

IN THE SUPREME COURT OF THE STATE OF NEVADA

LUIS HIDALGO, III AND ANABEL
ESPINDOLA,
Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, THE HONORABLE DONALD
M. MOSLEY, DISTRICT JUDGE,
Respondents,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 48233

FILED

FEB 21 2008

TRACIE K. KINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

ORDER WITHDRAWING OPINION, RECALLING WRIT, AND
DIRECTING ANSWER TO PETITION FOR REHEARING

The State has petitioned this court for rehearing of the opinion in Hidalgo v. District Court¹ entered by this court on December 27, 2007. Having reviewed the petition, it appears that an answer will assist the court in resolving the issues presented. Accordingly, petitioners shall have 15 days from the date of this order within which to file and serve an

¹123 Nev. ___, ___ P.3d ___ (Adv. Op. No. 59, December 27, 2007).

answer to the petition.² Further, we direct the clerk of this court to withdraw our prior opinion from publication pending our resolution of the petition for rehearing, and we recall the writ of mandamus previously issued in this matter.

It is so ORDERED.

Gibbons, C.J.
Gibbons

Maupin, J.
Maupin

Hardesty, J.
Hardesty

Parraguirre, J.
Parraguirre

Douglas, J.
Douglas

Cherry, J.
Cherry

Saitta, J.
Saitta

cc: Hon. Donald M. Mosley, District Judge
Gentile DePalma, Ltd.
JoNell Thomas
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Eighth District Court Clerk

²See NRAP 40.