

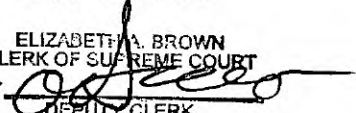
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

NANCY HAACK; NRS REALTY
GROUP, LLC D/B/A LIFE REALTY,
Petitioners,
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
MAURICE B. VERSTANDIG, ESQ.;
SEAN EVENDEN; AND ROGER
AYALA,
Real Parties in Interest.

No. 87320-COA

FILED

NOV 29 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

*ORDER DISMISSING IN PART AND DENYING IN PART PETITION
FOR WRIT OF MANDAMUS*

This is an original petition for a writ of mandamus challenging a district court order denying a motion for a permanent injunction in a business action.

As an initial matter, petitioner Nancy Haack purports to seek extraordinary writ relief both on her own behalf and on behalf of NRS Realty Group, LLC, D/B/A Life Realty. But non-lawyers cannot represent an entity and entities are not permitted to appear in pro se. *See Salman v. Newell*, 110 Nev. 1333, 1336, 885 P.2d 607, 608 (1994) (observing that no statute or rule permits a non-lawyer to represent an entity and concluding

that an entity cannot proceed in proper person); *see also* NRAP 46A(b)(2) (providing that “[a] corporation or other entity may not appear without counsel”). Accordingly, we dismiss the petition to the extent it was brought on behalf of NRS Realty Group.

Turning to Haack’s petition, 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. NRS 34.160; *Int’l Game Tech., Inc. v. Second Judicial Dist. Court*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). A writ of mandamus will not issue, however, if the petitioner has a plain, speedy, and adequate remedy in the ordinary course of law. NRS 34.170; *D.R. Horton, Inc. v. Eighth Judicial Dist. Court*, 123 Nev. 468, 474, 168 P.3d 731, 736 (2007). Further, mandamus is an extraordinary remedy, and it is within the discretion of this court to determine if a petition will be considered. *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991). 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).

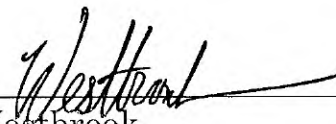
Having considered the petition, we conclude that Haack has not demonstrated that our extraordinary intervention is warranted. *See id.*; *Smith*, 107 Nev. at 677, 818 P.2d at 851. In particular, Haack had a speedy and adequate legal remedy available—an appeal from the district court order denying injunctive relief. *See* NRAP 3A(b)(3) (providing for appellate jurisdiction to review “[a]n order granting or refusing to grant an injunction”). As a result, mandamus relief is not available to challenge the

district court's decision. *See Pan*, 120 Nev. at 224, 88 P.3d at 841 (stating that "the right to appeal is generally an adequate legal remedy that precludes writ relief"). Accordingly, we deny the petition. *Id.*; NRAP 21(b)(1).

It is so ORDERED.


_____, C.J.
Gibbons


_____, J.
Bulla


_____, J.
Westbrook

cc: Hon. Timothy C. Williams, District Judge
Nancy Haack
NRS Realty Group, LLC
The VerStandig Law Firm, LLC
Eighth District Court Clerk