

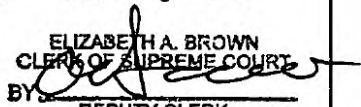
IN THE SUPREME COURT OF THE STATE OF NEVADA

GREGORY O. GARMONG,  
Petitioner,  
vs.  
NEVADA COMMISSION ON JUDICIAL  
DISCIPLINE,  
Respondent.

No. 84787

FILED

DEC 28 2022

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY:   
DEPUTY CLERK

*ORDER DENYING PETITION*

This original petition for a writ of mandamus or prohibition challenges an order from the Nevada Commission on Judicial Discipline dismissing petitioner's complaints. We deny the petition because petitioner lacks standing to seek writ relief.

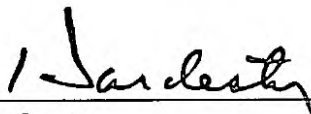
"To establish standing in a [original proceeding seeking extraordinary relief], the petitioner must demonstrate a beneficial interest in obtaining writ relief" by showing "a direct and substantial interest that falls within the zone of interest to be protected by the legal duty asserted." *Heller v. Leg. of the State of Nev.*, 120 Nev. 456, 460-61, 93 P.3d 746, 749 (2004) (internal quotation marks omitted). We must deny the petition "if the petitioner will gain no direct benefit from [the writ's] issuance and suffer no direct detriment if it is denied." *Id.* at 461, 93 P.3d at 749 (quoting *Waste Mgmt. v. County of Alameda*, 94 Cal. Rptr. 2d 740, 747 (App. Ct. 2000), *disapproved of on other grounds by Save the Plastic Bag Coal. v. City of Manhattan Beach*, 254 P.3d 1005, 1008 (Cal. 2011)).

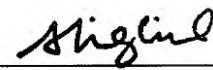
Petitioner failed to demonstrate he has standing because any investigation done on his complaints filed with the Commission is to benefit the public, not petitioner individually. *See In re Halverson*, 123 Nev. 493, 514, 169 P.3d 1161, 1175 (2007) (recognizing that the Commission's duty is

to “protect the public upon an investigation revealing a current, emergent threat to the judiciary”); *cf. Cotton v. Steele*, 587 N.W.2d 693, 699 (Neb. 1999) (noting that whether an attorney is disciplined as a result of a client grievance to a disciplinary board neither “confers any legally cognizable benefit [nor] causes any legally cognizable injury” to the client). And petitioner has not shown that the Commission refused to do any act required by law. *See State Bar of Nev. v. List*, 97 Nev. 367, 368, 632 P.2d 341, 342 (1981) (recognizing that “any citizen” could seek extraordinary writ relief to compel the governor to perform a duty required by law); NRS 1.4657(1)-(2) (requiring the Commission to examine complaints filed before it for “objectively verifiable evidence from which a reasonable inference could be drawn that a judge committed misconduct” and, if the complaint contains no such allegations, requiring the Commission to dismiss it). We therefore

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

 C.J.  
Parraguirre

 J.  
Hardesty

 J.  
Stiglich

 J.  
Cadish

 J.  
Herndon

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<sup>1</sup>The Honorable Kristina Pickering, Justice, voluntarily recused herself from participation in the decision of this matter. The Honorable Patricia Lee, Justice, did not participate in the decision of this matter.

cc: Gregory O. Garmong  
Attorney General/Carson City  
Fennemore Craig, P.C./Las Vegas