

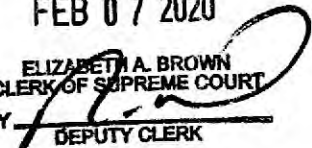
IN THE SUPREME COURT OF THE STATE OF NEVADA

JUAN DELEON MANNING,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK,
Respondent.

No. 79473

FILED

FEB 07 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This is an original pro se petition for a writ of mandamus seeking a writ directing the district court to proceed on petitioner's civil action.

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). A writ of mandamus will not issue, however, if the petitioner has a plain, speedy, and adequate remedy at law. *See* NRS 34.170; *Int'l Game Tech.*, 124 Nev. at 197, 179 P.3d at 558. Further, mandamus is an extraordinary remedy, and "the issuance of a writ of mandamus . . . is purely discretionary with this court." *See Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 679, 818 P.2d 849, 851, 853 (1991).

We reiterate that "[p]etitioner[] carr[ies] 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 documents before us, we conclude that petitioner has failed to demonstrate that extraordinary writ relief is warranted. See NRAP 21(b)(1); *Smith*, 107 Nev. at 677, 818 P.2d at 851. Accordingly, we

ORDER the petition DENIED.¹

 Pickering , C.J.
Pickering

 Hardesty , J.
Hardesty

 Cadish , J.
Cadish

cc: Juan Deleon Manning
Attorney General/Carson City
Eighth District Court Clerk

¹We are confident that the district court will resolve all pending matters as expeditiously as its calendar permits.