

IN THE SUPREME COURT OF THE STATE OF NEVADA

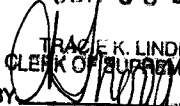
LUIS HIDALGO, III,
Petitioner,

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

JUN 05 2008
TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

WRIT OF MANDAMUS

TO: The Honorable Donald M. Mosley, Judge of the Eighth Judicial District Court:

WHEREAS, this Court having made and filed its written decision that a writ of mandamus issue,

NOW, THEREFORE, you are directed to strike the two aggravating circumstances alleging solicitation to commit murder as prior violent felonies pursuant to NRS 200.033(2) and to allow the State to amend its notice of intent to seek the death penalty to declare the factual allegations supporting the pecuniary gain aggravator in a clear, comprehensible manner and to further explain its allegation that the victim's murder served to further the business interests of the Palomino Club, in the case entitled State vs. Hidalgo, case no. C212667.

WITNESS The Honorables Mark Gibbons, Chief Justice, James W. Hardesty, Ron Parraguirre, Michael L. Douglas, Michael A. Cherry, and

08-13559

Nancy M. Saitta, Associate Justices of the Supreme Court of the State of Nevada, and attested by my hand and seal this 29th day of May, 2008.



Bruce A. Horstmann
Chief Assistant Clerk

1 IN THE SUPREME COURT OF THE STATE OF NEVADA

2
3
4 LUIS HIDALGO, III and ANABEL
5 ESPINDOLA,

6 Petitioners,

7 vs.

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

11 Respondents.

12 and

13 THE STATE OF NEVADA,

14 Real Party in Interest.
15

16 **CERTIFICATE OF SERVICE**

17 The undersigned, an employee of Gordon & Silver, Ltd., hereby certifies that on the 3rd
18 day of June, 2008, she served a copy of the Writ of Mandamus, by hand delivery addressed to:

19 The Honorable Donald M. Mosley
20 Department 14
200 Lewis Avenue
21 Las Vegas, NV 89155

22 
23 An employee of GORDON & SILVER, LTD.
24
25
26
27
28