

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ADELE EASON EILAND,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; THE HONORABLE GLORIA
STURMAN, DISTRICT JUDGE; AND
WESLEY YAMASHITA, PROBATE
COMMISSIONER.

Respondents,

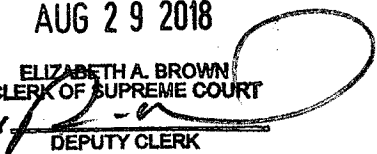
and

JANIS EVERLY EILAND, TRUSTEE OF
THE JOE FRANK EILAND AND JANIS
EVERLY EILAND REVOCABLE TRUST
(CREATED MARCH 27, 2000), JANIS
EVERLY EILAND, TRUST AND
BENEFICIARY,
Real Party In Interest.

No. 76728

FILED

AUG 29 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

*ORDER DENYING PETITION
FOR WRIT OF MANDAMUS OR PROHIBITION*


This emergency petition for a writ of mandamus or prohibition appears to challenge a ruling or a failure to rule, in a probate case, on a matter concerning child support arrearages and attorney fees.


Having reviewed the petition and its supporting documents, we are not persuaded that our extraordinary and discretionary intervention is warranted at this time. *See Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991). In particular, it is unclear from the petition exactly what petitioner is challenging, and petitioner has not provided this court with a copy of any written, file-stamped Nevada district court order. *See* NRAP 21(a)(4) (providing that petitioner must submit with


the petition copies of any relevant district court order and other parts of the record, including transcripts and filed motions, necessary to understand the petition); *Rust v. Clark Cty. Sch. Dist.*, 103 Nev. 686, 689, 747 P.2d 1380, 1382 (1987) (providing that an oral pronouncement from the bench is not valid for any purpose). Further, it appears that any judgment by the probate court judge might be appealable under NRS 155.190(j) and (m); if so, the entry of an appealable order could preclude writ relief. See NRS 34.170; NRS 34.330; *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 224, 88 P.3d 840, 841 (2004) (“[T]he right to appeal is generally an adequate legal remedy that precludes writ relief.”).

In any case, from what is currently before us, we are unable to determine the status of the district court proceedings, and consequently, petitioner has not met her burden of demonstrating that our intervention is appropriate. See *Pan*, 120 Nev. at 228, 88 P.3d at 843-844 (providing that petitioner bears the burden of demonstrating that writ relief is warranted). Therefore, the petition is denied without prejudice to petitioner’s right to file a new writ petition with copies of any challenged order and all pertinent parts of the record, or if appropriate, an appeal from any such order. We thus

ORDER the petition DENIED.


_____, C.J.
Silver


_____, J.
Tao


_____, J.
Gibbons

cc: Hon. Gloria Sturman, District Judge
Adele Eason Eiland
Ghandi Deeter Blackham
Eighth District Court Clerk