

IN THE SUPREME COURT OF THE STATE OF NEVADA

FILED

DEREK JOHNSTON

Petitioner

VS.

DEC 22 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF CLARK, AND THE HONORABLE MARY
KAY HOLTHUS, DISTRICT COURT JUDGE,

Respondent

And

THE STATE OF NEVADA

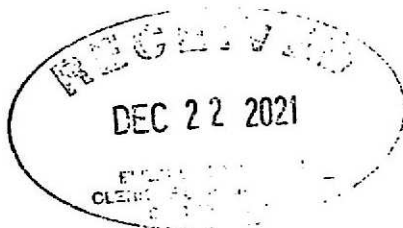
Real Party in Interest

Docket No.

Petition for Writ of Mandamus
Eighth Judicial District Court & The Honorable Mary Kay Holthus
District Court No. C-21-354689-1

EMERGENCY PETITION UNDER NRAP 27(c)
FOR WRIT OF MANDAMUS
(to be heard by December 30th, 2021)

LEGAL RESOURCE GROUP, LLC
T. Augustus Claus (NVB# 10004)
205 N. Stephanie St., Suite D221
Henderson, NV 89074
Telephone: (702) 463-4900
Fax: (702) 463-4800



IN THE SUPREME COURT OF THE STATE OF NEVADA

DEREK JOHNSTON,

Petitioner,

v.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
MARY KAY HOLTHUS, DISTRICT
COURT JUDGE,

Respondents,

And

THE STATE OF NEVADA,
Real Party in Interest

Supreme Court No.:

District Court No.: C-21-354689-1

Dept. No.: 18

EMERGENCY PETITION UNDER NRAP 27(e)
FOR WRIT OF MANDAMUS (to be heard by December 30th, 2021)

COMES NOW PETITIONER, DEREK JOHNSTON, by and through his attorney of record, T. AUGUSTUS CLAUS of the LEGAL RESOURCE GROUP and submits this Emergency Petition for Writ of Mandamus with the following Points and Authorities. This Petition is brought pursuant to NRAP 21(a) and NRAP 27(e) for issuance of a Writ of Mandamus directing the Honorable Judge Holthus to cease holding Derek Johnston without bail and directing the district court to release Derek Johnston pending the State's evidentiary proof of the alleged violations while on supervised pretrial release.

VERIFICATION

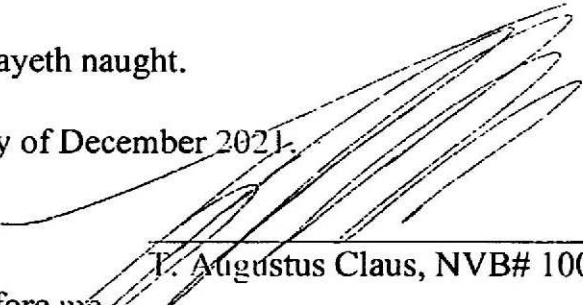
STATE OF NEVADA)
) ss.
COUNTY OF CLARK)

T. Augustus Claus, being first duly sworn on oath, deposes and states as follows:

1. That I am the attorney for the Petitioner, Derek Johnston, in the above entitled action.
2. That the legal analysis, argument, procedural history, facts and references to the record contained in the foregoing emergency petition for writ of mandamus are within my personal knowledge and are true and accurate to the best of my knowledge or are based upon information and belief.

Further your affiant sayeth naught.

Executed this 22nd day of December 2021.



T. Augustus Claus, NVB# 10004

Subscribed and sworn to before me
this 22nd day of December, 2021



NOTARY PUBLIC, STATE OF NEVADA
COUNTY OF CLARK

