

IN THE SUPREME COURT OF THE STATE OF NEVADA

ANTONIO FINLEY,

Petitioner,

vs.

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

Respondents,

and

CLARK COUNTY DEPARTMENT OF
FAMILY SERVICES,

Real Party in
Interest.

No. 48161

FILED

OCT 04 2006

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

ORDER DENYING PETITIONS
AND MOTION FOR A STAY

Petitioner Antonio Finley has filed petitions for writs of mandamus and prohibition challenging an order of the district court allowing child testimony at a trial on a petition to terminate Mr. Finley's parental rights. Specifically, petitioner seeks the issuance of a writ disallowing the child's testimony and compelling the district court to conduct an evidentiary hearing to determine whether the probative value of the child's testimony substantially outweighs any potential harm to the child. See EDCR 5.06. Petitioner has also filed a motion to stay the trial scheduled for October 6, 2006.

We have considered the petitions and we are not satisfied that this court's intervention by way of extraordinary relief is warranted.

Accordingly, we deny the petitions and the emergency motion for a stay.

It is so ORDERED.

Libbons, J.

Parsons, J.

Dryden, J.

cc: Hon. Gerald W. Hardcastle, District Judge, Family Court Division
Mills & Mills
Clark County District Attorney David J. Roger/Juvenile Division
Clark County Clerk