

IN THE SUPREME COURT OF THE STATE OF NEVADA

ALFRED P. CENTOFANTI, III,  
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK, AND THE HONORABLE  
DONALD M. MOSLEY, DISTRICT  
JUDGE,

Respondents,

and

THE STATE OF NEVADA,  
Real Party in  
Interest.

No. 43895

**FILED**

SEP 08 2004

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

ORDER DIRECTING ANSWER AND  
GRANTING TEMPORARY STAY

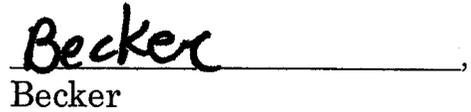
This petition for a writ of mandamus or, in the alternative, prohibition challenges an order of the district court denying petitioner's motion for a new trial, seeks an order prohibiting the district court from sentencing petitioner and seeks a stay of proceedings pending resolution of the petition.

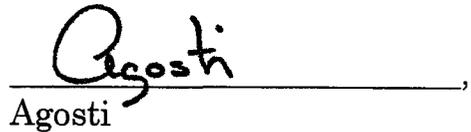
Having reviewed the petition, it appears that petitioner has set forth issues of arguable merit, and that petitioner has no plain, speedy and adequate remedy in the ordinary course of law. Accordingly, we direct counsel for the real party in interest, on behalf of respondents, to file an answer against issuance of the requested writ within 20 days from the date of this order. Further, we temporarily stay all proceedings in Eighth

Judicial District Court Case No. C172534 pending receipt and consideration of the answer and pending further order of this court.

It is so ORDERED.

  
Shearing, C.J.

  
Becker, J.

  
Agosti, J.

cc: Hon. Donald M. Mosley, District Judge  
Carmine J. Colucci & Associates  
Attorney General Brian Sandoval/Carson City  
Clark County District Attorney David J. Roger  
Clark County Clerk