


IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL LUIS COTA,  
Petitioner,  
vs.  
THE NINTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
DOUGLAS,  
Respondent.

No. 83663

FILED

NOV 17 2021

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER DENYING PETITION*

This is an original writ petition seeking to compel the district court to take action on several documents filed in the district court.

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). Problematically, petitioner has not provided this court with a copy of the documents he alleges to have filed with the district court, namely a motion to proceed in forma pauperis, petition for genetic marker analysis, "motion to order counsel to produce all case records", or proof of service of the postconviction petition for a writ of habeas corpus, on the

attorney general or district attorney, precluding writ relief. 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"). Accordingly, we

ORDER the petition DENIED.

Hardesty, C.J.  
Hardesty

Parraguirre, J.  
Parraguirre

Stiglich, J.  
Stiglich

cc: Michael Luis Cota  
Attorney General/Carson City  
Douglas County District Attorney/Minden  
Douglas County Clerk