

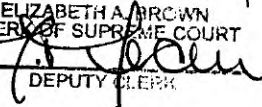
IN THE SUPREME COURT OF THE STATE OF NEVADA

TODD MATTHEW PHILLIPS,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
TIMOTHY C. WILLIAMS, DISTRICT
JUDGE,
Respondents,
and,
JENNIFER V. ABRAMS; THE ABRAMS
LAW FIRM, LLC; MARK DICIERO;
AND DAVE SCHOEN,
Real Parties in Interest.

No. 85856

FILED

JAN 05 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER DENYING PETITION

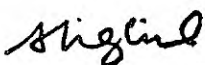
This pro se original petition for a writ of mandamus challenges the recusal of a presiding district court judge.

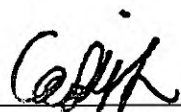
Having considered the petition, we are not persuaded that our extraordinary and discretionary intervention is warranted. *See Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 224, 88 P.3d 840, 841 (2004) (explaining that the petitioner bears the burden of demonstrating that writ relief is warranted); *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, and that the issuance of such relief is purely discretionary). To begin, although petitioner has provided a minute order with the petition, he has not supplied a copy of any written and signed district court order memorializing the recusal. *See Rust v. Clark Cty. Sch. Dist.*, 103 Nev. 686, 689, 747 P.2d 1380, 1382 (1987) (explaining that a

minute order is ineffective for any purpose and that a written order signed and filed by the district court is essential to this court's review); *see also* NRAP 21(a)(4) (stating that it is the petitioner's obligation to provide an appendix that includes all records that may be essential to understand the matters set forth in the petition). Petitioner argues that the presiding district court judge erred in not issuing a written order regarding the recusal, but he does not contend, much less demonstrate, that he raised this argument below. *See Archon Corp. v. Eighth Judicial Dist. Court*, 133 Nev. 816, 822, 407 P.3d 702, 708 (2017) ("[I]n the context of extraordinary writ relief, consideration of legal arguments not properly presented to and resolved by the district court will almost never be appropriate.").

Further, our extraordinary intervention is not warranted given the substantial amount of time that has elapsed since the challenged recusal, petitioner's failure to provide an explanation for his delay in seeking writ relief, and petitioner's failure to include records in his appendix that are essential to this court's understanding of the matters set forth in the petition, including records pertaining to the procedural posture of the proceedings below. *See* NRAP 21(a)(4). Accordingly, we

ORDER the petition DENIED.


_____, C.J.
Stiglich


_____, J.
Cadish


_____, J.
Herndon

cc: Hon. Timothy C. Williams, District Judge
Todd Matthew Phillips
Lewis Brisbois Bisgaard & Smith, LLP/Las Vegas
Lipson Neilson P.C.
Eighth District Court Clerk