

IN THE SUPREME COURT OF THE STATE OF NEVADA

NICK SPAGNOLO,
Petitioner,
vs.
STEVEN GRIERSON, CLERK OF
COURT DISTRICT COURT, LAS
VEGAS, NEVADA,
Respondent.

No. 66301

FILED

OCT 14 2014

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY R. Malone
DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This is a proper person petition for a writ of mandamus seeking to compel respondent to complete certain acts that petitioner contends are required by law.

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 Judicial Dist. Court*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). Generally, a writ of mandamus is only available when a petitioner has no speedy and adequate remedy at law. NRS 34.170. Mandamus is an extraordinary remedy, and whether a petition for extraordinary relief will be considered is solely within our discretion. *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991). It is petitioner's burden to demonstrate that our extraordinary intervention is warranted. *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004).

Having considered petitioner's arguments and the documents before this court, we conclude that our intervention by extraordinary writ

relief is not warranted. See NRAP 21(b)(1); *Pan*, 120 Nev. at 228, 88 P.3d at 844; *Smith*, 107 Nev. at 677, 818 P.2d at 851. Accordingly, we

ORDER the petition DENIED.¹

Hardesty, J.
Hardesty

Douglas, J.
Douglas

Cherry, J.
Cherry

cc: Nick Spagnolo
Attorney General/Carson City
Eighth District Court Clerk

¹The clerk of this court shall file the certificate of service that petitioner submitted to this court on September 2, 2014.