

IN THE SUPREME COURT OF THE STATE OF NEVADA

WILBER ERNESTO MARTINEZ  
GUZMAN,  
Petitioner,  
vs.

THE SECOND JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
WASHOE; AND THE HONORABLE  
CONNIE J. STEINHEIMER, DISTRICT  
JUDGE,  
Respondents,  
and  
THE STATE OF NEVADA,  
Real Party in Interest.

No. 82342

FILED

APR 08 2021

ELIZABETH J. HARRIS  
CLERK OF SUPREME COURT  
BY: *[Signature]*  
DEPUTY CLERK

*ORDER GRANTING STAY*

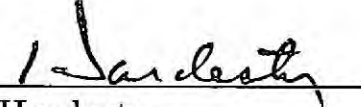
This original petition seeks a writ of mandamus directing the district court to vacate its deadline for petitioner to file a motion for a declaration of intellectual disability under NRS 174.098(1). Petitioner has filed an emergency motion to stay the district court's deadline for him to file an NRS 174.098(1) motion pending the resolution of his writ petition. In addition, petitioner has filed an appendix in support of his emergency motion. Real party in interest has opposed the motion and petitioner has filed a reply.

In considering whether to grant such a stay, we are guided by the following factors: (1) whether the object of the writ petition will be defeated if the stay is denied; (2) whether the petitioner will suffer irreparable or serious injury if the stay is denied; (3) whether the real party in interest will suffer irreparable or serious injury if the stay is granted; and (4) whether the petitioner is likely to prevail on the merits in the appeal.

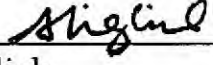
NRAP 8(c). As we have explained, no single factor is dispositive and a strong showing on some factors may counterbalance weak factors. *See State v. Robles-Nieves*, 129 Nev. 537, 542, 306 P.3d 399, 403 (2013).

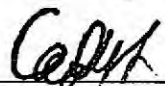
Applying these principles, and having considered petitioner's emergency motion and supporting appendix, real party in interest's opposition, and petitioner's reply, we conclude that, on balance, the pertinent factors weigh in favor of a stay. Accordingly, we grant petitioner's motion to stay pending further order of this court.

It is so ORDERED.

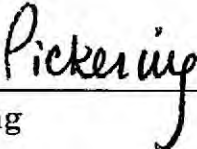
, C.J.  
Hardesty


, J.  
Parraguirre

, J.  
Stiglich

, J.  
Cadish

, J.  
Silver

, J.  
Pickering

, J.  
Herndon

cc: Hon. Connie J. Steinheimer, District Judge  
Washoe County Public Defender  
Attorney General/Carson City  
Washoe County District Attorney  
Douglas County District Attorney/Minden  
Washoe District Court Clerk