

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

EBONY REMA COX,

Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,

IN AND FOR THE COUNTY OF

CLARK; AND THE HONORABLE

JACOB A. REYNOLDS, DISTRICT
JUDGE,

Respondents,

and


3896 UNIVERSITY OWNER, LLC,
D/B/A THE VIEW AT UNIVERSITY
CENTER,

Real Party in Interest.

No. 89237-COA

FILED

OCT 14 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DENYING PETITION


Petitioner Ebony Rema Cox filed this original petition for a writ of mandamus seeking to challenge a district court decision upholding on appeal a summary eviction order.

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 Jud. Dist. Ct.*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). 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 Jud. Dist. Ct.*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991). Petitioner bears the burden to show that extraordinary relief is warranted, and such relief is proper only when there is no plain, speedy,

and adequate remedy at law. *Pan v. Eighth Jud. Dist. Ct.*, 120 Nev. 222, 224, 228, 88 P.3d 840, 841, 844 (2004).

Based on our review of the writ petition and the documents before us, we conclude Cox has not demonstrated that our extraordinary intervention is warranted. *Id.* at 228, 88 P.3d at 844. “The Nevada Constitution vests the district courts with final appellate jurisdiction in all cases arising in the justices’ courts.” *Id.* at 227, 88 P.3d at 843; see Nev. Const. art 6, § 6. As a general rule, this court will decline to consider writ petitions that request review of a district court’s decision when acting in its appellate capacity, save for a few exceptions. *State v. Eighth Jud. Dist. Ct. (Hedland)*, 116 Nev. 127, 134, 994 P.2d 692, 696-97 (2000). We conclude Cox fails to demonstrate an exception to the general rule here. Accordingly, we

ORDER the petition DENIED.


_____, C.J.
Gibbons


_____, J.
Bulla


_____, J.
Westbrook

cc: Hon. Jacob A. Reynolds, District Judge
Nevada Legal Services/Las Vegas
Marquis Aurbach Chtd.
Eighth District Court Clerk