


IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE
TRUST/ESTATE OF WALTER A.
CRIPPS, DECEASED.

No. 89752

FILED

FEB 21 2025

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

MICHAEL W. CRIPPS,
Petitioner,

vs.

THE FOURTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF ELKO;
AND THE HONORABLE KRISTON N.
HILL, DISTRICT JUDGE,

Respondents,

and

JOHN W. CRIPPS; LYNN X. LIU; AND
DANIEL W CRIPPS,
Real Parties in Interest.

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This original petition for a writ of mandamus challenges a November 5, 2024, district court order determining that the appeal in Docket No. 89134 divested the court of jurisdiction and thus staying the underlying proceedings.¹ Fourth Judicial District Court, Elko County; Kriston N. Hill, Judge.

Just before this petition was filed, on December 6, 2024, in Docket No. 89134, this court entered an order denying petitioner's motion for remand under NRAP 12A, which essentially sought relief identical to that sought here. In that order, this court explained that remand was not

¹Petitioner's motion for leave to proceed in forma pauperis is granted. Therefore, the filing fee in this matter is waived. NRAP 21(g); NRAP 24(a)(5).

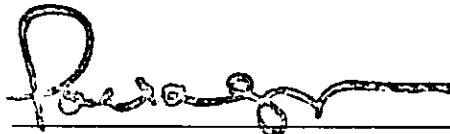
necessary because the appeal did not divest the district court of jurisdiction to proceed. Petitioner has not indicated that the district court failed to act in accordance with the December 6 order in Docket No. 89134. Therefore, we presume that, since this petition was filed, the court has lifted its stay and proceeded with the case below, such that writ relief is not warranted. *See Smith v. Eighth Jud. Dist. Ct.*, 107 Nev. 674, 677, 679, 818 P.2d 849, 851, 853 (1991) (recognizing that writ relief is an extraordinary remedy and that we have sole discretion in determining whether to entertain a writ petition); *see also Pan v. Eighth Jud. Dist. Ct.*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) (observing that the petitioner bears the burden of showing that writ relief is warranted). Accordingly, we decline to further consider this petition and, without prejudice to petitioner's ability to seek further relief if deemed warranted,

ORDER the petition DENIED.



_____,
Herndon

C.J.



_____,
Parraguirre

J.



_____,
Stiglich

J.

cc: Hon. Kriston N. Hill, District Judge
Michael W. Cripps
Daniel W Cripps
Wallace & Millsap LLC
Elko County Clerk