

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JOHN RANDALL QUINTERO,
Petitioner,
vs.
CONNIE S. BISBEE, CHAIRPERSON,
NEVADA BOARD OF PAROLE
COMMISSIONERS; DWAYNE DEAL,
DIRECTOR, NDOC OFFENDER MGMT.
DIVISION; AND JAMES WRIGHT,
DIRECTOR, DEPARTMENT OF
PUBLIC SAFETY,
Respondents.

No. 73397

FILED

OCT 30 2017

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

**ORDER DENYING PETITION FOR
WRIT OF MANDAMUS AND PROHIBITION**


This original petition for writs of mandamus and prohibition seeks an order directing respondents to take various actions.


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). This court has discretion as to whether to entertain a petition for extraordinary relief and will not do so when the petitioner has a plain, speedy, and adequate remedy at law. NRS 34.170; NRS 34.330; *D.R. Horton, Inc. v. Eighth Judicial Dist. Court*, 123 Nev. 468, 474-75, 168 P.3d 731, 736-37 (2007). Petitioner bears the burden

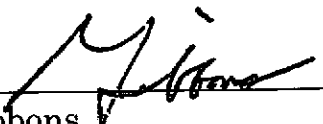
of demonstrating that extraordinary relief is warranted. *See Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004).

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); *D.R. Horton*, 123 Nev. at 475, 168 P.3d at 737.

It is so ORDERED.


_____, C.J.
Silver


_____, J.
Tao


_____, J.
Gibbons

cc: John Randall Quintero
Attorney General/Carson City