

IN THE SUPREME COURT OF THE STATE OF NEVADA

GERALD PADDIO,  
Petitioner,  
vs.  
THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE  
ROBERT TEUTON, DISTRICT JUDGE,  
Respondents,  
and  
KIMBERLY PADDIO,  
Real Party in Interest.

No. 57184

**FILED**

DEC 09 2010

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

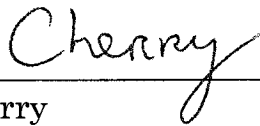
ORDER DENYING PETITION FOR  
WRIT OF MANDAMUS OR PROHIBITION

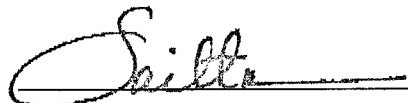
This is an original petition for a writ of mandamus or prohibition seeking to challenge a district court order setting an evidentiary hearing on real party in interest's motion to adjudicate an asset omitted from the parties' divorce decree. Eighth Judicial District Court, Family Court Division, Clark County; Robert Teuton, Judge.

Having considered the petition, we are not persuaded that this court's 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), as petitioner failed to submit a copy of a written, file-stamped order or even an appendix, and thus has not complied with NRAP 21(a). See also Pan v. Dist. Ct., 120 Nev. 222, 228, 88 P.3d 840, 844 (2004). Additionally, writ relief is not available when the petitioner has a plain, speedy, and adequate remedy at law, such as an appeal. NRS 34.170; NRS 34.330; Pan, 120 Nev. 222, 88 P.3d 840. It appears from the writ

petition that an evidentiary hearing is scheduled for December 27, 2010. Any aggrieved party may appeal from the district court's order following that hearing. NRAP 3A(b). Accordingly, we

ORDER the petition DENIED.

  
\_\_\_\_\_, J.  
Cherry

  
\_\_\_\_\_, J.  
Saitta

  
\_\_\_\_\_, J.  
Gibbons

cc: Hon. Robert Teuton, District Judge, Family Court Division  
Aaron Grigsby  
Neil J. Beller, Ltd.  
Eighth District Court Clerk