

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVID BAKER,
Petitioner,

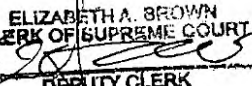
vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
MARK R. DENTON, DISTRICT JUDGE,
Respondents,
and
NVCHI HOLDINGS, LLC,
Real Party in Interest.

No. 88956

FILED

JUL 31 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

*ORDER DENYING PETITION
FOR WRIT OF MANDAMUS OR PROHIBITION*

This original petition for a writ of mandamus or prohibition challenges a prejudgment district court order approving a receiver's sale of real property and cannabis licenses. Petitioner has also filed an emergency motion for stay, and real party in interest NVCHI Holdings, LLC, has filed an opposition. Additionally, Kevin Singer, court-appointed receiver over district court parties The Hempire Company, LLC, and Nevada Ag Co., LLC, has filed a notice of appearance as real party in interest, which we construe as a motion to intervene as real party in interest. We grant the motion to intervene, NRAP 21(a)(2), and direct the clerk of this court to add Singer, as court-appointed receiver, as a real party in interest to this writ proceeding. Singer has also filed an opposition to the emergency stay motion and a countermotion to dismiss the petition.

A writ of mandamus may be available to compel a legally required act or to correct an arbitrary and capricious exercise of discretion, NRS 34.160, and a writ of prohibition is available to curb jurisdictional

excesses, NRS 34.330. Whether to issue extraordinary writ relief is solely within this court's discretion, however, *Smith v. Eighth Jud. Dist. Ct.*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991), and it is petitioner's burden to demonstrate that such relief is warranted, *Pan v. Eighth Jud. Dist. Ct.*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004). Having reviewed the petition, appendix, and other documents filed in this matter, we decline to intervene. Accordingly, we

ORDER the petition DENIED.¹

Stiglich, J.
Stiglich

Pickering, J.
Pickering

Parraguirre, J.
Parraguirre

cc: Hon. Mark R. Denton, District Judge
Black & Wadhams
King Scow Koch Durham LLC
Eighth District Court Clerk

¹In light of this order, we deny as moot petitioner's emergency motion for stay and the receiver's countermotion to dismiss.