

IN THE SUPREME COURT OF THE STATE OF NEVADA

PELE LA' CRUZ WATKINS,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; THE HONORABLE ROBERT
TEUTON, DISTRICT JUDGE; THE
HONORABLE THOMAS; THE
HEARING MASTER NORHEIM; AND
HEARING MASTER KURTZ,
Respondents,
and
CLARK COUNTY DEPARTMENT OF
FAMILY SERVICES,
Real Party in Interest.

No. 70499

FILED

JUL 13 2016

TRACIE K. LINDEMANN
CLERK OF SUPREME COURT
BY *Tracie K. Lindemann*
DEPUTY CLERK

*ORDER DENYING PETITION
FOR WRIT OF MANDAMUS OR WRIT OF PROHIBITION*

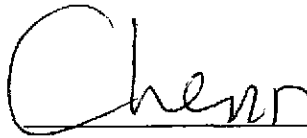
This is an original pro se petition for a writ of mandamus or prohibition challenging the district court's jurisdiction in a proceeding under NRS Chapter 432B.¹


Having considered the petition and the exhibits to the petition, we conclude that petitioner has not demonstrated that our intervention by extraordinary writ relief is warranted. *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004)

¹Based on our review of the petition and the supporting documents, we have determined that Clark County Department of Family Services should be listed as the real party in interest in this matter. We direct the clerk of this court to amend the caption on this court's docket to conform to the caption on this order.


(explaining that petitioner bears the burden of demonstrating that extraordinary writ relief is warranted). The exhibits to the petition do not demonstrate that petitioner resided with the minor child in the state of Pennsylvania prior to the filing of the abuse and neglect petition on May 7, 2014. Thus, petitioner has not met his burden of showing that Pennsylvania was the home state of the child at that time, and that the Nevada district court lacked jurisdiction to order that the child be placed in protective custody. See NRS 125A.085 (defining home state). Additionally, regardless of whether the child's mother had conceded custody to petitioner, the State of Nevada could still place the child in protective custody if the child was in need of protection. See NRS 432B.390 (providing that a child may be placed in protective custody without the consent of the person responsible for the child's welfare). Accordingly, we

ORDER the petition DENIED.²


_____, J.
Cherry


_____, J.

Douglas


_____, J.
Gibbons

cc: Hon. Robert Teuton, District Judge, Family Court Division
Pele La' Cruz Watkins
Clark County District Attorney/Juvenile Division
Eighth District Court Clerk

²To the extent petitioner's additional arguments are not addressed in this order, we conclude they do not warrant writ relief.