

IN THE SUPREME COURT OF THE STATE OF NEVADA

PETER JASON HELFRICH,  
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK,  
Respondent.

No. 66852

**FILED**

NOV 24 2014

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


*ORDER DENYING PETITION FOR WRIT OF MANDAMUS*

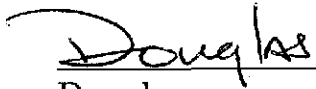
This original proper person petition for a writ of mandamus seeks to compel the Eighth Judicial District Court to ensure that petitioner's summons and complaint are properly served.

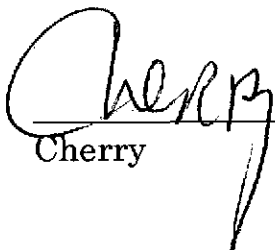
A writ of mandamus is available to compel the performance of an act that the law requires or to control an arbitrary or capricious exercise of discretion. NRS 34.160; *Int'l Game Tech., Inc. v. Second Judicial Dist. Court*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). Whether a petition for mandamus relief will be considered is purely discretionary with this court, *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991), and 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). Moreover, writ relief is typically unavailable when the petitioner has a plain, speedy, and adequate remedy at law. See NRS 34.170; *Int'l Game Tech.*, 124 Nev. at 197, 179 P.3d at 558. Generally, an appeal is an adequate legal remedy precluding writ relief. *Pan*, 120 Nev. at 224, 88 P.3d at 841.

Having considered the documents submitted by petitioner, we are not persuaded that our intervention is warranted at this time. *Pan*, 120 Nev. at 224, 228, 88 P.3d at 841, 844; *Smith*, 107 Nev. at 677, 818 P.2d at 851. Accordingly, we deny petitioner's writ petition. We trust that the district court presiding over this matter will ensure that the Nye County Sheriff's Office fulfills its legal obligations. See NRS 12.015(2)(b).

It is so ORDERED.

, J.  
Hardesty

, J.  
Douglas

, J.  
Cherry

cc: Hon. Nancy L. Allf, District Judge  
Peter Jason Helfrich  
Attorney General/Carson City  
Eighth District Court Clerk