

IN THE SUPREME COURT OF THE STATE OF NEVADA

WENDY D. DANIELSON,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
DEDREE BUTLER, DISTRICT JUDGE,
Respondents,
and
MARK D. DANIELSON,
Real Party in Interest.

No. 86475

FILED

MAR 22 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 alleged failure to enforce a custody order.


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). Petitioner bears the burden of demonstrating that extraordinary relief is warranted. *Pan v. Eighth Judicial Dist. Ct.*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004). The district court has not held an evidentiary hearing and made a final decision regarding custody and the enforcement of custody orders. Therefore, based on our review of the

petition, we conclude that petitioner has failed to meet her burden of demonstrating that extraordinary writ relief is warranted. *See id.* Accordingly, we deny the petition. NRAP 21(b)(1); *D.R. Horton*, 123 Nev. at 475, 168 P.3d at 737.

ORDER the petition DENIED.


_____, J.
Herndon


_____, J.
Lee


_____, J.
Bell

cc: Hon. Dedree Butler, District Judge, Family Division
Nevada Family Law Group
Marathon Law Group, PLLC
Eighth District Court Clerk