

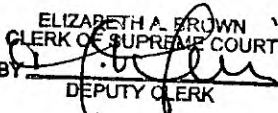
IN THE SUPREME COURT OF THE STATE OF NEVADA

EL CORTEZ RENO HOLDINGS, LLC,
Petitioner,
vs.
THE SECOND JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
WASHOE; AND THE HONORABLE
CONNIE J. STEINHEIMER, DISTRICT
JUDGE,
Respondents,
and
PFPCO.'S NOBLE PIE PARLOR,
Real Party in Interest.

No. 84754

FILED

DEC 23 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DENYING PETITION


This is a petition for a writ of certiorari, or, alternatively, a mandamus or prohibition, that challenges a district court order that affirmed a justice court's order that granted summary judgment.

Whether to consider a writ petition is within this court's discretion, *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991), and a petitioner bears the burden of demonstrating that extraordinary relief is warranted. *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004). "The Nevada Constitution vests the district courts with final appellate jurisdiction in all cases arising in the justice[] courts." *Pan*, 120 Nev. at 227, 88 P.3d at 843; *see also* Nev. Const. art. 6, § 6. Generally, this court "decline[s] to entertain writs that request review of a decision of the district court acting in its appellate capacity[.]" in recognition that doing so "would undermine the finality of the district


court's appellate jurisdiction." *State v. Eighth Judicial Dist. Court (Hedland)*, 116 Nev. 127, 134, 994 P.2d 692, 696 (2000).

Here, we conclude that El Cortez failed to meet its burden of demonstrating that the district court "improperly refused to exercise its jurisdiction, has exceeded its jurisdiction, or has exercised its discretion in an arbitrary or capricious manner." *Andersen v. Eighth Judicial Dist. Court*, 135 Nev. 321, 322, 448 P.3d 1120, 1122 (2019) (internal quotation marks omitted); *see also State v. Eighth Judicial Dist. Court (Armstrong)*, 127 Nev. 927, 931-32, 267 P.3d 777, 780 (2011) (defining arbitrary or capricious exercise of discretion and manifest abuse of discretion). We thus conclude that El Cortez has failed to demonstrate that extraordinary relief is warranted. Accordingly, we

ORDER the petition DENIED.


_____, J.
Hardesty


_____, J.
Stiglich


_____, J.
Herndon

cc: Hon. Connie J. Steinheimer, District Judge
The Siegel Group
Matuska Law Offices, Ltd.
Washoe District Court Clerk