

IN THE SUPREME COURT OF THE STATE OF NEVADA

WASHOE COUNTY HUMAN
SERVICES AGENCY, F/K/A WASHOE
COUNTY DEPARTMENT OF SOCIAL
SERVICES,

Petitioner,

vs.

THE SECOND JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF

WASHOE; AND THE HONORABLE
CYNTHIA LU, DISTRICT JUDGE,

Respondents,

and

DONYEA MCMILLAN,

Real Party in Interest.

No. 76032

FILED

AUG 23 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This petition for a writ of mandamus challenges the denial of a request to determine parentage in an NRS Chapter 432B proceeding. Having considered the petition and appendix filed in this matter and the district court's order on limited remand, we are not persuaded that our extraordinary and discretionary intervention is warranted. See NRS 34.160; *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) ("Petitioners carry the burden of demonstrating that extraordinary relief is warranted."); *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 679, 818 P.2d 849, 851, 853 (1991) (observing that the decision to issue writ of mandamus "is purely discretionary"). Specifically, the district court's order indicates that after this writ petition was filed, real party in interest relinquished his parental rights as to the minor child, and

thus, no live controversy exists. *See Personhood Nev. v. Bristol*, 126 Nev. 599, 602, 245 P.3d 572, 574 (2010) (explaining that this court will not consider a moot case that does not present a live controversy). Accordingly, we

ORDER the petition DENIED.

Pickering, J.
Pickering

Gibbons, J.
Gibbons

Hardesty, J.
Hardesty

cc: Hon. Cynthia Lu, District Judge, Family Court Division
Washoe County District Attorney
Donyea McMillan
Washoe District Court Clerk