

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROBERT D. BARNHART; AND JILL A.  
BARNHART,

Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE ERIC  
JOHNSON, DISTRICT JUDGE,

Respondents,

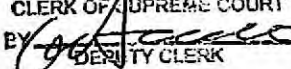
and

VENTANA BEAUMONT, INC.,  
Real Party in Interest.

No. 82619

FILED

MAR 23 2021

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

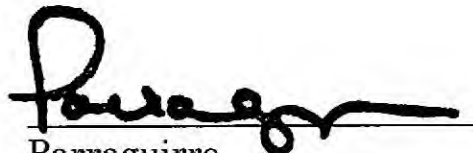
*ORDER DENYING PETITION FOR WRIT OF MANDAMUS*

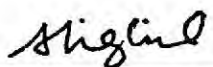
This emergency petition for a writ of mandamus challenges a district court order denying petitioners' motion to disqualify real party in interest's counsel.

Whether to entertain a petition for extraordinary writ relief is entirely discretionary with this court. *Leibowitz v. Eighth Judicial Dist. Court*, 119 Nev. 523, 529, 78 P.3d 515, 519 (2003). A writ of mandamus is available only to compel the performance of a legally required act or to cure a manifest abuse of, or an arbitrary and capricious exercise of, discretion. *Round Hill Gen. Improvement Dist. v. Newman*, 97 Nev. 601, 603-04, 637 P.2d 534, 536 (1981). It is petitioners' burden to demonstrate that extraordinary relief is warranted. *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004).

Having considered the petition and its accompanying documents, we are not satisfied that our intervention by way of extraordinary writ is merited. The district court has "broad discretion in determining whether disqualification is required in a particular case," *Leibowitz v. Eighth Judicial Dist. Court*, 119 Nev. 523, 529, 78 P.3d 515, 519 (2003), and petitioners have not demonstrated that the district court manifestly abused or arbitrarily and capriciously exercised that discretion when it denied their motion to disqualify counsel. Accordingly, we

ORDER the petition DENIED.

 J.  
Parraguirre

 J.  
Stiglich

 J.  
Silver

cc: Hon. Eric Johnson, District Judge  
Black & Wadhams  
Takos Law Group, Ltd.  
Eighth District Court Clerk