

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

RICHARD LEVON CAPLAN,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; HEARING MASTER WESLEY
YAMASHITA; AND THE HONORABLE
WILLIAM S. POTTER, DISTRICT
JUDGE,

Respondents,

and

LENNY JORJORIAN; ARA
JORJORIAN; AND MARGUERITE FOX,
A/K/A MARGO FOX,
Real Parties in Interest.

No. 79892

FILED

JAN 03 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

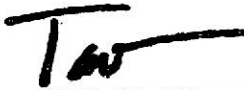
This original, emergency pro se petition for a writ of mandamus challenges the district court's, and particularly the probate commissioner's, reliance on notarized documents in a probate matter.

Having considered the petition and exhibits filed in this matter, we conclude that our extraordinary intervention is not warranted. *See Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 679, 818 P.2d 849, 851, 853 (1991) (recognizing that writ relief is an extraordinary remedy, the consideration of which is within the court's discretion). In particular, petitioner has not pointed to a district court order ruling on the issues raised in this petition; instead, he appears to be attempting to collaterally attack the district court proceedings after the court denied his request to reopen the proceedings, which he may not do. *See Archon Corp. v. Eighth Judicial Dist. Court*, 133 Nev. 816, 825, 407 P.3d 702, 710 (2017) (explaining that a

writ petition is not appropriate to argue issues that the district court has not addressed). Indeed, it appears that petitioner has filed an appeal from the order denying his petition to reopen, in which he may address his ability to contest the district court's decision below. *See Caplan v. Jorjorian*, Docket No. 77197; NRS 34.170; *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 224, 88 P.3d 840, 841 (2004) (explaining that an appeal is an adequate legal remedy precluding writ relief). Accordingly, we

ORDER the petition DENIED.¹


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. William S. Potter, District Judge, Family Court Division
Richard Levon Caplan
Ara Jorjorian
Cary Colt Payne
Marguerite Fox
Eighth District Court Clerk

¹In light of this order, real parties in interest's motion to dismiss this petition is denied as moot.