

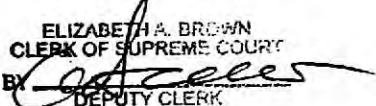
IN THE SUPREME COURT OF THE STATE OF NEVADA

KENNETH J. MADISON,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK,
Respondent,
and
CLARK COUNTY DISTRICT
ATTORNEY,
Real Party in Interest.

No. 83698

FILED

NOV 17 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DENYING PETITION

This is a pro se original writ petition seeking to compel the Clark County District Attorney to prosecute case no. 19F22082A.

The decision to entertain a petition for extraordinary writ relief lies within the discretion of this court. *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 679, 818 P.2d 849, 851, 853 (1991) (recognizing that writ relief is an extraordinary remedy and that this court has sole discretion in determining whether to entertain a writ petition). A writ of mandamus is available only to compel the performance of a legally required act or to cure an arbitrary and capricious exercise of discretion. *Round Hill Gen. Improvement Dist. v. Newman*, 97 Nev. 601, 603-04, 637 P.2d 534, 536 (1981). It is petitioner's burden to demonstrate that extraordinary relief is warranted. *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d

840, 844 (2004). Here, petitioner has not shown that the Clark County District Attorney has failed to perform a legally required act or has arbitrarily or capriciously exercised its discretion.

Accordingly, we

ORDER the petition DENIED

Hardesty, C.J.
Hardesty

Parraguirre, J.
Parraguirre

Stiglich, J.
Stiglich

cc: Kenneth J. Madison
Clark County District Attorney
Eighth District Court Clerk