

IN THE SUPREME COURT OF THE STATE OF NEVADA

ALI SHAHROKHI,
Petitioner,

vs.

NEVADA COMMISSION ON JUDICIAL
DISCIPLINE; AND GARY VAUSE,
CHAIR, IN HIS OFFICIAL CAPACITY,
Respondents.

No. 84124

FILED

FEB 10 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DENYING PETITION

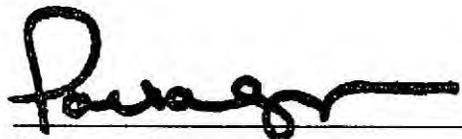
This pro se original petition for a writ of mandamus seeking to compel the Nevada Commission on Judicial Discipline to open a formal investigation into Eighth Judicial District Court Judge Dawn Thorne, suspend Judge Thorne, and remove Judge Thorne from presiding over Eighth Judicial District Court case no. D-18-581208-P.

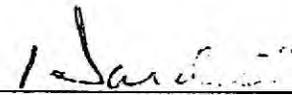
Petitioner argues that the Nevada Commission on Judicial Discipline was required to take action to open a formal investigation into Judge Thorne under NRS 1.4657(1) because, according to petitioner, Judge Thorne committed perjury.

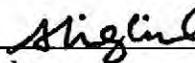
Having considered the petition and supporting documentation, we are not convinced that our extraordinary and discretionary intervention is warranted. A writ of mandamus is available only to compel the performance of a legally required act or to cure an arbitrary and capricious exercise of discretion. *Round Hill Gen. Improvement Dist. v. Newman*, 97 Nev. 601, 603-04, 637 P2d 534, 536 (1981). NRS 1.4657(1) does not require the Commission to open a formal investigation upon a complaint, but rather to “examine each complaint that it receives to determine whether the complaint alleges objectively verifiable evidence from which a reasonable

inference could be drawn that a judge committed misconduct.” Further, petitioner does not allege that he has filed a complaint with the Commission or that any such complaint has been denied, merely that the Commission “has been provided” with evidence. It is petitioner’s burden to demonstrate that extraordinary relief is warranted. *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004). Here, petitioner has not shown that the Nevada Commission on Judicial Discipline has failed to perform a legally required act or has arbitrarily or capriciously exercised its discretion. Accordingly, we

ORDER the petition DENIED.


_____, C.J.
Parraguirre


_____, J.
Hardesty


_____, J.
Stiglich

cc: Ali Shahrokhi
Nevada Commission on Judicial Discipline
Gary Vause
Eighth District Court Clerk