

IN THE SUPREME COURT OF THE STATE OF NEVADA

JACK BEHM,

Petitioner,

vs.

THE HONORABLE MARK R. DENTON,

DISTRICT JUDGE, AND EIGHTH

JUDICIAL DISTRICT COURT,

Respondents,

and

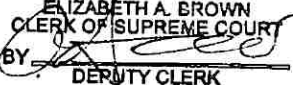
CLARK COUNTY ANIMAL CONTROL,

Real Party in Interest.

No. 91618

FILED

NOV 19 2025

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

*ORDER DENYING PETITION
FOR WRIT OF MANDAMUS OR PROHIBITION*

This emergency petition for a writ of mandamus or prohibition challenges the district court's alleged failure to hold a hearing in accordance with NRS 574.203 to determine petitioner's ability and fitness to provide adequate care and shelter to his impounded dog.¹ Eighth Judicial District Court, Clark County; Mark R. Denton, Judge.

Having considered the petition and supporting documentation, we conclude that petitioner has not met his burden to show that extraordinary relief is warranted, and we therefore deny relief. Under NRS 574.203, if a person who has been arrested for violating NRS Chapter 574's animal cruelty statutes and whose animal has been impounded timely seeks a fitness hearing, the court must within 15 days hold a hearing to "determine whether the person is the owner of an animal and whether the

¹Petitioner is seeking a waiver of the filing fee for this original proceeding, asserting indigence and inability to pay it. Good cause having been demonstrated, the motion is granted. NRAP 21(g). No filing fee is due in this matter.

person is able and fit to provide adequate care and shelter to the animal.” NRS 574.203(3). If clear and convincing evidence shows that the movant is the animal’s owner and able and fit to care for the animal, the court must order the animal’s release. 574.2035(1). If no such showing is made, the court must order that the movant may not own or possess the animal and may further enjoin the movant from owning or possessing other animals. NRS 574.2035(2), (3).

Here, petitioner alleges that he filed a motion under NRS 574.203(1) on February 4, 2025, but no fitness hearing was ever held, depriving the court of jurisdiction to proceed. Despite this, he asserts, the court thereafter entered substantive rulings. He asserts that the court’s refusal to hold the hearing resulted in the animal being “surgically mutilated” while in the county’s custody and the anticipated use of the underlying invalid record in a criminal trial scheduled for November 18, 2025.

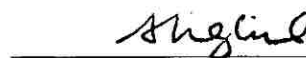
It is petitioner’s burden to demonstrate that writ relief is warranted. *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) (“Petitioners carry the burden of demonstrating that extraordinary relief is warranted.”). In part, this burden requires petitioners to submit documentation sufficient to support their claims. See NRAP 21(a)(4) (requiring petitioners to submit an appendix with copies of any orders and other parts of the record before the district court that may be essential to understand the issues raised in the petition). While petitioner submitted an appendix, the appendix includes only the title page of his February 4 motion, what appear to be screenshots of parts of the district court record, and screenshots of emails. Petitioner failed to include a complete copy of his district court motions or, despite acknowledging that

the district court has entered orders, any copies of those orders. From the docket entries and minutes provided, some of which are incomplete and difficult to read, it appears that petitioner filed multiple motions seeking the return of the animal, hearings were held in April, the court denied petitioner's motion for return of animal in Doc ID #10, and the court orally granted real party in interest's motion to order petitioner not to possess any animals in September. Thus, from the limited information before this court, it appears that the court has at least substantially complied with NRS Chapter 574, and petitioner has not demonstrated that the court lacked jurisdiction in doing so. Accordingly, we decline to intervene, and we

ORDER the petition DENIED.²

 J.
Parraguirre

 J.
Bell

 J.
Stiglich

²Additionally, writs of mandamus and prohibition are available only when there is no adequate and speedy legal remedy, such as an appeal. See NRS 34.170; NRS 34.330; *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 224, 88 P.3d 840, 841 (2004) (“[T]he right to appeal is generally an adequate legal remedy that precludes writ relief.”). It appears that petitioner may have had available an appeal from the order denying his motion to return animal.

cc: Hon. Mark R. Denton, District Judge
Jack Behm
Clark County District Attorney/Civil Division
Eighth District Court Clerk