

SUPREME COURT OF NEVADA

White v. The Eighth Judicial District Court

White · No. 85312 · Decided September 30, 2022

SUMMARY

The Supreme Court of Nevada denied Kimberly White's pro se emergency petition for a writ of mandamus arising from interim orders in a custody action. The court found that the petition failed to satisfy multiple requirements of NRAP 21 and NRAP 27, including proper service, identification of real parties in interest, supporting documentation, verification, and required certificates, and denied the petition without prejudice.

OPINION

PER CURIAM.

IN THE SUPREME COURT OF THE STATE OF NEVADA KIMBERLY WHITE, No. 85312
Petitioner, vs. THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF
NEVADA, IN AND FOR THE COUNTY OF CLARK; AND THE
HONORABLE VINCENT OCHOA, DISTRICT JUDGE, Respondents.
ORDER DENYING PETITION FOR WRIT OF MANDAMUS This
original, pro se, emergency petition for a writ of mandamus challenges multiple interim district
court orders in a custody action.

The petition does not comply with several statutory and court rule requirements, such that it appears not all of the parties were provided proper notice and this court is unable to fully understand the matters set forth in the petition. NRAP 21 governs writ petitions filed in this court and requires petitioners to (a) name in the petition's caption and serve the respondent judge and all real parties in interest, and also to serve any other parties to the district court action, NRAP 21(a)(1) & (2); (b) comply with the content requirements of NRAP 21(a)(3); (c) include with the petition necessary documentation supporting the request for relief, NRAP 21(a)(4) (petitioner must provide all documents essential to understanding the matters set forth in the petition); (d) verify the petition by affidavit or declaration of the petitioner, NRAP 21(a)(5); see NRS 34.170; (e) include a certificate of compliance with NRAP 21(d)'s page/word count limit, NRAP 21(e); and (f) for emergency petitions, comply with NRAP 27(e)'s certificate requirements.

NRAP 21(a)(6). SUPREME COURT OF NEVADA III! 147,1 30c1S Here, petitioner, the paternal grandmother of the children subject to the custody proceeding, failed to name the children's parents, who are parties below, as real parties in interest and to serve them with the petition. Additionally, although the petition discusses and challenges several orders and rulings issued by

the district court in the underlying custody matter, no copies of those orders were submitted in any appendix to the petition, nor was any transcript, copy of court minutes, or other documentation provided.'

Finally, petitioner failed to sign the petition and to include an affidavit or declaration verifying the petition, an NRAP 27(e) certificate, and a certificate of compliance. In light of these defects, we are unable to consider this petition, and without prejudice to petitioner's ability to file a petition that complies with court rules and relevant statutes in the future, we ORDER the petition DENIED.

Parraguirre.444c..x Hardesty Stiglich cc: Hon. Vincent Ochoa, District Judge Kimberly White Attorney General/Carson City Clark County District Attorney Eighth District Court Clerk 'Petitioner did provide four photos of the children as exhibits. It is unclear whether those photos are part of the record below.

In light of this order, we direct the clerk of this court to return, unfiled, the photos provisionally received on September 12, 2022. 2