

IN THE SUPREME COURT OF THE STATE OF NEVADA

DANA HORNAGE, AN INDIVIDUAL,
Petitioner,

vs.

THE SECOND JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
WASHOE; AND THE HONORABLE
KATHLEEN A. SIGURDSON,
DISTRICT JUDGE,

Respondents,

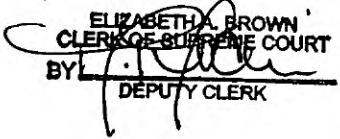
and

STEPHEN KEELER, AN INDIVIDUAL;
SUDS EQUITY, INC. D/B/A ROLLER
KINGDOM, A DOMESTIC
CORPORATION,
Real Parties in Interest.

No. 89174

FILED

AUG 16 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This original petition for a writ of mandamus challenges district court orders denying a request to exempt the underlying personal injury case from court-annexed arbitration and denying a motion for leave to amend the complaint. Petitioner has also filed an emergency motion seeking a stay of arbitration and court proceedings pending our consideration of this writ petition.

A writ of mandamus is available to compel the performance of a legally required act or to control an arbitrary or capricious exercise of discretion. NRS 34.160; *Round Hill Gen. Improvement Dist. v. Newman*, 97 Nev. 601, 603-04, 637 P.2d 534, 536 (1981). Whether to consider a writ petition is wholly within this court's discretion. *Smith v. Eighth Jud. Dist. Ct.*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991).

Having considered the petition and supporting documents, we are not persuaded that our extraordinary and discretionary intervention is warranted. *Walker v. Second Jud. Dist. Ct.*, 136 Nev. 678, 680, 684, 476 P.3d 1194, 1197, 1199 (2020) (noting that traditional mandamus will not remedy mere errors in judgment but “is available only where the law is overridden or misapplied, or when the judgment exercised is manifestly unreasonable or the result of partiality, prejudice, bias or ill will” and addressing when a matter may qualify for advisory mandamus to decide legal issues (internal quote marks omitted)); *Pan v. Eighth Jud. Dist. Ct.*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) (observing that the party seeking writ relief bears the burden of showing such relief is warranted). Accordingly, we

ORDER the petition DENIED.¹



_____, J.
Herndon



_____, J.
Lee



_____, J.
Bell

cc: Hon. Kathleen A. Sigurdson, District Judge
Shook & Stone, Chtd.
Lewis Brisbois Bisgaard & Smith LLC/Reno
Lewis Brisbois Bisgaard & Smith, LLP/Las Vegas
Law Offices of S. Denise McCurry/Las Vegas
Washoe District Court Clerk

¹In light of this order, petitioner’s motion for stay is denied as moot.