

IN THE SUPREME COURT OF THE STATE OF NEVADA

RONALD SAUER, JR.,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
GLORIA S. SANCHEZ, DISTRICT
JUDGE,

Respondents,

and

CHARISSE MARIE SAUER,
Real Party in Interest.

No. 57039

FILED

NOV 10 2010

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY J. M. [Signature]
DEPUTY CLERK

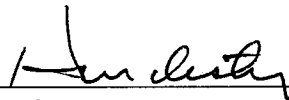
ORDER DENYING PETITION FOR
WRIT OF MANDAMUS OR PROHIBITION

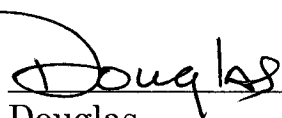
This is an original petition for a writ of mandamus or prohibition challenging the district court's written order that the parties' premarital agreement is unenforceable and an unwritten order requiring petitioner to pay temporary spousal support and attorney fees to real party in interest.

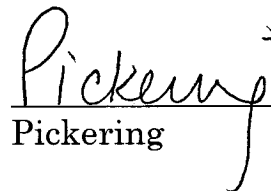
Having considered the petition and its attachments, we are not persuaded that this court's intervention by way of extraordinary relief is warranted at this time, NRAP 21(b)(1); Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991), because writ relief is not available when the petitioner has a plain, speedy, and adequate remedy at law, such as an appeal challenging the district court's final judgment. NRS 34.170; 34.330; Pan v. Dist. Ct., 120 Nev. 222, 88 P.3d 840 (2004). Also, petitioner seeks to challenge an oral decision made by the district court that does not

appear to have been reduced to writing. The oral decision is not effective, however, until a written order is entered. See State, Div. Child & Fam. Servs. v. Dist. Ct., 120 Nev. 445, 454, 92 P.3d 1239, 1245 (2004). To the extent that a written order has been entered since the writ petition was filed, petitioner has failed to submit a copy of a written, file-stamped order, and thus has not complied with NRAP 21(a). Further, we conclude that petitioner has failed to demonstrate that our intervention is warranted at this time. Pan, 120 Nev. at 228, 88 P.3d at 844. Accordingly, we

ORDER the petition DENIED.¹


_____, J.
Hardesty


_____, J.
Douglas


_____, J.
Pickering

cc: Hon. Gloria S. Sanchez, District Judge, Family Court Division
Hofland Beasley & Galliher
Sterling Law, LLC
Abrams Law Firm, LLC
Eighth District Court Clerk

¹In light of this order, we deny as moot petitioner's October 26, 2010, emergency motion for a stay.