

IN THE SUPREME COURT OF THE STATE OF NEVADA

BILL L. BRITTAIN, III,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
ROBERT W. TEUTON, DISTRICT
JUDGE,

Respondents,

and

TERRI BRITTAIN,
Real Party in Interest.

No. 56338

FILED

JUL 20 2010

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

ORDER DENYING PETITION FOR WRIT OF CERTIORARI

This original petition for a writ of certiorari challenges a district court's oral decision to temporarily award physical custody of petitioner's minor child to real party in interest, petitioner's estranged wife and the child's stepmother, with whom the child has resided for the last few years.

Having considered the petition and the attached documents, we are not persuaded that extraordinary relief is warranted at this time. See NRS 34.020 (explaining that a writ of certiorari is available when there is no appeal or other plain, speedy, and adequate remedy); Zamarripa v. District Court, 103 Nev. 638, 640, 747 P.2d 1386, 1387 (1987) (recognizing that the decision to consider a petition for a writ of certiorari is discretionary with this court). The district court orally granted real party in interest temporary custody pending an evidentiary hearing on the matter on August 26, 2010. Once the district court enters a written order finally resolving the custody dispute, any aggrieved party

may appeal. NRAP 3A(b)(7) (authorizing an appeal from an order finally establishing or altering custody of a minor child). Accordingly, we

ORDER the petition DENIED.

Hardesty, J.
Hardesty

Douglas, J.
Douglas

Pickering, J.
Pickering

cc: Hon. Robert Teuton, District Judge, Family Court Division
Robert W. Lueck, Esq.
Dawn M Lozano, Esq.
Eighth District Court Clerk