

IN THE SUPREME COURT OF THE STATE OF NEVADA

SEBASTIAN MARTINEZ, AND
MIKAELLA RAE FLANNERY A/K/A
MIKAELLA RAE FREDIANELLI, A
MINOR BY NEVADA STATE
WELFARE, AS GUARDIAN AD LITEM,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE T.
ARTHUR RITCHIE, JR., DISTRICT
JUDGE,

Respondents,


and

KRISTI RAE FREDIANELLI; AND
TONY FREDIANELLI,
Real Parties in Interest.

No. 58015

FILED

APR 07 2011


TRACE K. LINDEMAN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

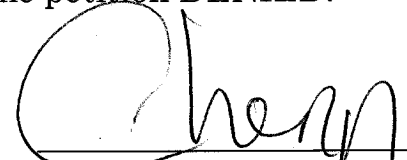
ORDER DENYING PETITION FOR MANDAMUS


This original proper person petition for a writ of mandamus seeks to prevent a district court evidentiary hearing regarding service and disqualification of the district judge assigned to the matter. Having reviewed the petition, we are not persuaded that this court's intervention by way of extraordinary relief is warranted, as petitioner provided no supporting documentation and may challenge any order entered following the evidentiary hearing by way of appeal or writ petition, as appropriate. NRAP 21(a); NRS 34.170; Pan v. Dist. Ct., 120 Nev. 222, 88 P.3d 840 (2004). Also, the facts alleged by petitioner do not warrant the district judge's disqualification. Allum v. Valley Bank of Nevada, 112 Nev. 591,

915 P.2d 895 (1996). We therefore decline to exercise our discretion to issue writ relief, NRAP 21(b)(1); Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991), and

ORDER the petition DENIED.¹

 _____, J.
Gibbons

 _____, J.
Cherry

 _____, J.
Pickering

cc: Hon. T. Arthur Ritchie, Jr., District Judge, Family Court Division
Sebastian Martinez
Ecker & Kainen, Chtd.
Kunin & Carman
Eighth District Court Clerk

¹In light of this order, we deny as moot petitioner's emergency stay motion. We direct the clerk of this court to file the motion, provisionally received on April 6, 2011.