

IN THE SUPREME COURT OF THE STATE OF NEVADA

ALBERTO V. AGUILERA A/K/A JUAN
GABRIEL AND ROSA AMELIA LOZANO
ZAMBRANO A/K/A ROMY LOZANO,
Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT COURT OF
THE STATE OF NEVADA, IN AND FOR THE
COUNTY OF CLARK, AND THE HONORABLE
ELISSA F. CADISH, DISTRICT JUDGE,
Respondents,
and
CME ENTERPRISES, INC.,
Real Party in Interest.

No. 54817

FILED

OCT 26 2009

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DENYING PETITION FOR
WRIT OF MANDAMUS OR PROHIBITION

This original petition for a writ of mandamus or prohibition seeks to prevent a contempt hearing currently scheduled for November 2, 2009. Having reviewed the petition and its exhibits, we are not persuaded that our intervention by way of extraordinary relief is warranted at this time. NRAP 21(b)(1); Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991). Should the district court hold petitioners in contempt at the scheduled hearing, petitioners are free to file a new writ petition and seek a stay of any contempt sanctions that may be ordered. Accordingly, we

ORDER the petition DENIED.

Hardesty, C.J.
Hardesty

Cherry, J.
Cherry

Gibbons, J.
Gibbons

cc: Hon. Elissa F. Cadish, District Judge
Gibbs, Giden, Locher, Turner & Senet LLP
Hanratty Roberts Law Group
Eighth District Court Clerk