

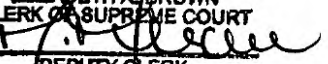
IN THE SUPREME COURT OF THE STATE OF NEVADA

SUE ELLEN DANG,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
NADIA KRALL, DISTRICT JUDGE,
Respondents,
and,
ANNA DIALLO,
Real Party in Interest.

No. 86135

FILED

MAR 06 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DENYING PETITION

This is an original petition for a writ of mandamus or writ of prohibition challenging a district court order denying a motion for summary judgment and a motion to dismiss in a partition action.

“A writ of mandamus is available to compel the performance of an act that the law requires . . . or to control an arbitrary or capricious exercise of discretion.” *Int’l Game Tech., Inc. v. Second Judicial Dist. Court*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008); see NRS 34.160. A writ of prohibition may issue to restrain the district court from acting in excess of its jurisdiction. NRS 34.320; *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991).¹ This court has original jurisdiction to issue extraordinary relief, and the issuance of such relief is within this

¹While the petition states that petitioner is seeking both mandamus and prohibition writ relief, petitioner has not identified any action of the district court that is allegedly in excess of its jurisdiction, and petitioner only discusses the propriety of mandamus relief.

