

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

MINH NGUYET LUONG,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
DAWN THRONE, DISTRICT JUDGE,
Respondents,
and
JAMES W. VAHEY,
Real Party in Interest.

No. 84522-COA

FILED

APR 08 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT

BY 
DEPUTY CLERK

*ORDER DIRECTING SUPPLEMENTAL APPENDIX
AND DIRECTING ANSWER*

This original, emergency petition for a writ of mandamus or prohibition challenges a March 21, 2022, oral ruling requiring the parties' children to attend the Turning Point for Families program and "sequester" with real party in interest afterward.¹

This court ordinarily will not consider a petition for extraordinary relief in the absence of a written district court order. *See Rust v. Clark Cty. Sch. Dist.*, 103 Nev. 686, 689, 747 P.2d 1380, 1382 (1987) (providing that an oral pronouncement from the bench is not valid for any purpose). Petitioner indicates that a written order was entered on April 5, 2022, but she failed to submit any such order with her petition. Further, it is unclear from the petition whether a decree of divorce has been filed and,

¹Petitioner's motion for leave to file a writ petition that exceeds the NRAP 21(d) page/word limit is granted; the petition was filed on April 8, 2022.

as a result, at what stage of the proceedings the underlying ruling took place. Accordingly, petitioner shall have until Tuesday, April 12, 2022, to file a supplemental appendix containing file-stamped copies of any written district court order reflecting the March 21 ruling and any divorce decree.

Further, having reviewed the petition, it appears that an answer may assist this court in resolving this matter. Therefore, real party in interest, on behalf of respondents, shall have 7 days from the date of this order to file and serve an answer, including authorities, against issuance of the requested writ. Petitioner may file and serve any reply within 3 days from the date that the answer is served. No extensions of time will be granted absent extreme and unforeseeable circumstances demonstrated by written motion.²

It is so ORDERED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

²NRAP 27(e) requires petitioners seeking emergency writ relief to file the petition as the earliest possible time and to explain their efforts to first obtain relief from the district court. *See* NRAP 21(a)(6); *TRP Fund VI, LLC v. PHH Mortg. Corp.*, 138 Nev., Adv. Op. 21, ___ P.3d ___ (2022). Petitioner did not do so here, nor did she seek a stay of the district court's ruling in this court, instead filing a lengthy petition raising significant and novel issues and seeking writ relief that same day. While we decline to issue same-day relief under these circumstances and where real party in interest has not had an opportunity to respond, we recognize that expedited consideration is appropriate.

cc: Hon. Dawn Throne, District Judge, Family Court Division
Willick Law Group
The Dickerson Karacsonyi Law Group
Eighth District Court Clerk