

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROBIN OLIVEAUX POWELL,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
STEVEN E. JONES, DISTRICT JUDGE,
FAMILY COURT DIVISION,
Respondents,
and
JAMES EDWARD POWELL,
Real Party in Interest.

No. 41924

FILED

OCT 03 2003

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK


ORDER DENYING PETITION FOR
WRIT OF MANDAMUS, PROHIBITION OR CERTIORARI


This is an original petition for a writ of mandamus, prohibition or certiorari challenging a prospective district court order that determines that Nevada is the child's home state under the Uniform Child Custody Jurisdiction Act, and modifies the child custody arrangement.


We have considered this petition, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted at this time. In particular, it appears that petitioner has an adequate legal

remedy in the form of an appeal from the order changing child custody.¹ An order granting a motion to change custody is an appealable order, from which petitioner may appeal if she is aggrieved.² Accordingly, we deny the petition.³

It is so ORDERED.


_____, J.
Becker


_____, J.
Shearing


_____, J.
Gibbons

¹See Guerin v. Guerin, 114 Nev. 127, 131, 953 P.2d 716, 719 (1998) (recognizing that an appeal is an adequate legal remedy) abrogated on other grounds by Pengilly v. Rancho Santa Fe Homeowners, 116 Nev. 646, 5 P.3d 569 (2000); NRS 34.020(2) (providing that a writ of certiorari may issue only if there is no appeal or other adequate remedy); NRS 34.170 (stating that a writ of mandamus may only issue if there is no other adequate and speedy legal remedy); NRS 34.330 (indicating that a writ of prohibition may only issue if there is no adequate and speedy legal remedy).

²See NRAP 3A(a); NRAP 3A(b)(2); NRAP 4(a)(1).

³See NRAP 21(b).

cc: Hon. Steven E. Jones, District Judge, Family Court Division
Lynn R. Shoen, Chtd.
Amy M. Mastin
Clark County Clerk