

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

PETER JASON HELFRICH,
Petitioner,

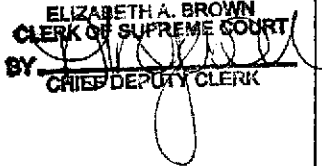
vs.

ADAM P. LAXALT; BRIAN WILLIAMS;
BRUCE STROUD; KIRK VITTO; JAMES
DZURENDA; DAVID GAMBLE; PERRY
RUSSELL; AND DARIO SANCHEZ,
Respondents.

No. 73954

FILED

OCT 30 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
CHIEF DEPUTY CLERK

*ORDER DENYING PETITION FOR
WRIT OF MANDAMUS OR PROHIBITION*

This is a petition for a writ of mandamus or, alternatively, prohibition.

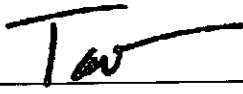
A writ of mandamus is available to compel the performance of an act that the law requires as a duty resulting from an office, trust, or station or to control an arbitrary or capricious exercise of discretion. See NRS 34.160; *Int'l Game Tech., Inc. v. Second Judicial Dist. Court*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). This court may issue a writ of prohibition to arrest the proceedings of a district court exercising its judicial functions when such proceedings are in excess of the district court's jurisdiction. See NRS 34.320; *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991). Petitions for mandamus and prohibition relief constitute extraordinary remedies, and whether such petitions will be considered is solely within our discretion. See *Smith*, 107 Nev. at 677, 679, 818 P.2d at 851, 853. Moreover, petitioner has the burden

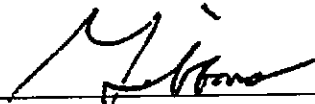
of demonstrating that extraordinary intervention is warranted. *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004).

Having considered the petition, we conclude that petitioner has failed to demonstrate that extraordinary writ relief is warranted. *See id.* Accordingly, we deny the petition. *See* NRAP 21(b)(1); *Smith*, 107 Nev. at 677, 818 P.2d at 851.

It is so ORDERED.


_____, C.J.
Silver


_____, J.
Tao


_____, J.
Gibbons

cc: Peter Jason Helfrich
Attorney General/Carson City
Eighth District Court Clerk