

IN THE SUPREME COURT OF THE STATE OF NEVADA

PHILLIP GRIGALANZ,

Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,

IN AND FOR THE COUNTY OF

CLARK; AND THE HONORABLE

MARY PERRY, DISTRICT JUDGE,

DEPARTMENT P,

Respondents,

and


ELIZABETH MARIE COPAS,

Real Party in Interest.

No. 91066

**FILED**

**AUG 06 2025**

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER DENYING PETITION  
FOR WRIT OF MANDAMUS OR PROHIBITION*

This original emergency petition for a writ of mandamus or prohibition seeks to compel the district court to allow petitioner to effectuate service of process in the child custody proceeding below by email, as well as reassignment of the case to a different judge.

Having reviewed the petition and accompanying appendix,<sup>1</sup> we conclude that petitioner has not met his burden of demonstrating that our

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<sup>1</sup>Petitioner's petition is deficient because it is missing a routing statement, an NRAP 27(e) certificate, page numbers, and a certificate of compliance, *see* NRAP 21(a)(3)(A), 21(a)(6), 21(d), and 21(e); his appendix is deficient because it is missing a cover page, sufficient index, and page numbers, *see* NRAP 21(a)(4). Further, it does not appear that service of the petition on real party in interest comported with NRAP 25(c), as petitioner did not provide to this court her consent in writing to service by electronic means. Nevertheless, in this one instance, petitioner's August 5, 2025, motion to accept the filings despite defects is granted, and the petition and appendix have been considered. NRAP 2. The motion is also granted to the extent it seeks expedited consideration.

extraordinary intervention is warranted. *Pan v. Eighth Jud. Dist. Ct.*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) (explaining that petitioners bear the burden of demonstrating that extraordinary relief is warranted); *Smith v. Eighth Jud. Dist. Ct.*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991) (stating that this court has sole discretion in determining if a writ petition will be considered). Petitioner did not provide to this court a copy of the district court's email or decision he is challenging or a copy of his motion seeking alternative service. See NRAP 21(a)(4). Further, petitioner did not otherwise show in his petition that he demonstrated compliance below with NRCP 4.4(b)(2), which explains what is required for a court to order alternative service. See generally *Browning v. Dixon*, 114 Nev. 213, 217-18, 954 P.2d 741, 743-44 (1998) (discussing the due diligence required before alternative service methods may be directed); *Penn Moultrie Corp. v. Eighth Jud. Dist. Ct.*, 79 Nev. 269, 271 & n.2, 382 P.2d 397, 398 & n.2 (1963). Moreover, petitioner has filed a motion for reconsideration of the court's alleged decision below, which remains pending. Accordingly, petitioner has not shown that a basis for writ relief exists, see *Round Hill Gen. Imp. Dist. v. Newman*, 97 Nev. 601, 603-04, 637 P.2d 534, 536 (1981) (recognizing that mandamus is available to control the district court's manifest abuse of discretion); NRS 34.320 (providing that prohibition may curb the district court's jurisdictional excesses), and we

ORDER the petition DENIED.

Pickering, J.  
Pickering

Cadish, J.  
Cadish

Lee, J.  
Lee

cc: Hon. Mary D. Perry, District Judge, Family Division  
Phillip Grigalanz  
Elizabeth Marie Copas  
Eighth District Court Clerk