

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROBERT SPRETNAK, AN INDIVIDUAL
AND ELECTOR CITIZEN,
Petitioner,

vs.

HARVARD L. LOMAX, REGISTRAR OF
VOTERS FOR CLARK COUNTY,
NEVADA; AND DAVID ROGER, CLARK
COUNTY DISTRICT ATTORNEY, IN
THEIR OFFICIAL CAPACITIES,
Respondents,

and

BRUCE L. WOODBURY, IN HIS
CAPACITY AS CANDIDATE FOR
CLARK COUNTY COMMISSIONER,
DISTRICT A; ROSS MILLER, IN HIS
CAPACITY AS NEVADA SECRETARY
OF STATE,

Real Parties in Interest.

No. 51833

FILED

SEP 04 2008

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

ORDER DENYING AS MOOT PETITION FOR WRIT OF MANDAMUS


This original petition for a writ of mandamus seeks to exclude real party in interest Bruce L. Woodbury's name from the 2008 primary and general election ballots, under the Nevada Constitution's term-limit provision. Real parties in interest filed answers, as directed.

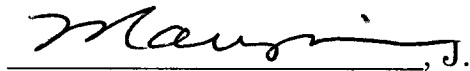
Thereafter, in the context of another proceeding, Secretary of State v. Burk,¹ we determined that Woodbury was not qualified to run for another term in his current office because, at the expiration of his term in 2008, he will have already completed the maximum number of years that

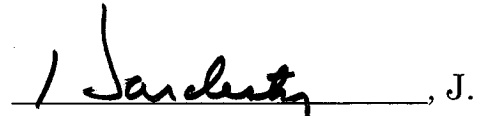
¹124 Nev. ___, ___ P.3d ___ (Adv. Op. No. 56, July 25, 2008).

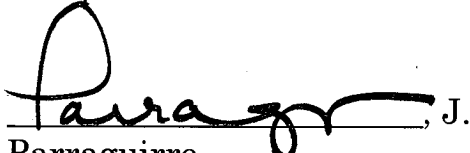
he is allowed to serve under the Nevada Constitution's Article 15, Section 3(2) term-limit provision; thus, we directed that his name be excluded from the 2008 general election ballot. Accordingly, as the relief sought by petitioner Robert Spretnak has been granted in the context of Burk, we deny this writ petition as moot.²

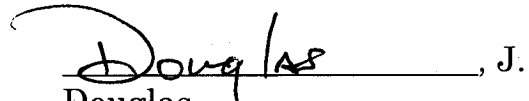
It is so ORDERED.

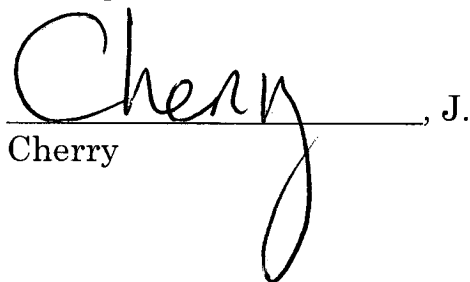

Gibbons, C.J.
Gibbons

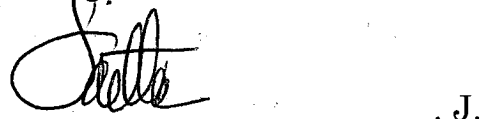

Maupin, J.
Maupin


Hardesty, J.
Hardesty


Parraguirre, J.
Parraguirre


Douglas, J.
Douglas


Cherry, J.
Cherry


Saitta, J.
Saitta

²See University Sys. v. Nevadans for Sound Gov't, 120 Nev. 712, 720, 100 P.3d 179, 186 (2004) (recognizing that “the duty of every judicial tribunal is to decide actual controversies by a judgment which can be carried into effect, and not to give opinions upon moot questions or abstract propositions, or to declare principles of law which cannot affect the matter in issue before it” (quoting NCAA v. University of Nevada, 97 Nev. 56, 57, 624 P.2d 10, 10 (1981))).

cc: Law Offices of Gamage & Gamage
Mueller Hinds & Associates
Clark County District Attorney
Harvard L. Lomax
Attorney General Catherine Cortez Masto/Carson City
Jones Vargas/Las Vegas
Bruce L. Woodbury