IN THE SUPREME COURT OF THE STATE OF NEVADA

AMERICANA, L.L.C., D/B/A BERKSHIRE HATHAWAY HOMESERVICES NEVADA PROPERTIES, Petitioner, vs. THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF CLARK; AND THE HONORABLE TREVOR L. ATKIN, DISTRICT JUDGE, Respondents, and TONI BONIFATTO; JOSEPH BONIFATTO; AND PETER

BONIFATTO, Real Parties in Interest.



ORDER DENYING PETITION FOR WRIT OF MANDAMUS

In this original petition for a writ of mandamus, petitioner seeks a writ directing the district court to vacate its denial of petitioner's motion to dismiss real parties in interests' breach of contract claims against it.

Problematically, petitioner has not provided this court with the district court order that it is challenging in the instant petition. See NRAP 21(a)(4) (providing the petitioner shall submit an appendix containing all documents "essential to understand the matters set forth in the petition"). Therefore, without deciding the merits of the claims raised, and without prejudice, we decline to exercise our original jurisdiction in this matter. See NRAP 21(b).

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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). Accordingly, we

ORDER the petition DENIED.

Pickering C.J. Pickering lest

Hardesty

Cadish

J.

cc: Hon. Trevor L. Atkin, District Judge Olson, Cannon, Gormley, & Stoberski Kemp, Jones & Coulthard, LLP Eighth District Court Clerk

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