

IN THE SUPREME COURT OF THE STATE OF NEVADA

MARILYN BERQUIST,  
 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  
 MARILYN BERQUIST, CO-GUARDIAN;  
 APRIL PARKS, CO-GUARDIAN; AND  
 PREMIER TRUST CO.,  
 Real Parties in Interest.

No. 66633

**FILED**

JUL 24 2015

TRACEE K. LINDEMAN  
 CLERK OF SUPREME COURT  
 BY *[Signature]*  
 CHIEF DEPUTY CLERK

*ORDER DENYING PETITION*

This is an original petition for a writ of mandamus or prohibition challenging a district court order revoking a peremptory challenge and reassigning the case to the original judge. Eighth Judicial District Court, Family Court Division, Clark County; T. Arthur Ritchie, Jr., Judge.

In her petition, Marilyn Berquist challenges the district court's finding that SCR 48.1 prohibited her peremptory challenge of District Court Judge Charles Hoskin.

Writs of mandamus and prohibition are forms of extraordinary relief, and "[e]xtraordinary relief is the appropriate remedy when the district court improperly grants or fails to grant a peremptory challenge under SCR 48.1." *Turnipseed v. Truckee-Carson Irrigation Dist.*, 116 Nev. 1024, 1029, 13 P.3d 395, 398 (2000).

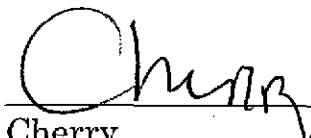
We conclude that the district court did not err in finding that SCR 48.1 prohibited Berquist's peremptory challenge. SCR 48.1(5) states that "[a] notice of peremptory challenge may not be filed against any judge who has made any ruling on a contested matter . . . in the action." We conclude that Judge Hoskin made rulings on contested matters in this case when he signed several orders approving the Guardianship Commissioner's recommendations. Berquist filed her peremptory challenge after Judge Hoskin signed these orders, and thus, her challenge was prohibited.<sup>1</sup> SCR 48.1(5). Accordingly, we

ORDER the petition DENIED.

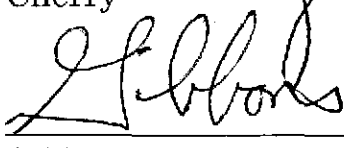
  
\_\_\_\_\_, C.J.  
Hardesty


  
\_\_\_\_\_, J.  
Parraguirre

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

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

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

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

  
\_\_\_\_\_, J.  
Pickering

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<sup>1</sup>Based on our review of the record, we are unpersuaded by Berquist's argument that these orders only involved uncontested matters. We have considered the parties remaining arguments and conclude that they are without merit.

cc: Hon. T. Arthur Ritchie, Jr., District Judge, Family Court Division  
Cary Colt Payne  
Goldsmith & Guymon, P.C.  
Lee A. Drizin, Chtd.  
Eighth District Court Clerk