

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROBERT SCOTLUND VAILE,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
CHERYL MOSS, DISTRICT JUDGE,
FAMILY COURT DIVISION,

Respondents,

and

CISILIE A. PORSBOLL, F/K/A CISILIE
A. VAILE,
Real Party in Interest.

No. 52244

FILED

MAR 05 2009
TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY: 
DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

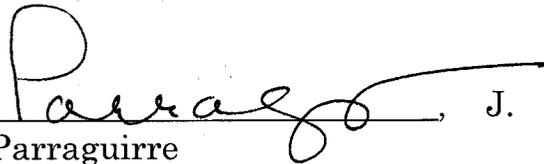
This original proper person petition for a writ of mandamus challenges a district court order denying petitioner's motion to disqualify opposing counsel.

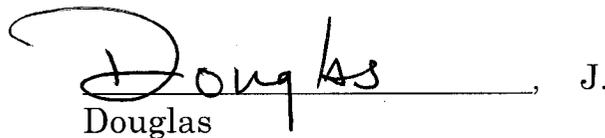
A writ of mandamus is available to compel the performance of an act that the law requires or to control a manifest abuse of discretion. See NRS 34.160; Round Hill Gen. Imp. Dist. v. Newman, 97 Nev. 601, 637 P.2d 534 (1981). Mandamus is an extraordinary remedy, however, and the decision to entertain such a petition is addressed to our sole discretion. See Poulos v. District Court, 98 Nev. 453, 455, 652 P.2d 1177, 1178 (1982). Petitions for extraordinary relief generally may only issue when there is no plain, speedy, and adequate remedy at law. Pan v. Dist. Ct., 120 Nev. 222, 224, 88 P.3d 840, 841 (2004). Petitioner bears the burden to demonstrate that our extraordinary intervention is warranted. Id. at 228, 88 P.3d at 844. We have held that mandamus is the proper method of

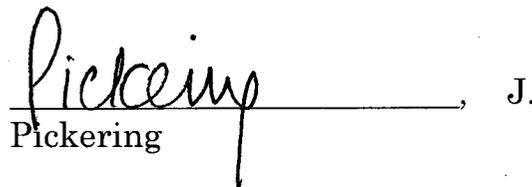
challenging attorney disqualification orders. See, e.g., Waid v. Dist. Ct., 121 Nev. 605, 119 P.3d 1219 (2005).

We have considered this petition, the answer, and the reply,¹ and we are not satisfied that this court's intervention by way of extraordinary relief is warranted. In particular, we are not persuaded that the district court manifestly abused its discretion in determining that disqualification was not warranted. See Nevada Yellow Cab Corp. v. Dist. Ct., 123 Nev. 44, 54, 152 P.3d 737, 743 (2007). Accordingly, we

ORDER the petition DENIED.


Parraguirre J.


Douglas J.


Pickering J.

cc: Hon. Cheryl B. Moss, District Judge, Family Court Division
Robert Scotlund Vaile
Willick Law Group
Eighth District Court Clerk

¹Although we did not order a reply and petitioner failed to seek leave to file a reply, we nevertheless direct the clerk to file petitioner's reply, provisionally received on October 30, 2008, as we have considered it in resolving this petition.