

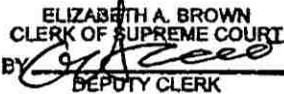
IN THE SUPREME COURT OF THE STATE OF NEVADA

WILLIAM DAVIS,
Petitioner,
vs.
THE FIFTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF NYE;
THE HONORABLE KIMBERLY A.
WANKER, DISTRICT JUDGE; AND
NYE COUNTY PUBLIC DEFENDER,
Respondents,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 87179

FILED

OCT 02 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DENYING PETITION

This is an original petition for a writ of mandamus seeking to compel the public defender's office to provide clients with copies of their file when clients request it, and to provide clients with waiver forms to sign when the assigned public defenders waive a client's Sixth Amendment right to a speedy trial.

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. *See* NRS 34.160; *Int'l Game Tech., Inc. v. Second Judicial Dist. Court*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). Whether a petition for extraordinary writ relief will be entertained rests within this court's sound discretion. *D.R. Horton, Inc. v. Eighth Judicial Dist. Court*, 123 Nev. 468, 474-75, 168 P.3d 731, 736-37 (2007). 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).

Having reviewed the petition and the limited documents provided in support by petitioner, we conclude, without reaching the merits of any claims, that petitioner has failed to meet his burden of demonstrating that extraordinary relief is warranted. Accordingly, we

ORDER the petition DENIED.

Stiglich, C.J.
Stiglich

Cadish, J.
Cadish

Herndon, J.
Herndon

cc: Hon. Kimberly A. Wanker, District Judge
William Davis
Attorney General/Carson City
Nye County District Attorney
Nye County Clerk