

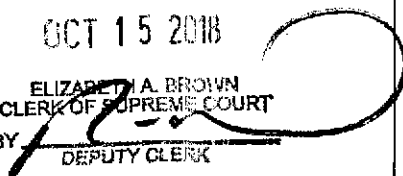
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

LANDMARK REAL PROPERTY
HOLDINGS TRUST, LLC; CHARLES R.
BROWN; AND JOHN S. ROGERS,
Petitioners,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
CHERYL B. MOSS, DISTRICT JUDGE,
Respondents,
and
XOCHITI SUSANA LOZANO-
DONOHUE; AND JERRY T.
DONOHUE,
Real Parties in Interest.

No. 76844

FILED

OCT 15 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF PROHIBITION

This is an original petition for a writ of prohibition challenging the district court's joinder of petitioners as parties to the underlying divorce action.


As an initial matter, petitioner Landmark Real Property Holdings Trust, LLC, has filed its petition in pro se. But an entity is not permitted to proceed as a pro se party or to be represented by a non-attorney. *Salman v. Newell*, 110 Nev. 1333, 1336, 885 P.2d 607, 608-09 (1994). As a result, this petition is dismissed as to Landmark Holdings.


Turning to the remaining parties' request for relief, a writ of prohibition may be warranted when a district court acts without or in excess of its jurisdiction. NRS 34.320; *Club Vista Fin. Servs., LLC v. Eighth Judicial Dist. Court*, 128 Nev. 224, 228, 276 P.3d 246, 249 (2012). 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 34.330; *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 filed by the remaining parties to this matter, we conclude our intervention by way of extraordinary relief is not 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.¹


_____, C.J.
Silver


_____, J.
Tao


_____, J.
Gibbons

¹In light of our resolution of this matter, we deny as moot the various motions for stay filed in this case.

cc: Hon. Cheryl B. Moss, District Judge, Family Court Division
Charles R. Brown
John S. Rogers
Roberts Stoffel Family Law Group
Xochiti Susana Lozano-Donohue
Eighth District Court Clerk