

IN THE SUPREME COURT OF THE STATE OF NEVADA

THE STATE OF NEVADA,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE LEE
A. GATES,
Respondents,
and
GREGORY DEAN BARREN,
Real Party in Interest.

No. 58002

FILED

NOV 18 2011

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

ORDER DISMISSING PETITION

This original petition for a writ of mandamus or prohibition challenges a district court order granting a petition for a writ of mandamus. Petitioner previously filed a notice of appeal from the district court's order, which is pending in this court as Docket No. 57115, and subsequently filed this petition as a precautionary measure after the real party in interest questioned this court's jurisdiction in Docket No. 57115. Because we determined that we have jurisdiction over the appeal in Docket No. 57115 in an order entered in that matter on July 14, 2011, petitioner has an adequate remedy in the ordinary course of law. Accordingly, we dismiss this petition. See NRS 34.170; NRS 34.330.

It is so ORDERED.

Douglas, J.
Douglas

Hardesty, J.
Hardesty

Parraguirre, J.
Parraguirre

cc: Chief Judge, The Eighth Judicial District Court
Lee A. Gates, Senior Judge
Attorney General/Carson City
Clark County District Attorney
Clark County Public Defender
Eighth District Court Clerk