

IN THE SUPREME COURT OF THE STATE OF NEVADA

TRE GOODRUM AND ROCHELLE
GOODRUM,
Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
KATHY A. HARDCASTLE, DISTRICT
JUDGE,

Respondents,

and

LAWRENCE KUDLA, AS TRUSTEE OF
THE 689 INDIAN ROW TRUST,
Real Party in Interest.

No. 43118

FILED

APR 23 2004

JANETTE L. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF PROHIBITION


This original petition for a writ of prohibition challenges a district court order directing the issuance of a temporary writ of restitution in an unlawful detainer action. We have considered the petition, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted. Specifically, our review of this matter has been hampered by petitioners' failure to submit any part of the district court record other than the summary restitution order.¹ We are left to guess at the nature of the real party in interest's complaint and the circumstances giving rise to restitutionary relief. Further, petitioners may


¹See NRAP 21(a) (requiring that writ petitions be accompanied by parts of the record "essential to an understanding of the matters set forth in the petition").

have a plain, speedy and adequate legal remedy in the form of an appeal from a final judgment.² Accordingly, we deny the petition.³

It is so ORDERED.


_____, J.
Becker


_____, J.
Agosti


_____, J.
Gibbons

cc: Hon. Kathy A. Hardcastle, District Judge
Nevada Legal Services
William H. Jackson III
Clark County Clerk

²See NRS 34.330 (stating that a writ of prohibition is available if there is no plain, speedy and adequate remedy in the ordinary course of the law); NRS 40.380 (providing for an appeal from an unlawful detainer judgment); Dayside Inc. v. Dist. Ct., 119 Nev. ___, 75 P.3d 384, 386 (2003) (observing that the availability of an appeal from a final judgment generally precludes writ relief).

³See NRAP 21(b); Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991) (stating that the issuance of a writ of prohibition is purely discretionary with this court).