

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL H. GRISHAM,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
FRANK P. SULLIVAN, DISTRICT
JUDGE,

Respondents,

and

SUSIE L. GRISHAM,
Real Party in Interest.

No. 55281

FILED

FEB 05 2010

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

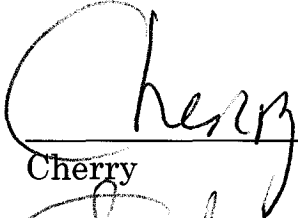
ORDER DENYING PETITION FOR WRIT OF MANDAMUS

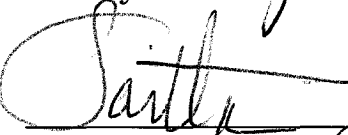
This original proper person petition for a writ of mandamus seeks to compel the district court to enter an order that resolves pending post-judgment motions, so that petitioner may appeal. Having reviewed the petition and supplement, we are not persuaded that our intervention by way of extraordinary relief is warranted at this time. Smith v. District Court, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991) (stating that whether writ relief is warranted is discretionary with this court); NRAP 21(b)(1).

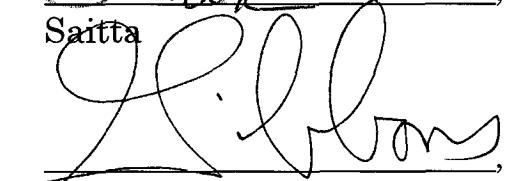
In particular, while the lengthy delay in entering an order resolving the tolling motions is possibly troubling, petitioner's supplement indicates that an order resolving the tolling motions has been prepared by real party in interest's counsel and that it will be submitted to the district court for signature no later than next week. Once it is entered by the district court, petitioner may appeal and may move for a stay pending

appeal pursuant to NRAP 8. In the event that the district court fails to promptly sign and enter the order, petitioner may renew his petition to this court. Accordingly, we

ORDER the petition DENIED.


_____, J.
Cherry


_____, J.
Saitta


_____, J.
Gibbons

cc: Hon. Frank P. Sullivan, District Judge, Family Court Division
Michael H. Grisham
Radford J. Smith, Chtd.
Eighth District Court Clerk