

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ALBERT ELLIS LINCICOME, JR.; AND
VICENTA LINCICOME,
Petitioners,

vs.

THE THIRD JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF LYON;
AND THE HONORABLE LEON
ABERASTURI, DISTRICT JUDGE,
Respondents,

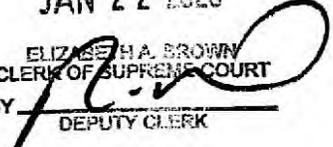
and

SABLES, LLC, A NEVADA LIMITED
LIABILITY COMPANY; FAY
SERVICING, LLC, A DELAWARE
LIMITED LIABILITY COMPANY AND
SUBSIDIARY OF FAY FINANCIAL,
LLC; PROF-2013-M4 LEGAL TITLE
TRUST BY U.S. BANK, N.A., AS LEGAL
TITLE TRUSTEE; AND BANK OF
AMERICA, N.A.,
Real Parties in Interest.

No. 79152-COA

FILED

JAN 22 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DENYING PETITION

This original petition for a writ of mandamus challenges a district court order granting nonmonetary status and denying leave to amend the complaint. Having reviewed the filings and supporting documentation, we conclude that petitioners have not met their burden to demonstrate that our extraordinary and discretionary intervention is warranted. *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) (describing a petitioner's burden to demonstrate that writ relief is warranted); *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991) (“[T]he issuance of a writ of mandamus or

prohibition is purely discretionary with this court.”). The petitioners point to defects with the district court’s decisions, but have not complied with NRAP 21(a)(4) by providing this court with transcripts detailing what happened at the relevant hearings. *See Pan*, 120 Nev. at 229, 88 P.3d at 844 (“If essential information is left out of the petition and accompanying documentation, we have no way of properly evaluating the petition.”). The petitioners also fail to demonstrate the absence of an adequate and speedy legal remedy. *See Int’l Game Tech., Inc. v. Second Judicial Dist. Court*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008) (“Writ relief is not available . . . when an adequate and speedy legal remedy exists.”). Accordingly, we

ORDER the petition DENIED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Leon Aberasturi, District Judge
Millward Law, Ltd.
Akerman LLP/Las Vegas
Wright, Finlay & Zak, LLP/Las Vegas
ZBS Law, LLP
Third District Court Clerk