

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHN LAWRENCE RACE,
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

AMY LOUISE THUESON,
Real Party in Interest.

No. 55858

FILED

SEP 29 2010

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY A. Ingersoll
DEPUTY CLERK


ORDER DENYING PETITION FOR
WRIT OF MANDAMUS OR PROHIBITION


This original proper person petition for a writ of mandamus or prohibition challenges the district court's child custody and support decisions, which at the time the petition was filed had not been reduced to writing so that they could be appealed. We directed an answer to the petition, limited to the issue of whether the district court could be compelled to enter an appealable written order. Real party in interest timely filed an answer, indicating that a written order was filed on June 29, 2010. Moreover, we note that petitioner filed a notice of appeal from that order, which has been docketed in this court as Race v. Thueson, Docket No. 56387.

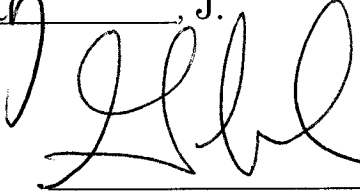
Accordingly, as the petition is moot with respect to whether a written order should be required, see NCAA v. University of Nevada, 97 Nev. 56, 624 P.2d 10 (1981), and all other issues may be appropriately

addressed in the pending appeal such that writ relief is unavailable, see
Pan v. Dist. Ct., 120 Nev. 222, 88 P.3d 840 (2004), we

ORDER the petition DENIED.


_____, J.
Saitta


_____, J.
Cherry


_____, J.
Gibbons

cc: Hon. Frank P. Sullivan, District Judge, Family Court Division
John Lawrence Race
Benjamin B. Childs
Eighth District Court Clerk