

IN THE SUPREME COURT OF THE STATE OF NEVADA

PAUL D.S. EDWARDS,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
SUSAN JOHNSON, DISTRICT JUDGE,

Respondents,

and

NATIONAL CREDIT ADJUSTERS, LLC;
MARK L. HUSTON; AND BRAD
HOCKSTEIN,
Real Parties in Interest.

No. 52323

FILED

SEP 05 2008

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF PROHIBITION

This original proper person petition for a writ of prohibition challenges a district court order directing petitioner to produce financial documentation and to appear at a judgment debtor's examination.¹

We may issue a writ of prohibition to arrest the proceedings of a district court exercising its judicial functions, when such proceedings are in excess of the district court's jurisdiction.² A writ of prohibition is available only when no plain, speedy, and adequate legal remedy exists.³ Prohibition is an extraordinary remedy, and it is within our discretion to

¹We direct the clerk of this court to amend the caption on this court's docket to conform with the caption on this order.

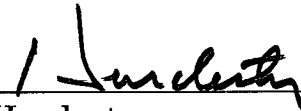
²See NRS 34.320.


³NRS 34.330.

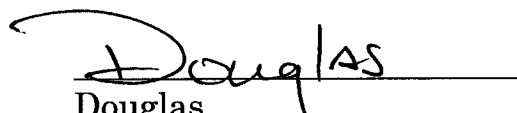
determine if a petition will be considered.⁴ Petitioner has the burden of demonstrating that our intervention by way of extraordinary relief is warranted.⁵

Having considered the petition and its supporting documentation, we are not persuaded that extraordinary relief is warranted in this case. Petitioner does not allege that the judgment has been stayed. Therefore, the real parties in interest may pursue execution of the judgment and the district court had jurisdiction to issue an order in aid of execution. Accordingly, we

ORDER the petition DENIED.⁶


_____, J.
Hardesty


_____, J.
Parraguirre


_____, J.
Douglas

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

⁵See Pan v. Dist. Ct., 120 Nev. 222, 228, 88 P.3d 840, 844 (2004); NRAP 21(a).

⁶See NRAP 21(b); Smith, 107 Nev. at 677, 818 P.2d at 851. We grant petitioner's request to waive the filing fee; accordingly, no fee is due. See NRAP 21(e). In light of this order, petitioner need not serve his motion to proceed in forma pauperis upon real parties in interest, but we admonish petitioner that he must serve copies of all papers filed in this court upon the other parties.

cc: Hon. Susan Johnson, District Judge
Paul D.S. Edwards
Flangas McMillan Law Group, Inc.
Eighth District Court Clerk