

IN THE SUPREME COURT OF THE STATE OF NEVADA

MALIK W. AHMAD ESQ., AN
INDIVIDUAL,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF CLARK
AND THE HONORABLE SUSAN
JOHNSON, DEPARTMENT XXII,
Respondents,

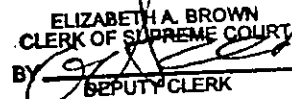
and

TIM MADSEN, AN INDIVIDUAL, AND
MARTIN AGUSTIN, AN INDIVIDUAL,
Real Parties in Interest.

No. 90119

FILED

APR 17 2025

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This original petition for a writ of mandamus by attorney Malik W. Ahmad challenges a district court order granting a motion for sanctions and an order granting attorney fees because of those sanctions.

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 Jud. Dist. Ct.*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). "Sanctioned attorneys do not have standing to appeal because they are not parties in the underlying action; therefore, extraordinary writs are a proper avenue for attorneys to seek review of sanctions." *Watson Rounds, P.C. v. Eighth Jud. Dist. Ct.*, 131 Nev. 783, 786-87, 358 P.3d 228, 231 (2015). Nonetheless, a petitioner bears the burden of demonstrating that extraordinary relief is warranted. *See Pan v. Eighth Jud. Dist. Ct.*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004).

Because Ahmad is a sanctioned attorney with no standing to appeal, we elect to entertain the merits of this writ petition. We nonetheless deny the petition because we conclude that the district court was procedurally authorized under NRCP 11 to sanction Ahmad and that the court properly determined that the imposition of the sanctions here was warranted. *See* NRCP 11(c)(6); *Emerson v. Eighth Jud. Dist. Ct.*, 127 Nev. 672, 680, 263 P.3d 224, 229 (2011).

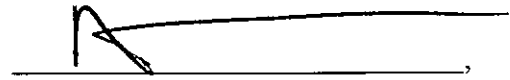
First, Ahmad argues that he was not properly served. That argument fails because Ahmad, who was a registered e-filer, was electronically served with the Rule 11 letter and a copy of the motion for sanctions in accordance with the 21-day safe harbor period. NRCP 11(b)(2); *see* NEFCR 10(c) (stating that registered e-filers consent to electronic service of documents).

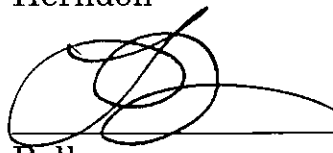
Next, Ahmad argues that the sanctions order was deficient. We disagree because the order details Ahmad's disregard of repeated admonishments when he filed legally baseless motions and other documents containing personal information. *See* NRCP 12(b) (explaining that a motion to dismiss for lack of personal jurisdiction and failure to state a claim must be made before pleading if a responsive pleading is allowed); NRCP 15(a) (explaining how a party may amend its pleading or answer before trial); *see generally* NRS 603A.040 (defining "personal information" that is to be omitted from court filings). While the sanctions order does not explicitly mention the words frivolous, vexatious, harass, annoy, or abusive, it nonetheless details Ahmad's baseless litigation conduct, which the record supports. *See* NRCP 11(c)(6) (requiring that a sanction order describe the sanctioned conduct and explain the basis for the sanction).


Finally, Ahmad argues that the district court should have issued an order to show cause. That argument fails because the district court held an evidentiary hearing that provided Ahmad an opportunity to defend against the sanctions. See NRCP 11(c)(3) (providing the district court with discretion to hold an order to show cause hearing before imposing Rule 11 sanctions).

We therefore conclude that the district court did not manifestly abuse its discretion in sanctioning Ahmad and thus Ahmad has failed to demonstrate that extraordinary writ relief is warranted. *Merits Incentives, LLC v. Eighth Jud. Dist. Ct.*, 127 Nev. 689, 694, 262 P.3d 720, 723 (2011); *Pan*, 120 Nev. at 228, 88 P.3d at 844. Accordingly, we

ORDER the petition DENIED.


_____, C.J.
Herndon


_____, J.
Bell


_____, J.
Stiglich

cc: Hon. Susan Johnson, District Judge
Law Office of Malik W. Ahmad
Marquis Aurbach Chtd.
Eighth District Court Clerk