

IN THE SUPREME COURT OF THE STATE OF NEVADA

No. 38199

EDWARD J. SPAULDING,

Petitioner,

vs.

THE SECOND JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
WASHOE, AND, THE HONORABLE
CHARLES M. MCGEE, DISTRICT
JUDGE,

Respondents,

and

FAYE SPAULDING FOULKS,

Real Party in Interest.

FILED

OCT 11 2001

JANETTE M. BLOOM
CLERK OF SUPREME COURT

BY *J. Richards*
CHIEF DEPUTY CLERK

ORDER DENYING PETITION FOR

WRIT OF MANDAMUS OR PROHIBITION

This is a proper person original petition for a writ of mandamus, or in the alternative, a writ of prohibition seeking to compel the district court to order the immediate return of the minor child from the state of Washington to Nevada.

01-17118

We have considered this petition, answer and reply thereto, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted at this time.¹ Accordingly, we ORDER the petition DENIED.

Young J.
Young
Agosti J.
Agosti
Leavitt J.
Leavitt

cc: Hon. Charles M. McGee, District Judge,
Family Court Division
Jack Sullivan Grellman
Edward J. Spaulding
Washoe County Clerk

¹See NRAP 21(b); Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991); NRS 34.170; NRS 34.330.

Although petitioner was not granted leave to file papers in proper person, see NRAP 46(b), we have considered the proper person documents received from petitioner.

We deny as moot petitioner's July 31, 2001, request for a stay pending our resolution of the writ petition, and real party in interest's August 22, 2001 motion to strike. Moreover, we direct the clerk of this court to file real party in interest's August 9, 2001 response to the motion for stay.