

IN THE SUPREME COURT OF THE STATE OF NEVADA

PACIFIC WESTERN BANK, A
CALIFORNIA BANKING
CORPORATION,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
SUSAN SCANN, DISTRICT JUDGE,
Respondents,

and

DARRIN D. BADGER, AN
INDIVIDUAL; AND VINCENT T.
SCHETTLER, AN INDIVIDUAL,
Real Parties in Interest.

No. 69048

FILED

JUL 28 2016

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER TO SHOW CAUSE

This is an original petition for a writ of mandamus challenging a district court order in an action to enforce a domesticated judgment. In *Badger v. Eighth Judicial District Court*, 132 Nev., Adv. Op. 39, ___ P.3d ___ (2016), this court granted Badger's petition for writ of mandamus and directed the clerk of this court to issue a writ of mandamus instructing the district court to enter an order granting Badger's motion to dismiss and motion for summary judgment. Therefore, it appears that this petition is moot. This court's duty is "to decide actual controversies by a judgment which can be carried into effect, and not to give opinions upon moot questions" *NCAA v. University of Nevada*, 97 Nev. 56, 57, 624 P.2d 10, 10 (1981). Accordingly, counsel for appellant shall have twenty days

from the date of this order to show cause as to why this petition should not be dismissed as moot.

It is so ORDERED.

Cherry J.
Cherry

cc: District Judge, Department 29
Snell & Wilmer, LLP/Las Vegas
Reid Rubinstein/Bogatz
Glen J. Lerner & Associates
Fox Rothschild, LLP, Las Vegas
Eighth District Court Clerk