

IN THE SUPREME COURT OF THE STATE OF NEVADA

LEONARD PATRICK OWENS; AND  
APCO EQUIPMENT CORPORATION,  
Appellants,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE  
NANCY L. ALLF, DISTRICT JUDGE,  
Respondents,

and

MACIE RIFLEY,  
Real Party in Interest.

No. 86360

**FILED**

FEB 23 2024

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER DENYING PETITION*


This original petition for a writ of mandamus challenges the district court's discovery order permitting the audio recording of neuropsychological examinations and the disclosure of testing materials.


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. Ct.*, 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. Ct.*, 123 Nev. 468, 474-75, 168 P.3d 731, 736-37 (2007). Based on our review of the petition, we decline to


exercise original jurisdiction in this matter. NRS 34.160. Accordingly, we  
ORDER the petition DENIED.<sup>1</sup>


  
\_\_\_\_\_, C.J.  
Cadish

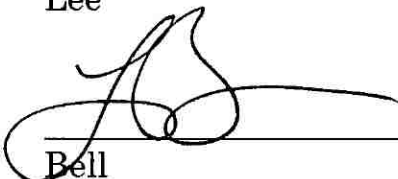
  
\_\_\_\_\_, J.  
Stiglich

  
\_\_\_\_\_, J.  
Pickering

  
\_\_\_\_\_, J.  
Herndon

  
\_\_\_\_\_, J.  
Lee

  
\_\_\_\_\_, J.  
Parraguirre

  
\_\_\_\_\_, J.  
Bell

cc: Hon. Nancy L. Alf, District Judge  
Dennett Winspear, LLP  
The Schnitzer Law Firm  
Kemp Jones, LLP  
Wilson, Elser, Moskowitz, Edelman & Dicker, LLP/Las Vegas  
Eighth District Court Clerk

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<sup>1</sup>Accordingly, respondent's motion to dismiss the petition is moot.