

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

THOMAS L. BOWLING,  
Petitioner,  
vs.  
JOSEPH S. PAVLIKOWSKI; AND  
MICHELLE LEAVITT,  
Respondents.

No. 64746

**FILED**

MAR 02 2015

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

*ORDER DISMISSING IN PART AND DENYING IN PART PETITION  
FOR WRIT OF QUO WARRANTO*

This is an original pro se petition seeking a writ of quo warranto.<sup>1</sup>

Petitioner Thomas L. Bowling seeks a writ of quo warranto in an effort to oust respondents, retired district court judge Joseph S. Pavlikowski and current Eighth Judicial District Court judge Michelle Leavitt from the office of district court judge for the Eighth Judicial District Court of the State of Nevada. With regard to Bowling's petition to remove Judge Pavlikowski from office, Judge Pavlikowski has retired, and thus, no longer occupies the office of district court judge.<sup>2</sup> As a result, Bowling's petition for quo warranto relief is moot to the extent that it seeks to remove Judge Pavlikowski from that office, and we therefore

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<sup>1</sup>We direct the clerk of the court to modify the caption on the docket for this case to conform to the caption on this order.

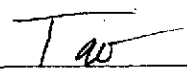
<sup>2</sup>We take judicial notice of the fact that Judge Pavlikowski has retired, and thus, no longer occupies the office of district court judge. NRS 47.130(2)(b) (permitting a court to take judicial notice of facts "[c]apable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned"); *Yellow Cab of Reno, Inc. v. Second Judicial Dist. Court*, 127 Nev. \_\_\_, \_\_\_ n.4, 262 P.3d 699, 704 n.4 (2011) (taking judicial notice of the 2000 United States Census).

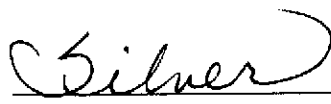
dismiss the petition as to Judge Pavlikowski. *Personhood Nev. v. Bristol*, 126 Nev. \_\_\_, \_\_\_, 245 P.3d 572, 574 (2010) (providing that a case is moot when a live controversy no longer exists).

Turning to Bowling's petition to remove Judge Michelle Leavitt from the office of district court judge for the Eighth Judicial District Court, we conclude that Bowling lacks standing to file either a statutory quo warranto action or a constitutional petition for a writ of quo warranto, as he has not identified any interest that he has in this office or in the outcome of a quo warranto petition that is distinct from that of the general public. See NRS 35.040; NRS 35.050; *Lueck v. Teuton*, 125 Nev. 674, 219 P.3d 895 (2009). Indeed, Bowling's petition contains no arguments addressing his standing to pursue quo warranto relief in an effort to remove Judge Leavitt from office. See *Edwards v. Emperor's Garden Rest.*, 122 Nev. 317, 330 n.38, 130 P.3d 1280, 1288 n.38 (2006) (stating that a party has the responsibility to present cogent arguments and salient authority in support of his concerns before an appellate court). Under these circumstances, we conclude that Bowling's petition to remove Judge Leavitt from office should be denied.

It is so ORDERED.<sup>3</sup>

  
\_\_\_\_\_, C.J.  
Gibbons

  
\_\_\_\_\_, J.  
Tao

  
\_\_\_\_\_, J.  
Silver

<sup>3</sup>In light of this order, we deny as moot any relief requested in petitioner's February 14, 2014, motion for order to show cause and his April 1, 2014, motion for a status check.

cc: Thomas L. Bowling  
Attorney General/Carson City  
Eighth District Court Clerk