

IN THE SUPREME COURT OF THE STATE OF NEVADA

No. 34656

JANIS KESTER F/K/A JANIS CARMONA,  
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT COURT  
OF THE STATE OF NEVADA, IN AND FOR  
THE COUNTY OF CLARK, AND THE  
HONORABLE ROBERT E. GASTON,  
DISTRICT JUDGE, FAMILY COURT  
DIVISION,

Respondents,

and

THE ESTATE OF LUPE CARMONA,  
DECEASED,

Real Party in Interest.

**FILED**

DEC 10 1999

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

ORDER DENYING PETITION

FOR WRIT OF PROHIBITION OR MANDAMUS

This original petition for a writ of prohibition or mandamus challenges the district court's authority to impose a constructive trust upon petitioner with respect to certain pension benefits. We have considered the petition, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted at this time. Accordingly, we deny the petition. See NRAP 21(b); Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991); State ex rel. Dep't Transp. v. Thompson, 99 Nev. 358, 662 P.2d 1338 (1983).

It is so ORDERED.<sup>1</sup>

*Maupin*  
\_\_\_\_\_  
Maupin J.

*Shearing*  
\_\_\_\_\_  
Shearing J.

*Becker*  
\_\_\_\_\_  
Becker J.

<sup>1</sup>We deny petitioner's request for a stay of the district court proceedings as moot.

cc: Hon. Robert E. Gaston, District Judge,  
Family Court Division  
William E. Freedman, Chtd.  
Marshal S. Willick  
Clark County Clerk