

IN THE SUPREME COURT OF THE STATE OF NEVADA

WILLIAM BAUER; AND AMY BAUER,
Petitioners,
vs.
THE SECOND JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
WASHOE; AND THE HONORABLE
EGAN K. WALKER, DISTRICT JUDGE,
Respondents,
and
IN THE MATTER OF GUARDIANSHIP
ELIZABETH ELAINE BAUER, ADULT
WARD,
Real Party in Interest.

No. 62025

FILED

NOV 02 2012

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *D. Malone*
DEPUTY CLERK

ORDER DIRECTING ANSWER

This is an original petition for a writ of mandamus or, in the alternative, prohibition that challenges the district court's authority to conduct hearings in the underlying guardianship proceeding concerning the status of the adult ward's health care. Having considered the petition, it appears that petitioners have set forth issues of arguable merit and that petitioners 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 until noon on Monday, November 5, 2012, to file and serve an answer, including authorities, against issuance of the requested writ. The real party in interest's answer shall address all of the issues raises in the petition, and shall include points and authorities as to whether the district court, in the absence of a petition to remove the existing guardians under NRS 159.1853 or a petition to terminate or modify the existing

guardianship under NRS 159.1905, had the legal authority to enter the September 27, 2012, order setting a status conference and, thereafter, scheduling a series of evidentiary hearings to address the health care decisions concerning the adult ward. We defer ruling on petitioners' motion for a stay pending receipt and consideration of the answer to the petition and any opposition to the stay.

It is so ORDERED.¹

 _____, A.C.J.

cc: Hon. Egan K. Walker, District Judge
Guinasso Law, Ltd.
Sinai Schroeder Mooney Boetsch Bradley & Pace
Washoe District Court Clerk

¹For the purpose of this petition, we suspend application of NRAP 25(a)(2)(B)(ii)-(iv), which provides that a document is timely filed if, on or before its due date, it is mailed to this court, dispatched for delivery within three calendar days by a third-party commercial carrier, or deposited in the supreme court drop box. All further documents submitted in this matter shall be filed personally, electronically, or by facsimile transmission with the clerk of this court in Carson City. See NRAP 2; NRAP 25(a)(2)(B)(i); NRAP 25(a)(4). In addition, service of all documents shall be personal, electronic, or by fax.