

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROBERT SCOTLUND VAILE,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
CHERYL MOSS, DISTRICT JUDGE,
FAMILY COURT DIVISION,

Respondents,

and

CISILIE A. PORSBOLL F/K/A CISILIE
A. VAILE,

Real Party in Interest.

No. 55446

FILED

FEB 19 2010

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER GRANTING TEMPORARY STAY
AND DIRECTING ANSWER

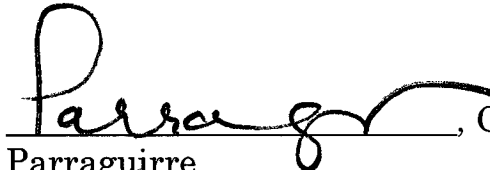
This original proper person petition for a writ of mandamus or prohibition challenges a district court oral ruling that requires petitioner to deposit funds with the court or be held in contempt. Petitioner has also submitted an emergency motion to expedite consideration of the petition in light of a March 8, 2010, deadline for depositing the funds, as well as a hearing set for that date.¹ Having reviewed the petition, motion, and exhibits, we conclude that a temporary stay of the district court's requirement that petitioner deposit funds with the district court is warranted, pending receipt and review of real party in interest's opposition. Accordingly, we temporarily stay that portion of the district


¹We direct the clerk of this court to file the proper person motion provisionally received on February 17, 2010.

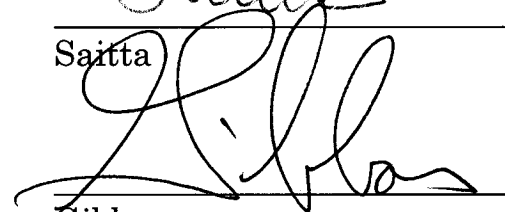
court's ruling that requires petitioner to deposit funds with the district court, pending further order of this court.² No other proceedings are stayed, and the hearing currently set for March 8, 2010, may be held as scheduled.

Also, having reviewed the petition, it appears that petitioner has set forth issues of arguable merit and that petitioner may have no plain, speedy, and adequate remedy in the ordinary course of the law. Therefore, the real party in interest, on behalf of respondents, shall have 30 days from the date of this order within which to file an answer, including authorities, against issuance of the requested writ, limited to the issue of whether the 2003 attorney fees judgment was properly renewed as required by statute and this court's precedent.

It is so ORDERED.


_____, C.J.
Parraguirre


_____, J.
Saitta


_____, J.
Gibbons

²Real party in interest's opposition to the stay motion is due by March 2, 2010.

cc: Hon. Cheryl B. Moss, District Judge, Family Court Division
Robert Scotlund Vaile
Willick Law Group
Eighth District Court Clerk