

IN THE SUPREME COURT OF THE STATE OF NEVADA

K.P.D.

No. 64922

K.P.D.  
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,  
Respondents,  
and  
THE STATE OF NEVADA,  
Real Party in Interest.

**FILED**

JUL 22 2014

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY A. Malone  
DEPUTY CLERK

*ORDER DENYING PETITION*

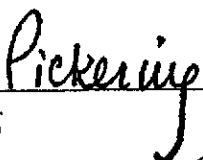
This original petition for a writ of prohibition and/or mandamus challenges a juvenile court order awarding restitution. Petitioner also requests that this court direct the juvenile court to deny the State's pending request to reduce the restitution award to a civil judgment.

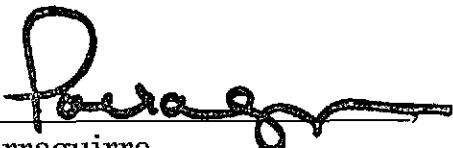
"A writ of mandamus is available to compel the performance of an act that the law requires as a duty resulting from an office, trust, or station, or to control a manifest abuse or arbitrary or capricious exercise of discretion." *State v. Eighth Judicial Dist. Court (Armstrong)*, 127 Nev. \_\_\_, \_\_\_, 267 P.3d 777, 779 (2011) (citation omitted). A writ of prohibition may issue to arrest the proceedings of a district court exercising its judicial functions when such proceedings are in excess of the jurisdiction of the district court. NRS 34.320. Neither writ will issue, however, if the petitioner has a plain, speedy, and adequate remedy in the ordinary


course of law. NRS 34.170; NRS 34.330. And, because mandamus and prohibition are extraordinary remedies, the decision to entertain a petition for a writ of mandamus or prohibition lies within our discretion. *Hickey v. Eighth Judicial Dist. Court*, 105 Nev. 729, 731, 782 P.2d 1336, 1338 (1989).

Petitioner represents that the juvenile court has not entered a written order in this matter. Because the juvenile court's oral order is "ineffective for any purpose," *Rust v. Clark Cnty. Sch. Dist.*, 103 Nev. 686, 689, 747 P.2d 1380, 1382 (1987), the court remains free to reconsider the issue, *see id.* at 688, 747 P.2d at 1382; *see also Bradley v. State*, 109 Nev. 1090, 1094-95, 864 P.2d 1272, 1275 (1993) (recognizing that a judge's oral pronouncement of judgment and sentence remains subject to modification until it is signed by the judge and entered by the clerk). For this reason, we are not convinced that our intervention by way of extraordinary writ is warranted at this time, and we

ORDER the petition DENIED.

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

  
\_\_\_\_\_, J.  
Parraguirre

  
\_\_\_\_\_, J.  
Saitta

cc: Hon. William O. Voy, District Judge, Family Court Division  
Clark County Public Defender  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk