

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROSALIE DODGE,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
CYNTHIA DIANNE STEEL, DISTRICT
JUDGE, FAMILY COURT DIVISION,

Respondents,

and

STEPHEN DODGE,
Real Party in Interest.

No. 47173

FILED

FEB 08 2007

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

ORDER DENYING PETITION
FOR WRIT OF MANDAMUS OR PROHIBITION

This original petition for a writ of mandamus or prohibition challenges a district court order granting a motion to quash.

A writ of mandamus is available to compel the performance of an act that the law requires as a duty resulting from an office, trust, or station,¹ or to control a manifest abuse of discretion.² The counterpart to a writ of mandamus, a writ of prohibition is available when a district court acts without or in excess of its jurisdiction.³ Both mandamus and

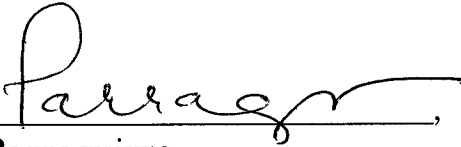
¹See NRS 34.160.

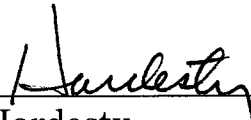
²See Round Hill Gen. Imp. Dist. v. Newman, 97 Nev. 601, 637 P.2d 534 (1981).


³State of Nevada v. Dist. Ct. (Anzalone), 118 Nev. 140, 146-47, 42 P.3d 233, 237 (2002); NRS 34.320.

prohibition are extraordinary remedies, and it is within this court's discretion to determine if a petition will be considered.⁴ Having considered this petition, we are not satisfied that this court's intervention by way of extraordinary relief is warranted. Accordingly, we deny the petition.⁵

It is so ORDERED.


_____, J.
Parraguirre


_____, J.
Hardesty


_____, J.
Saitta

cc: Hon. Cynthia Dianne Steel, District Judge, Family Court Division
Adams & Rocheleau, LLC
Webster & Associates
Eighth District Court Clerk

⁴See Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991).

⁵See NRAP 21(b); Smith, 107 Nev. 674, 818 P.2d 849.