

IN THE SUPREME COURT OF THE STATE OF NEVADA

KATHRYN REYNOLDS; AND NORMAN
GARAND,
Petitioners,
vs.
NATIONAL DEFAULT SERVICING
CORPORATION, AN ARIZONA
CORPORATION AUTHORIZED TO DO
BUSINESS IN NEVADA; GREGORY
WILDE, A NEVADA ATTORNEY; AND
CINDY LEE STOCK, A NEVADA
ATTORNEY,
Respondents.

No. 70581

FILED

JUL 13 2016

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

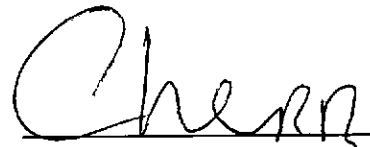
*ORDER DENYING PETITION FOR
WRIT OF MANDAMUS OR PROHIBITION*

This original pro se petition for a writ of mandamus or prohibition seeks, among other things, an order directing the United States District Court for the District of Nevada to grant petitioners' motion to remand.


Having considered the petition and the supporting documents, we are not persuaded that our intervention is appropriate, as this court lacks the authority to order the federal district court to take or refrain from taking the requested actions. *See* 28 U.S.C. § 1446(d) (2012); *Laguna Vill. Inc. v. Laborers Int'l Union of N. Am.*, 672 P.2d 882, 885 (Cal. 1983) (recognizing that "the federal removal statute . . . expressly prohibit[s] any proceeding in state court after removal and prior to remand"); *see also Mineral Cty. v. State, Dep't of Conservation & Nat. Res.*, 117 Nev. 235, 242-43, 20 P.3d 800, 805 (2001) (observing that a writ of mandamus is available only to compel the performance of an act by an "inferior" state tribunal, corporation, board, or person); *Gojack v. Second Judicial Dist.*

Court, 95 Nev. 443, 444, 596 P.2d 237, 238 (1979) (same with respect to a writ of prohibition); *cf. Atlantic Coast Line R.R. Co. v. Bhd. of Locomotive Eng'rs*, 398 U.S. 281, 286 (1970) (“[W]e have had in this country two essentially separate legal systems. Each system proceeds independently from the other [T]his dual system could not function if state and federal courts were free to fight each other for control of a particular case.”). We therefore

ORDER the petition DENIED.¹


_____, J.
Cherry


_____, J.
Douglas


_____, J.
Gibbons

cc: Kathryn Reynolds
Norman Garand
Thorndal Armstrong Delk Balkenbush & Eisinger/Reno
Tiffany & Bosco, P.A.

¹In light of our disposition of this writ petition, petitioners' July 1, 2016, motion is denied as moot.