

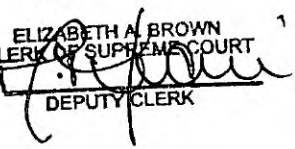
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

BRIANNA BLACK,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; THE HONORABLE AMY
MASTIN, DISTRICT JUDGE; AND
REGINA M. MCCONNELL, DISTRICT
JUDGE,
Respondents,
and
MARKUS EDWARD WHITE,
Real Party in Interest.

No. 86474-COA

FILED

SEP 22 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK


*ORDER DENYING PETITION
FOR WRIT OF MANDAMUS*

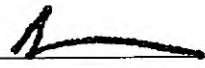
In this original petition for a writ of mandamus, Brianna Black seeks an order compelling the district court to consider her motion to modify custody.

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. NRS 34.160; *Int'l Game Tech., Inc. v. Second Judicial Dist. Court*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). Further, mandamus is an extraordinary remedy, and it is within the discretion of this court to determine if a petition will be considered. *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991). 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 considered the petition, we conclude that petitioner has not demonstrated that our extraordinary intervention is warranted. *See id.; Smith*, 107 Nev. at 677, 818 P.2d at 851. Accordingly, we deny the petition.

It is so ORDERED.


_____, C.J.
Gibbons


_____, J.
Bulla


_____, J.
Westbrook

cc: Hon. Amy Mastin, District Judge, Family Division
Hon. Regina M. McConnell, District Judge, Family Division
Gonzalez & Flores Law Firm
Markus Edward White
Eighth District Court Clerk