

IN THE SUPREME COURT OF THE STATE OF NEVADA

MATTHEW BLOM,  
Petitioner,  
vs.  
THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE  
JENNIFER ELLIOTT, DISTRICT  
JUDGE,  
Respondents,  
and  
BILAN CRYSTAL BLOM,  
Real Party in Interest.

No. 69797

FILED

FEB 25 2016

T. CLARK WINDEMAN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

*ORDER DENYING PETITION  
FOR WRIT OF MANDAMUS OR PROHIBITION*

This is an original emergency petition for a writ of mandamus or prohibition challenging a district court order granting a motion to relocate to Texas with the minor children.

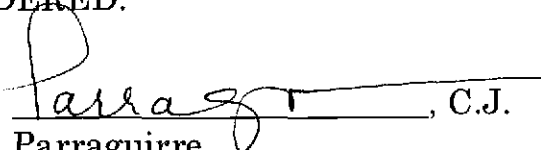
Having considered the petition and appendix, we conclude petitioner has not demonstrated that our intervention by extraordinary writ relief is warranted. *See Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004). Writ relief is typically not available when the petitioner has a plain, speedy, and adequate remedy at law. *See* NRS 34.170; NRS 34.330; *Int'l Game Tech., Inc. v. Second Judicial Dist. Court*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). An appeal is generally considered an adequate legal remedy precluding writ relief. *See Pan*, 120 Nev. at 224, 88 P.3d at 841. Here, an order allowing a custodial parent to relocate with the minor children is an appealable order. *See* NRAP


16-06086


3A(b)(1) (allowing an appeal from a final judgment); NRAP 3A(b)(7) (allowing an appeal from a final order altering child custody).

Appellant contends that he cannot appeal at this time because the district court has yet to enter a written order memorializing its ruling from the February 16, 2016, hearing, and that once relocation occurs, the district court's jurisdiction will be lost. We conclude, however, that extraordinary writ relief is not warranted and that petitioner has an adequate and speedy legal remedy in the form of an appeal. This court has stated that an oral pronouncement from the bench is not valid for any purpose and the district court remains free to reconsider its ruling before issuing a written order. *See Rust v. Clark Cty. Sch. Dist.*, 103 Nev. 686, 688-89, 747 P.2d 1380, 1382 (1987). Once the district court enters a written order, an appeal can be taken. NRAP 4(a)(1) (providing that a notice of appeal must be filed after entry of a written judgment or order). Further, if the district court enters a written order after the notice of appeal has been filed but before dismissal of the premature appeal, the notice of appeal is considered filed on the date of the order. *See NRAP 4(a)(6)*. NRAP 8 allows a party to apply for a stay pending appeal. Accordingly, without expressing any opinion as to the merits of this writ petition, we deny it without prejudice to petitioner's right to appeal from an adverse written order.

It is so ORDERED.

  
Parraguirre, C.J.

  
Douglas, J.

  
Cherry, J.

cc: Hon. Jennifer Elliott, District Judge, Family Court Division  
Fine Law Group  
Cramer Law Firm  
Eighth District Court Clerk