

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVID LEVOYD REED,  
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF CLARK,

Respondent,

and

THE STATE OF NEVADA,  
Real Party in Interest.

No. 78892

**FILED**

JUL 11 2019

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

**ORDER DENYING PETITION**

This pro se petition for a writ of mandamus challenges Judge Michael Villani's order denying petitioner's motion to recuse Judge William Kephart for bias or prejudice. We conclude petitioner has not demonstrated that the district court arbitrarily or capriciously exercised its discretion in denying his motion. *See* NRS 34.160; *Poulos v. Eighth Judicial Dist. Court*, 98 Nev. 453, 455, 652 P.2d 1177, 1178 (1982) (recognizing that a writ of mandamus is an extraordinary remedy and that the decision to entertain such a writ rests within this court's discretion); *Round Hill Gen. Imp. Dist. v. Newman*, 97 Nev. 601, 603-04, 637 P.2d 534, 536 (1981) (recognizing that a writ of mandamus is available to control an arbitrary or capricious exercise of discretion); *see also State v. Eighth Judicial Dist. Court (Armstrong)*, 127 Nev. 927, 931-32, 267 P.3d 777, 780 (2011) ("An arbitrary or capricious exercise of discretion is one 'founded on prejudice or preference

rather than on reason' . . . or 'contrary to the evidence or established rules of law.'" (internal citations omitted)). Accordingly, we

ORDER the petition DENIED.

1- Hardesty, J.  
Hardesty

Stiglich, J.  
Stiglich

Silver, J.  
Silver

cc: Hon. Michael P. Villani, Dist. Judge  
Hon. William Kephart, Dist. Judge  
David Levoyd Reed  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk