

IN THE SUPREME COURT OF THE STATE OF NEVADA

JACK BANKA,  
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. 79014

**FILED**

**JUN 21 2019**

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

***ORDER DIRECTING DISTRICT COURT TO IMMEDIATELY  
TRANSMIT WRITTEN ORDER, MINUTES, OR JAVS RECORDING***

This original petition for a writ of mandamus challenges the district court's asserted refusal to allow petitioner to substitute counsel and continue trial. Petitioner has also filed an emergency motion to stay trial, which is scheduled to commence on Monday, June 24, 2019, at 1 p.m. There appears to exist a conflict between what petitioner and the State, in its opposition to the stay motion, assert occurred, and the parties represent that neither a transcript nor minutes of the district court hearing during which substitution was discussed is available. Accordingly, we direct the respondent district court to immediately transmit to this court a written order on the substitution of counsel matter, minutes from the applicable hearing, or a copy of the pertinent JAVS recording. The court should

transmit the order, minutes or recording as soon as possible, and no later than 9 a.m. on Monday morning, June 24, 2019.

It is so ORDERED.

Pickering, J.  
Pickering

Cadish, J.  
Cadish

cc: Hon. Carolyn Ellsworth, District Judge  
Law Offices of John G. Watkins  
The Pariente Law Firm, P.C.  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk