

IN THE SUPREME COURT OF THE STATE OF NEVADA

MARVIN L. DANIEL,  
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK, AND THE HONORABLE N.  
ANTHONY DEL VECCHIO, DISTRICT  
JUDGE, FAMILY COURT DIVISION,  
Respondents,

and

THE ESTATE OF MARVA J. DANIEL  
AND MATTHEW MANNING, ESQ.  
Real Parties in Interest.

No. 44327

FILED


NOV 17 2005

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
*J. Richards*  
PROPERTY CLERK


ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This is an original petition for a writ of mandamus seeking enforcement of a joint preliminary injunction. We have considered this petition, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted at this time. In particular, petitioner has not demonstrated that he has unsuccessfully sought relief in the probate court, which is administering the estate of Marva J. Daniel. Accordingly, we deny the petition.<sup>1</sup>

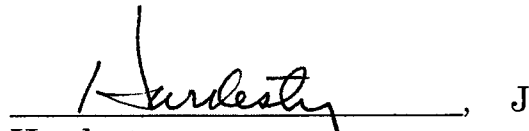
It is so ORDERED.

 J.

Maupin

 J.

Gibbons

 J.

Hardesty

<sup>1</sup>See NRAP 21(b); Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991).

cc: Hon. N. Anthony Del Vecchio, District Judge, Family Court Division  
Longabaugh Law Offices  
Hofland Manning  
Christopher J. Phillips  
Clark County Clerk