the performance of an act that the law requires as a duty resulting from an office, trust, or station or to control an arbitrary or capricious exercise of discretion. See NRS 34.160; *Int'l Game Tech., Inc. v. Second Judicial Dist. Court*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). This court has discretion as to whether to entertain a petition for extraordinary relief and will not do so when the petitioner has a plain, speedy, and adequate remedy at law. NRS 34.170; *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 and appendix filed in this matter, we are not persuaded that this court's intervention by way of extraordinary relief is warranted. *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.¹


Silver, C.J.


Tao, J.


Gibbons, J.

cc: Felton L. Matthews, Jr.
Attorney General/Carson City
White Pine County Clerk
Eighth District Court Clerk
Carson City Clerk
Storey County Clerk

¹In light of our resolution of this matter, we deny as moot petitioner's request for permission to file a motion for injunctive relief.