

IN THE SUPREME COURT OF THE STATE OF NEVADA

KELLIE WEDDELL,
Petitioner,

vs.

THE FIRST JUDICIAL DISTRICT COURT OF
THE STATE OF NEVADA, IN AND FOR
CARSON CITY, AND THE HONORABLE
NOEL E. MANOUKIAN, SENIOR JUDGE,

Respondents,

and

ROLLAND P. WEDDELL,
Real Party in Interest.

No. 44808

FILED

MAY 19 2005

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

ORDER DENYING PETITION FOR WRIT OF
MANDAMUS OR PROHIBITION

This is an original petition for a writ of mandamus or prohibition challenging a district court order concerning visitation and an order of contempt.

A writ of mandamus is available to compel the performance of an act, which the law requires as a duty resulting from an office, trust or station, or to control an arbitrary or capricious exercise of discretion.¹ This court may issue a writ of prohibition to arrest the proceedings of a district court exercising its judicial functions, when such proceedings are in excess of the jurisdiction of the district court.² We have considered this

¹See NRS 34.160; Round Hill Gen. Imp. Dist. v. Newman, 97 Nev. 601, 637 P.2d 534 (1981).

²NRS 34.320.

cc: Hon. Noel E. Manoukian, Senior Judge
Allison W. Joffe
Allison, MacKenzie, Russell, Pavlakis, Wright & Fagan, Ltd.
Carson City Clerk