

IN THE SUPREME COURT OF THE STATE OF NEVADA

KEITH MATHAHS,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
VALERIE ADAIR, DISTRICT JUDGE,
Respondents,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 61359

FILED

SEP 12 2012

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

ORDER DENYING MOTIONS

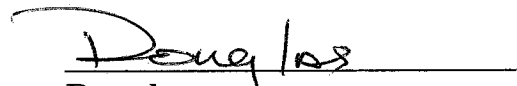
Petitioner has filed two motions to stay proceedings in the district court pending resolution of this original writ petition. The State has opposed both motions.¹


The first motion seeks a stay of the trial scheduled in the underlying criminal prosecution, docketed in the Eighth Judicial District Court as 10C265107 and assigned to Department 21. The trial currently is scheduled for October 22, 2012. Although the real party's answer to the petition is not due until September 17, 2012, there currently is sufficient time for this court to resolve this original proceeding before the scheduled trial date. Accordingly, we deny the motion filed on August 21, 2012, without prejudice.

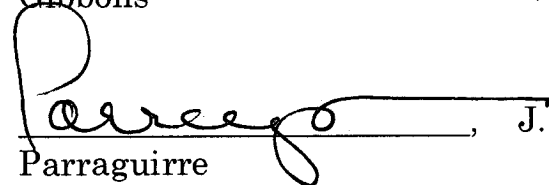
¹The State's opposition to the first motion was included in the motion for an extension of time that was filed on August 21, 2012.

The second motion seeks a stay of the proceedings in a separate criminal prosecution, docketed in the Eighth Judicial District Court as C-12-283381 and assigned to Department 23. That proceeding is not the subject of this original proceeding. Additionally, petitioner was only recently arraigned on the indictment in that case and no trial date has been set. Under the circumstances, there is no reason for this court to stay the proceedings in that case at this time. Accordingly, the motion filed on September 10, 2012, is denied without prejudice.

It is so ORDERED.


_____, J.
Douglas


_____, J.
Gibbons


_____, J.
Parraguirre

cc: Hon. Valerie Adair, District Judge
Hon. Stefany Miley, District Judge
Gordon & Silver, Ltd.
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk