

IN THE SUPREME COURT OF THE STATE OF NEVADA

LUIS PIMENTEL,

Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
CAROLYN ELLSWORTH, DISTRICT
JUDGE,

Respondents,

and

THE STATE OF NEVADA,

Real Party in Interest.

No. 66304

FILED

AUG 19 2014

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

ORDER

This emergency petition for a writ of prohibition or mandamus challenges a district court order denying petitioner's pretrial petition for a writ of habeas corpus in which he contended that the information improperly charges him with first-degree murder based on premeditated murder and "challenge to fight" because first-degree murder and "challenge to fight" are separate offenses, *see* NRS 200.030; NRS 200.450, and insufficient evidence was presented at the preliminary hearing to establish probable cause. Having reviewed the petition, we have determined that an answer would assist the court in resolving the petition. Accordingly, the real party in interest, on behalf of respondents, shall have 20 days from the date of this order to file an answer, including authorities, against issuance of the requested writ.

Further, petitioner's appendix indicates that the district court held a hearing on his habeas petition and directed petitioner's counsel to prepare an order denying the petition. Neither a transcript of the hearing

nor the district court's order is included in the appendix. We conclude that these documents are necessary to this court's resolution of the petition. Accordingly, petitioner shall have 11 days from the date of this order to file a supplemental appendix that includes a transcript of the hearing on petitioner's habeas petition and the district court's order resolving the petition.

It is so ORDERED.

 C.J.

cc: Hon. Carolyn Ellsworth, District Judge
Clark County Public Defender
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk