

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROBERT DARREN BRUMFIELD,  
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK, FAMILY DIVISION,  
Respondent.

No. 58348

**FILED**

**JUL 18 2011**

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

ORDER DENYING PETITION FOR WRIT OF PROHIBITION

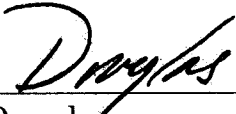
This is an original proper person petition for a writ of prohibition seeking an order from this court preventing the Family Court Division of the Eighth Judicial District Court from proceeding with petitioner's matter below.


In cases where there is no plain, speedy, and adequate remedy at law, NRS 34.330, this court may issue a writ of prohibition to arrest the proceedings of a district court exercising its judicial functions, when such proceedings are in excess of the district court's jurisdiction. See NRS 34.320. Prohibition is an extraordinary remedy, and it is within this court's discretion whether to consider such a petition. Smith v. District Court, 107 Nev. 674, 677, 679, 818 P.2d 849, 851, 853 (1991). Petitioner bears the burden of demonstrating that extraordinary relief is warranted. Pan v. Dist. Ct., 120 Nev. 222, 228, 88 P.3d 840, 844 (2004).

Having considered the petition and the attached documents, we are not persuaded that extraordinary relief is warranted. Smith, 107 Nev. at 677, 679, 818 P.2d at 851, 853. Assuming that petitioner has filed the appropriate motions in the district court, the issues raised by him in

this writ petition are more appropriately addressed first in the district court. Accordingly, writ relief is not appropriate, and we

ORDER the petition DENIED.<sup>1</sup>

  
\_\_\_\_\_, C.J.  
Douglas

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

  
\_\_\_\_\_, J.  
Hardesty

cc: Robert Darren Brumfield  
Clark County District Attorney/Civil Division  
Eighth District Court Clerk

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<sup>1</sup>In light of this order, we deny as moot any pending motions for relief. Also, because a letter is not the proper form for requesting relief from this court, no action will be taken on petitioner's letter. See NRAP 27; In re Petition to Recall Dunleavy, 104 Nev. 784, 769 P.2d 1271 (1988). Thus, we direct the clerk of this court to return, unfiled, petitioner's letter provisionally received on May 31, 2011.