

IN THE SUPREME COURT OF THE STATE OF NEVADA

EUTIQUIO BERBER GONZALES,
Petitioner,

vs.

THE SIXTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
HUMBOLDT, AND THE HONORABLE
JOHN M. IROZ, DISTRICT JUDGE,
Respondent,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 52304

FILED

SEP 26 2008

TRACY A. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

ORDER GRANTING MOTION AND DISMISSING PETITION

This original petition for a writ of mandamus challenges a district court decision to continue petitioner's sentencing hearing on two felony DUI charges. Petitioner has filed a motion to withdraw the petition because the district court has remanded the case to the justice court for sentencing. Cause appearing, we grant the motion and dismiss the petition.¹

It is so ORDERED.

[Signature]
Cherry

, J.

[Signature]
Maupin

, J.

Maupin

[Signature]
Saitta

, J.

¹See NRAP 21(b).

cc: Hon. John M. Iroz, District Judge
Humboldt County Public Defender
Humboldt County District Attorney
Humboldt County Clerk