

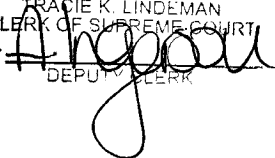
IN THE SUPREME COURT OF THE STATE OF NEVADA

RICHARD GARVEY,  
Petitioner,  
vs.  
THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE  
JERRY A. WIESE, DISTRICT JUDGE,  
Respondents,  
and  
THE STATE OF NEVADA  
DEPARTMENT OF CORRECTIONS,  
Real Party in Interest.

No. 60998

**FILED**

JUL 26 2012

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY:   
DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

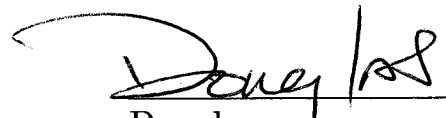
This is a proper person original petition for a writ of mandamus challenging a district court order dismissing an appeal in a small claims action.

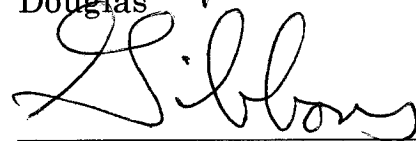
A writ of mandamus may be issued “to compel the performance of an act that the law requires as a duty resulting from an office, trust, or station.” International Game Tech. v. Dist. Ct., 124 Nev. 193, 197, 179 P.3d 556, 558 (2008); see also NRS 34.160. It is within this court’s discretion to determine if a writ petition will be considered. Smith v. District Court, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991). Petitioner bears the burden of demonstrating that extraordinary relief is warranted. Pan v. Dist. Ct., 120 Nev. 222, 228, 88 P.3d 840, 844 (2004).

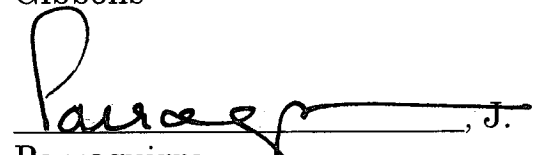
Having considered the petition and the attached documents, we conclude that petitioner has not demonstrated that extraordinary relief

is warranted. Id. Accordingly, we deny the writ petition and petitioner's other requests contained therein. Id.; Smith, 107 Nev. at 677, 818 P.2d at 851; NRAP 21(b)(1).

It is so ORDERED.

  
\_\_\_\_\_, J.  
Douglas

  
\_\_\_\_\_, J.  
Gibbons

  
\_\_\_\_\_, J.  
Parraguirre

cc: Hon. Jerry A. Wiese, District Judge  
Richard Garvey  
Attorney General/Las Vegas  
Eighth District Court Clerk