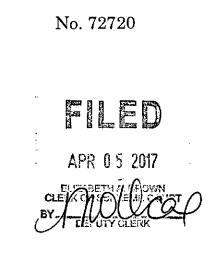
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

LAS VEGAS PAVING CORPORATION. A NEVADA CORPORATION: AND BRADLEY SCHNEIDER. Petitioners, vs. THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF CLARK; THE HONORABLE ELIZABETH GOFF GONZALEZ, DISTRICT JUDGE; AND THE HONORABLE NANCY L. ALLF, DISTRICT JUDGE, Respondents, and JAMAR COLEMAN, Real Party in Interest.



ORDER DENYING PETITION FOR WRIT OF MANDAMUS OR PROHIBITION

This is an original petition for a writ of mandamus or prohibition challenging a district court order denying a motion to disqualify District Court Judge Nancy L. Allf from presiding over the underlying case.

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 may issue a writ of prohibition to arrest the proceedings of a district court exercising its judicial functions when such proceedings are in excess of the district

COURT OF APPEALS OF NEVADA

(O) 1947B

court's jurisdiction. See NRS 34.320; Smith v. Eighth Judicial Dist. Court, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991). Whether to consider a writ petition is within this court's discretion. Smith, 107 Nev. at 677, 818 P.2d at 851. And petitioners bear the burden of demonstrating that extraordinary relief is warranted. Pan v. Eighth Judicial Dist. Court, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004).

Having considered the petition and appendix, we conclude that petitioners have not met their burden of demonstrating that extraordinary writ relief is warranted. See *id*. Accordingly, we deny the petition.¹ See NRAP 21(b)(1); Smith, 107 Nev. at 677, 818 P.2d at 851.

It is so ORDERED.

Silver C.J.

J. Tao

 cc: Hon. Elizabeth Goff Gonzalez, District Judge Hon. Nancy L. Allf, District Judge Lewis Brisbois Bisgaard & Smith, LLP/Las Vegas Emerson Law Group Marshall Law Office Eglet Prince Eighth District Court Clerk

¹In light of our denial of this petition, we deny as moot petitioners' April 3, 2017, emergency motion for a stay of the underlying proceedings.

COURT OF APPEALS OF NEVADA