

IN THE SUPREME COURT OF THE STATE OF NEVADA

EDDIE EARVIN BELL,
Petitioner,
vs.
THE STATE OF NEVADA,
Respondent.

No. 71143

FILED

OCT 13 2016

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DENYING PETITION

This is a pro se petition for a writ of mandamus challenging a district court decision denying a NRCP 60(b) motion. Petitioner asserts fraud because the State prepared the order disposing of his motion. Petitioner fails to demonstrate extraordinary relief is warranted as a prevailing party may prepare a dispositional order for the court. See NRS 34.160; *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) (noting that petitioner bears burden of demonstrating that extraordinary relief is warranted); *Round Hill Gen. Improvement Dist. v. Newman*, 97 Nev. 601, 603-04, 637 P.2d 534, 536 (1981) (providing that a writ of mandamus may issue to control an arbitrary or capricious exercise of discretion). Accordingly, we

ORDER the petition DENIED.

Cherry, J.
Cherry

Douglas, J.
Douglas

Gibbons, J.
Gibbons

cc: Eddie Earvin Bell
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk