

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

MICHAEL BRUCE BYNOE,
Petitioner,
vs.
DARLA FOLEY, EXECUTIVE
SECRETARY PAROLE BOARD,
Respondent.

No. 75792

FILED

JUN 29 2018

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

*ORDER DENYING PETITION
FOR WRIT OF MANDAMUS*

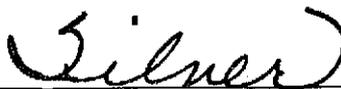
This is an original petition for a writ of mandamus.

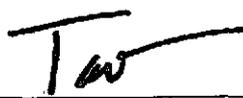
A writ of mandamus is available to compel the performance of an act that the law requires as a duty resulting from an office, trust, or station or to control an arbitrary or capricious exercise of discretion. *See* NRS 34.160; *Int'l Game Tech., Inc. v. Second Judicial Dist. Court*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). This court 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; *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 and the documents filed in this matter, we are not persuaded that this court's intervention by way of

extraordinary relief is warranted. *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: Michael Bruce Bynoe
Attorney General/Carson City
Attorney General/Dep't of Public Safety/Carson City