

IN THE SUPREME COURT OF THE STATE OF NEVADA

DARLA ROSE CHANDLER,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
SANDRA L. POMRENZE, DISTRICT
JUDGE,
Respondents,
and
ANTONIO LUNA DE ANDA, JR.,
Real Party in Interest.

No. 68555

FILED

AUG 14 2015

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *Tracie K. Lindeman*
DEPUTY CLERK

*ORDER DENYING PETITION
FOR WRIT OF MANDAMUS OR PROHIBITION*


This is an emergency original petition for a writ of mandamus or prohibition challenging a district court order that directed the child's return to his father in Kansas pending an evidentiary hearing on custody.

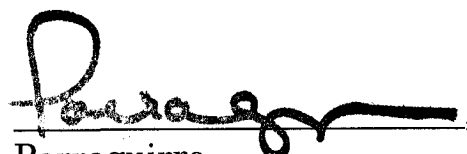
Having considered the parties' arguments and the documentation provided to this court, we conclude that petitioner has not met her burden of demonstrating that our intervention by extraordinary writ relief is warranted. NRS 34.160; NRS 34.320; *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004). In the order filed on August 7, 2015, the district court considered the parties' arguments, as well as the child interview report prepared by the Family Mediation Center. The district court found that the child's statements were forthright and that the allegations of physical abuse in petitioner's household were disturbing. The district court also found that there had been no allegations of physical abuse as to real party in interest. In the exercise of caution and to protect the child from the potential of future abuse, the district court found that it was in the child's best interest to be

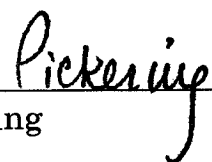
returned to the custody of real party in interest in Kansas pending an evidentiary hearing on the issue of custody modification.

Petitioner has not demonstrated that the district court's order was in excess of the court's jurisdiction or rose to the level of an arbitrary or capricious exercise of discretion. See NRS 34.320; *Int'l Game Tech., Inc. v. Second Judicial Dist. Court*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008); *Pan*, 120 Nev. at 228, 88 P.3d at 844; see also *Ellis v. Carucci*, 123 Nev. 145, 149, 161 P.3d 239, 241 (2007) (recognizing the district court's broad discretionary powers in matters of child custody). Accordingly, we deny this writ petition, and we vacate the temporary stay imposed by our August 6, 2015, order. See *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991) (stating that a petition for extraordinary writ relief is purely discretionary with this court).

It is so ORDERED.


_____, J.
Saitta


_____, J.
Parraguirre


_____, J.
Pickering

cc: Hon. Sandra L. Pomrenze, District Judge, Family Court Division
David L. Mann
Smith Legal Group
Eighth District Court Clerk