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,

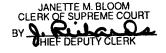
and CLARK COUNTY DEPARTMENT OF FAMILY SERVICES,

Real Party in Interest.

No. 48161

FILED

OCT 0 4 2006



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. <u>See</u> 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.

SUPREME COURT OF NEVADA Accordingly, we deny the petitions and the emergency motion for a stay.

It is so ORDERED.

J.

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cc: Hon. Gerald W. Hardcastle, District Judge, Family Court Division Mills & Mills Clark County District Atterney David L Pager/Juvenile Division

Clark County District Attorney David J. Roger/Juvenile Division Clark County Clerk

SUPREME COURT OF NEVADA

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