



IN THE COURT OF APPEALS OF THE STATE OF NEVADA

Pueblo at Santa Fe Condominium
Association, Inc., a Nevada Nonprofit
Corporation,
Petitioner,
v.
The Eighth Judicial District Court of the
State of Nevada, in and for the County of
Clark, et al.,
Respondents,
and
Tortuga Gatos, LLC, a Nevada Limited
Liability Company, et al.,
Real Parties in Interest.

No. 93144-COA

ORDER DENYING PETITION

This original petition for a writ of mandamus challenges district court orders declining to dismiss real parties in interest's claims and dismissing petitioner's counterclaim in a matter arising out of NRS Chapter 116. A writ of mandamus is available to compel the performance of an act that the law requires as a duty resulting from an office, NRS 34.160, or to control an arbitrary or capricious exercise of discretion, *Int'l Game Tech., Inc. v. Second Jud. Dist. Ct.*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). The decision to entertain a petition for extraordinary writ relief is within our sole discretion, and the petitioner has the burden of demonstrating that such relief is warranted. *Pan v. Eighth Jud. Dist. Ct.*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004). Having considered the petition and the supporting documents, we

conclude that petitioner has not carried its burden of demonstrating that extraordinary relief is warranted. Accordingly, we

ORDER the petition DENIED.

A handwritten signature in black ink, appearing to be 'Bulla', with a long horizontal stroke extending to the right.

Bulla, C.J.

A handwritten signature in black ink, appearing to be 'Gibbons', with a stylized, cursive script.

Gibbons, J.

A handwritten signature in black ink, appearing to be 'Westbrook', with a cursive script.

Westbrook, J.

cc: Garin Law Group

Johnson & Associates LLC

Hon. Danielle K. Pieper, District Judge

The Eighth Judicial District Court of the State of Nevada, in and for the
County of Clark