

IN THE SUPREME COURT OF THE STATE OF NEVADA

MINERVA VASQUEZ-MONTANO; AND  
GIOVANNI JIMENEZ,

Petitioners,

vs.

THE SECOND JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
WASHOE; AND THE HONORABLE  
KATHLEEN M. DRAKULICH,  
DISTRICT JUDGE,

Respondents,

and

CEMEX CONSTRUCTION MATERIALS  
PACIFIC, LLC; AND ZACHARY  
KURTIS MYKAL RANSOM,  
Real Parties in Interest.

No. 81436

**FILED**

**JUL 28 2020**

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

*ORDER DENYING PETITION FOR  
A WRIT OF MANDAMUS*

This original petition for a writ of mandamus challenges a district court order denying a motion to recuse or disqualify a district court judge. We are not satisfied that this court's intervention by way of an extraordinary writ is warranted, because petitioner has not demonstrated that the district court acted arbitrarily or capriciously in denying petitioner's motion to recuse or disqualify. NRS 34.160; *State v. Eighth Judicial Dist. Court (Armstrong)*, 127 Nev. 927, 931-32, 267 P.3d 777, 780 (2011) (recognizing that a writ of mandamus may issue to control an arbitrary or capricious exercise of discretion and defining an arbitrary and capricious exercise of discretion as "one founded on prejudice or preference rather than on reason, or contrary to the evidence or established rules of law") (internal citations and quotations omitted); *Pan v. Eighth Judicial*

