


IN THE SUPREME COURT OF THE STATE OF NEVADA

ROY DANIELS MORAGA,  
Petitioner,  
vs.  
CHARLES DANIELS,  
Respondent.

No. 86884

FILED

AUG 23 2023

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

*ORDER DENYING PETITION FOR WRIT OF MANDAMUS*

This is a pro se original petition for a writ of mandamus seeking to compel the clerk of the district court to file petitioner's motion for a default judgment.

A writ of mandamus is available to compel the performance of an act that the law requires as a duty resulting from an office, trust, or station or to control an arbitrary or capricious exercise of discretion. *See* NRS 34.160; *Int'l Game Tech., Inc. v. Second Judicial Dist. Court*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). Whether a petition for extraordinary writ relief will be entertained rests within this court's sound discretion. *D.R. Horton, Inc. v. Eighth Judicial Dist. Court*, 123 Nev. 468, 474-75, 168 P.3d 731, 736-37 (2007). Petitioner bears the burden of demonstrating that extraordinary relief is warranted. *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004).

Having reviewed the petition and the limited documents provided in support by petitioner, we conclude, without reaching the merits

of any claims, that petitioner has failed to meet his burden of demonstrating that extraordinary relief is warranted. Accordingly, we

ORDER the petition DENIED.

Stiglich, C.J.  
Stiglich

Cadish, J.  
Cadish

Herndon, J.  
Herndon

cc: Roy Daniels Moraga  
Attorney General/Carson City  
First District Court Clerk