

IN THE SUPREME COURT OF THE STATE OF NEVADA

ALI SHAHROKHI,  
Petitioner,  
vs.  
THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE  
DAWN THRONE, DISTRICT JUDGE,  
Respondents,  
and  
KIZZY BURROW,  
Real Party in Interest.

No. 83682

FILED

NOV 16 2021


ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER DENYING PETITION  
FOR WRIT OF MANDAMUS OR PROHIBITION*

This pro se original petition for a writ of mandamus or prohibition challenges (1) an October 22, 2021, order denying petitioner's NRS 41.660 anti-SLAPP motion to dismiss real party in interest's countermotion to declare petitioner a vexatious litigant and (2) an October 21, 2021, order directing petitioner to show cause why he should not be declared a vexatious litigant. Petitioner asserts, among other things, that the district court incorrectly concluded that motions seeking to declare a party a vexatious litigant are not subject to NRS 41.660 anti-SLAPP motions and that the show cause order is not affidavit-based and lacks protections necessary in criminal contempt proceedings. Petitioner has also filed an emergency motion to stay the district court proceedings pending our consideration of this writ petition, pointing to the upcoming hearing on the show cause order.

Having considered the petition and supporting documentation, we are not convinced that our extraordinary and discretionary intervention is warranted. *See Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) (observing that the party seeking writ relief bears the burden of showing such relief is warranted); *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991) (recognizing that writ relief is an extraordinary remedy and that this court has sole discretion in determining whether to entertain a writ petition). Petitioner has not demonstrated that the clear language of NRS 41.660 applies to motions to declare a party a vexatious litigant, and petitioner mischaracterizes the nature of the October 21 order, which merely requires him to appear and show cause why he should not be declared a vexatious litigant, not why he should not be held in contempt. Accordingly, we

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

  
\_\_\_\_\_, J.  
Cadish

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

  
\_\_\_\_\_, J.  
Herndon

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<sup>1</sup>In light of this order, petitioner's emergency motion for stay is denied as moot.

cc: Hon. Dawn Throne, District Judge, Family Court Division  
Ali Shahrokhi  
Kizzy Burrow  
Eighth District Court Clerk