

IN THE SUPREME COURT OF THE STATE OF NEVADA

PETER JASON HELFRICH,
Petitioner,

vs.

THE FIFTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF NYE;
MARK KAMPF; AND THE
HONORABLE DAVID R. GAMBLE,
Respondents.

No. 87233

FILED

OCT 02 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER DENYING PETITION

This pro se original petition seeks a writ of mandamus compelling the district court to schedule hearings on petitioner's motions.

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. See NRS 34.160; *Int'l Game Tech., Inc. v. Second Judicial Dist. Court*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). Whether a petition for extraordinary writ relief will be entertained rests within this court's sound discretion. *D.R. Horton, Inc. v. Eighth Judicial Dist. Court*, 123 Nev. 468, 474-75, 168 P.3d 731, 736-37 (2007). Petitioner bears the burden of demonstrating that extraordinary relief is warranted. *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004).

Having reviewed the petition and the limited documents provided in support by petitioner, we conclude, without reaching the merits

of any claims, that petitioner has failed to meet his burden of demonstrating that extraordinary relief is warranted. Accordingly, we

ORDER the petition DENIED.

Stiglich, C.J.
Stiglich

Cadish, J.
Cadish

Herndon, J.
Herndon

cc: Hon. David R. Gamble, District Judge
Peter Jason Helfrich
Attorney General/Carson City
Nye County District Attorney
Nye County Clerk