FILED
10/27/2026
ELIZABETH A. BROWN
CLERK OF SUPREME COURT

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL DUTRA, Petitioner, vs. THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF CLARK; AND THE HONORABLE MARI D. PARLADE, DISTRICT JUDGE, Respondents, and SABRINA MARIE BARTON, Real Party in Interest.	No. 93433

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This emergency petition for a writ of mandamus challenges the district court's scheduling of a hearing on petitioner's motion to continue trial and motion in limine for a date after the November 6, 2026, scheduled hearing on the merits of the underlying child custody action. Petitioner also seeks an order compelling the district court to remove the therapist's veto on parental communication. Petitioner has filed motions to proceed in forma pauperis and to stay the district court proceedings.

A writ of mandamus may issue to compel the district court to perform a legally mandated act or to correct a manifest abuse of discretion. NRS 34.160; *Round Hill Gen. Imp. Dist. v. Newman*, 97 Nev. 601, 603-04, 637 P.2d 534, 536 (1981). Petitioner has the burden of demonstrating that extraordinary relief is warranted, and he must provide all documents necessary for the appellate court to render its decision. NRAP 21(a); *Pan v. Eighth Jud. Dist. Ct.*, 120 Nev. 222, 228-29, 88 P.3d 840, 844 (2004) (noting that this court's review in a writ proceeding is limited to the petition and

accompanying documents and, therefore, if essential information is not provided, there is no way to properly evaluate the petition). Extraordinary relief is available only when there is no plain, adequate, and speedy legal remedy, NRS 34.170, and the right to appeal is generally an adequate legal remedy, precluding writ relief, *Pan*, 120 Nev. at 224, 88 P.3d at 840-41.

In this case, we must decline to exercise our discretion to consider this petition for several reasons. First, the documents submitted to this court are deficient in that the pages are not numbered and the font size is less than 14-point, NRAP 21(d); NRAP 32(a)(4), (5); the documents were served on real party in interest by email, but petitioner has not provided real party in interest's consent to be served by email, NRAP 25(c)(2)(B); and the documents do not contain petitioner's contact information, NRAP 32(a)(2)(E). Second, even if the deficiencies are excused, petitioner failed to provide sufficient documentation to support his allegations and has not shown that he asked the district court to hear his motions on shortened time per EDCR 2.26.[1] Third, writ relief generally is not available to direct the district court how to manage its docket. *See Close v. Second Jud. Dist. Ct.*, 73 Nev. 194, 196, 314 P.2d 379, 380 (1957) (noting that "[t]he setting of trial dates, the ordering of postponements for cause and other matters having to do with arrangement of court calendars have always been considered as essentially within the discretion of the trial courts" and declining to issue writ relief that would interfere with the court's calendar). Fourth, petitioner may appeal from any adverse determination that finally adjudicates child custody, precluding writ relief. And finally, petitioner has not paid the filing fee or otherwise

[1]Petitioner provided a declaration and copies of the two file-stamped district court notices scheduling a hearing on his motions for December 3, stating that he lacks the funds to pay the download fee.

demonstrated that he meets the requirements under NRAP 24 to waive the filing fee. Although he states that the district court granted him leave to proceed in forma pauperis, he has not provided a copy of any such order to this court. Accordingly, this court denies the petition and motions for relief. We anticipate the district court will rule on petitioner's motions in a timely manner.

It is so ORDERED.

Pickering, J.

Parraguirre, J.

Bell, J.

cc: Hon. Mari D. Parlade
Legal Aid Center of Southern Nevada, Inc.
Michael William Dutra
The Eighth Judicial District Court of the State of Nevada, in and for the County of Clark