



IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVID OANCEA,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE JOE
HARDY, DISTRICT JUDGE,

Respondents,

and

CABO PLATINUM, LLC,
Real Party in Interest.

No. 93385

*ORDER DENYING PETITION
FOR WRIT OF MANDAMUS OR PROHIBITION*

This emergency petition for a writ of mandamus or prohibition challenges a district court ruling denying petitioner's motion for a protective order regarding the location of petitioner's judgment debtor examination. Petitioner has also filed an emergency motion for an administrative stay.

A writ of mandamus is available to control a manifest abuse of discretion, *Halverson v. Miller*, 124 Nev. 484, 487, 186 P.3d 893, 896 (2008); see NRS 34.160, and a writ of prohibition is available to curb jurisdictional excess, NRS 34.320. Whether a petition for writ relief will be entertained rests within this court's sound discretion. *D.R. Horton, Inc. v. Eighth Jud. Dist. Ct.*, 123 Nev. 468, 474-75, 168 P.3d 731, 736-37 (2007). It is petitioner's burden to demonstrate that this court's extraordinary intervention is warranted. *Pan v. Eighth Jud. Dist. Ct.*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004).

Having reviewed the petition and supporting documents, we conclude that petitioner has not demonstrated that the district court

manifestly abused its discretion or exceeded its jurisdiction such that our extraordinary intervention is warranted. Accordingly, we

ORDER the petition DENIED.¹



Stiglich, J.



Cadish, J.



Lee, J.

cc: Hon. Joseph Hardy, Jr., District Judge
Brownstein Hyatt Farber Schreck, LLP/Las Vegas
McNutt Law Firm, P.C.
Solomon Dwiggin, Freer & Steadman, Ltd.
The Eighth Judicial District Court of the State of Nevada, in and for the
County of Clark

¹In light of this order, petitioner's motion for stay is denied as moot.