

IN THE SUPREME COURT OF THE STATE OF NEVADA

RENE HADDOCK,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
STEFANY ANN MILEY, DISTRICT
JUDGE, FAMILY COURT DIVISION,
Respondents,
and
WILLIE HADDOCK,
Real Party in Interest.

No. 46798

FILED

FEB 28 2006

[Signature]
JANE T. Mc GLOTHLIN
CLERK OF SUPREME COURT
DEPUTY CLERK


ORDER DENYING PETITION FOR WRIT OF CERTIORARI

This is an original petition for a writ of certiorari challenging a district court order concerning the sale of the marital residence.

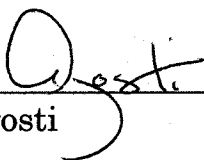
We have considered this petition and the opposition, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted. In particular, it appears that petitioner will have an

adequate legal remedy in the form of an appeal from the final divorce decree.¹ Accordingly, we deny the petition.²

It is so ORDERED.³


_____, C.J.
Rose


_____, Sr. J.
Shearing


_____, Sr. J.
Agosti

cc: Hon. Stefany Miley, District Judge, Family Court Division
Robert W. Lueck
Brian J. Steinberg
Clark County Clerk

¹See NRAP 3A(a) and (b)(1); Pan v. Dist. Ct., 120 Nev. 222, 88 P.3d 840 (2004) (recognizing that an appeal is an adequate legal remedy); NRS 34.020 (providing that a writ of certiorari may issue only if there is no appeal or other adequate remedy).

²See NRAP 21(b).

³In light of this order, we deny as moot petitioner's request for a stay. In addition, we note that petitioner, in any event, has not satisfied the provisions of NRAP 8(a) for obtaining a stay. Specifically, petitioner has not shown that she applied to the district court for a stay or that application to the district court would not be practicable. See NRAP 8(a) (stating that generally, a stay must first be sought in the district court unless seeking such relief in the district court is not practicable); see also Fritz Hansen A/S v. Dist. Ct., 116 Nev. 650, 6 P.3d 982 (2000).

The Honorable Miriam Shearing, Senior Justice, and the Honorable Deborah A. Agosti, Senior Justice, participated in the decision of this matter under general orders of assignment entered on January 6, 2006.