

IN THE SUPREME COURT OF THE STATE OF NEVADA

BLUE LAKE HOLDINGS GROUP, INC.,  
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE  
KATHLEEN E. DELANEY, DISTRICT  
JUDGE,

Respondents,

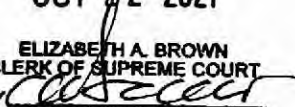
and

ROBERT FRIMET; RMF CONSULTING  
GROUP, INC.; METASPOT, INC.;  
NEWCO CHECK INC.; AND  
ADVANTAGE CHECK CASHING LLC,  
Real Parties in Interest.

No. 83109

FILED

OCT 22 2021

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER GRANTING PETITION*

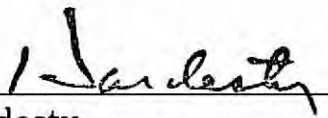
This original petition seeks a writ of mandamus compelling the district court to rule on a bench trial. Real parties in interest have filed an answer joining in the request for writ relief, and petitioner has filed a reply.

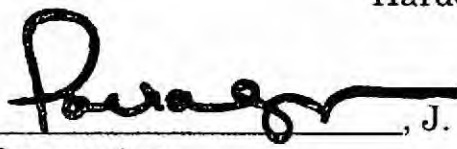
This court has original jurisdiction to issue writs of mandamus, and the issuance of such extraordinary relief is solely within this court's discretion. *See Nev. Const. art. 6, § 4; D.R. Horton, Inc. v. Eighth Judicial Dist. Court*, 123 Nev. 468, 474-75, 168 P.3d 731, 736-37 (2007). "A writ of mandamus 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." *Int'l Game Tech., Inc. v. Second Judicial Dist. Court*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). The petitioner bears the burden to show that extraordinary relief is warranted, and such relief is proper only when there is no plain, speedy,

and adequate remedy at law. *See Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 224, 228, 88 P.3d 840, 841, 844 (2004).

Having considered the petition, we are persuaded that our extraordinary intervention is warranted. Petitioner lacks a plain, speedy, and adequate remedy because it cannot appeal due to the absence of a ruling by the district court. Further, writ relief is warranted given the district court's failure to timely issue a ruling, an act required as a duty of the court. Accordingly, we

ORDER the petition GRANTED AND DIRECT THE CLERK OF THIS COURT TO ISSUE A WRIT OF MANDAMUS instructing the district court to issue a written ruling regarding the bench trial within 30 days of this order.

  
\_\_\_\_\_, C.J.  
Hardesty

  
\_\_\_\_\_, J.  
Parraguirre

  
\_\_\_\_\_, J.  
Stiglich

cc: Hon. Kathleen E. Delaney, District Judge  
Law Offices of Mark Wray  
HLC Legal Ltd.  
Leah Martin Law  
Eighth District Court Clerk