

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHRISTIAN SABAN, A MINOR,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
WILLIAM O. VOY, DISTRICT JUDGE,
FAMILY COURT DIVISION,

Respondents,

and

THE STATE OF NEVADA,
Real Party in Interest.

No. 54764

FILED

NOV 05 2009

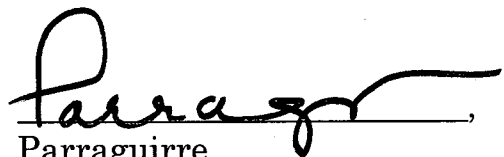
TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

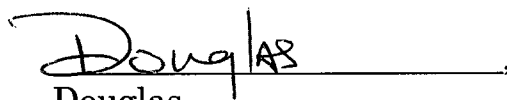
ORDER DENYING PETITION

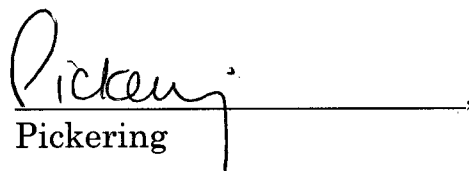
This is an original petition for a writ of mandamus requesting this court direct the district court to dismiss an allegation in a juvenile delinquency petition due to a lack of probable cause. We have considered the petition on file herein, and we are not satisfied that this court's intervention by way of extraordinary writ is warranted at this time. In particular, "[t]he trial court is the most appropriate forum in which to determine factually whether or not probable cause exists." Sheriff v. Provenza, 97 Nev. 346, 347, 630 P.2d 265, 265 (1981). Absent from the petition is any showing of substantial error by the district court in reaching its decision that probable cause supported the challenged allegation. See Sheriff v. Shade, 109 Nev. 826, 828, 858 P.2d 840, 841 (1993). And petitioner has "a plain, speedy and adequate remedy in the ordinary course of law" by way of appeal should he be adjudicated a

delinquent based on the allegation. See NRS 34.170. Accordingly, we deny the petition. See NRAP 21(b).

It is so ORDERED.


_____, J.
Parraguirre


_____, J.
Douglas


_____, J.
Pickering

cc: Hon. William O. Voy, District Judge, Family Court Division
Kristina M. Wildeveld
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger/Juvenile Division
Eighth District Court Clerk