

IN THE SUPREME COURT OF THE STATE OF NEVADA

PAUL ROBERTS,  
Petitioner,  
vs.  
THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND CHARLES THOMPSON,  
SENIOR JUDGE,  
Respondents,  
and  
THE STATE OF NEVADA,  
Real Party in Interest.

No. 69348

**FILED**

JAN 14 2016

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

*ORDER DENYING PETITION*

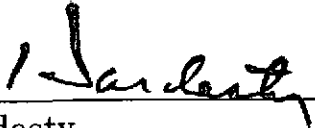
In this original petition for a writ of mandamus, petitioner Paul Roberts challenges an order of the district court allowing the State to amend the information pursuant to NRS 173.035(2). Roberts argues that the district court acted arbitrarily and capriciously by granting leave to amend the information without a proper affidavit after a motion to add the charges was denied by the justice court at the preliminary hearing.

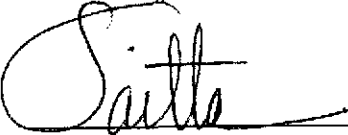
We conclude that Roberts has not demonstrated that the district court manifestly abused or arbitrarily or capriciously exercised its discretion and decline to exercise our discretion to consider his petition. *See Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991) (holding that it is within this court's discretion whether to consider a writ petition); *see also State v. Eighth Judicial Dist. Court (Armstrong)*, 127 Nev. 927, 931-32, 267 P.3d 777, 780 (2011) (defining manifest abuse and arbitrary or capricious exercise of discretion); *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004)


(concluding that petitioner bears the burden of demonstrating that extraordinary relief is warranted).

Accordingly, we

ORDER the petition DENIED.<sup>1</sup>

  
\_\_\_\_\_, J.  
Hardesty

  
\_\_\_\_\_, J.  
Saitta

  
\_\_\_\_\_, J.  
Pickering

cc: Eighth Judicial District Court Dept. 20  
Hon. Charles Thompson, Senior Judge  
Mueller Hinds & Associates  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk

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<sup>1</sup>We direct the clerk of this court to correct the caption on the docket sheet to conform to the caption on this order.