

IN THE SUPREME COURT OF THE STATE OF NEVADA

LAS VEGAS METROPOLITAN POLICE  
DEPARTMENT,

Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE  
JAMES M. BIXLER, SENIOR DISTRICT  
JUDGE,

Respondents,

and

THE STATE OF NEVADA; AND  
MATEO FACIO,  
Real Parties in Interest.

No. 84459

FILED

APR 01 2022

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

*ORDER DENYING PETITION FOR WRIT OF MANDAMUS OR  
PROHIBITION*

This original emergency petition for a writ of mandamus and/or prohibition under NRAP 27(e) challenges a district court order remanding real party in interest Mateo Facio to the custody of Clark County Detention Center and directing that he be housed there through his trial date.

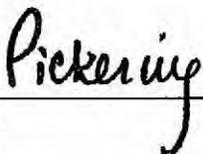
Having considered the petition and its supporting documentation, we are not persuaded that extraordinary writ relief is warranted. *See* NRS 34.160; NRS 34.330; *Archon Corp. v. Eighth Judicial Dist. Court*, 133 Nev. 816, 821, 407 P.3d 702, 707 (2017) (stating that the petitioner bears the burden of showing that writ relief is warranted). Among other reasons, petitioner has not demonstrated that emergency relief is necessary to avoid irreparable harm. *See* NRAP 27(e). Nor has petitioner demonstrated that the district court manifestly abused its

discretion. *See Walker v. Second Judicial Dist. Court*, 136 Nev. 678, 680, 476 P.3d 1194, 1196 (2020) (where a district court is given discretion on an issue, “the petitioner’s burden to demonstrate a clear legal right to a particular course of action by that court is substantial; we can issue traditional mandamus only where the lower court has manifestly abused that discretion or acted arbitrarily or capriciously”); *AA Primo Builders, LLC v. Washington*, 126 Nev. 578, 589, 245 P.3d 1190, 1197 (2010) (reviewing an order denying a motion for reconsideration for an abuse of discretion); *see also Halverson v. Hardcastle*, 123 Nev. 245, 260-61, 163 P.3d 428, 439-40 (2007) (discussing courts’ inherent authority to carry out judicial functions). Accordingly, we

ORDER the petition DENIED.

  
\_\_\_\_\_, J.  
Silver

  
\_\_\_\_\_, J.  
Cadish

  
\_\_\_\_\_, J.  
Pickering

cc: Hon. Jacqueline M. Bluth, District Judge  
Chief Judge, The Eighth Judicial District Court  
Hon. James M. Bixler, Senior Judge  
Marquis Aurbach Coffing  
Attorney General/Carson City  
Clark County District Attorney  
Special Public Defender  
Eighth District Court Clerk