

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ELECTRONIC COMMUNICATIONS,
INC., A NORTH DAKOTA
CORPORATION, D/B/A ECI,
Petitioner,

vs.

THE NINTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
DOUGLAS; AND THE HONORABLE
THOMAS W. GREGORY, DISTRICT
JUDGE,

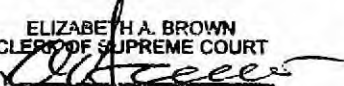
Respondents,
and

TBD GROUP, LLC, A NEVADA
LIMITED LIABILITY COMPANY;
WILLIAM JONES, AN INDIVIDUAL
AND RESIDENT OF NEVADA IN HIS
INDIVIDUAL AND OFFICIAL
CAPACITY; AND ALBERT MACK, AN
INDIVIDUAL AND RESIDENT OF
NEVADA IN HIS INDIVIDUAL AND
OFFICIAL CAPACITY,
Real Parties in Interest.

No. 82941-COA

FILED

OCT 07 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

*ORDER DENYING PETITION
FOR WRIT OF MANDAMUS AND/OR PROHIBITION*

This is an original petition for a writ of mandamus and/or prohibition challenging the district court's denial of a motion for discovery sanctions for failure to comply with NJDCR 6(g).


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's jurisdiction. See NRS 34.320; *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991). The decision as to whether a petition for extraordinary writ relief will be entertained rests within this court's sound discretion. See *D.R. Horton, Inc. v. Eighth Judicial Dist. Court*, 123 Nev. 468, 474-75, 168 P.3d 731, 736-37 (2007). Petitioner bears 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, we conclude petitioner has not demonstrated that our extraordinary intervention is warranted. See *id.*; *Smith*, 107 Nev. at 677, 818 P.2d at 851. Accordingly, we deny the petition. NRAP 21(b)(1).

It is so ORDERED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Thomas W. Gregory, District Judge
Rehan Law Firm
Gordon & Rees Scully Mansukhani LLP/Reno
Snell & Wilmer, LLP/Las Vegas
Douglas County Clerk