

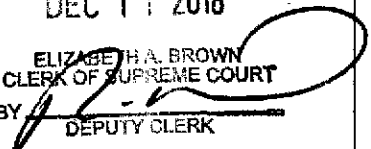
IN THE SUPREME COURT OF THE STATE OF NEVADA

TERRY KNOX,  
Petitioner,  
vs.  
STILLWATER INSURANCE  
COMPANY,  
Respondent.

No. 77284

FILED

DEC 11 2018

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

ORDER DENYING PETITION

Petitioner Terry Knox asks this court to issue a writ of mandamus compelling respondent Stillwater Insurance Company to “deny or extend coverage pursuant to and in accordance with the governing provisions of the applicable homeowners insurance policy.” Knox thereafter filed a supplemental notice asking this court to immediately grant the unopposed petition and issue the writ. We decline to do so.

The fact that Stillwater has not yet opposed the petition is irrelevant because it is not required to answer the petition unless this court directs it to do so. *See* NRAP 21(b). We have not directed Stillwater to answer the petition and further conclude that the petition should be denied without an answer because Knox has not met his “burden of demonstrating that extraordinary relief is warranted.” *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004). In particular, Knox has not shown that mandamus is an available remedy in the circumstances presented. *See* NRS 34.160 (providing that writ of mandamus may be issued “to compel the performance of an act which the law especially enjoins as a duty resulting from an office, trust or station” or “to compel [a party’s] admission . . . to the use and enjoyment of a right or office to which the party is entitled and from which the party is unlawfully precluded by such inferior tribunal, corporation, board or person”); *State ex rel. Curtis v. McCullough*,

3 Nev. 202, 220-22 (1867) (discussing authority under mandamus statute to compel admission of individual to corporate office to which he is entitled but is being denied by that corporation or another person). Accordingly, we

ORDER the petition DENIED.

Pickering, J.  
Pickering

Gibbons, J.  
Gibbons

Hardesty, J.  
Hardesty

cc: John S. Rogers  
Moran Brandon Bendavid Moran