## IN THE SUPREME COURT OF THE STATE OF NEVADA

LAS VEGAS METROPOLITAN POLICE DEPARTMENT,

Petitioner,

VS.

THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF CLARK; AND THE HONORABLE MARK B. BAILUS, DISTRICT JUDGE, Respondents,

and

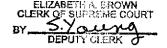
THE STATE OF NEVADA; AND DAVID MICHAEL FROSTICK.

Real Parties in Interest.

No. 74001



SEP 0.7 2018



## ORDER DENYING PETITION FOR WRIT OF PROHIBITION OR MANDAMUS

This original petition for a writ of prohibition or mandamus challenges a district court order compelling production of a Critical Incident Review Team (CIRT) report.

Having considered the parties' arguments, we are not persuaded that our extraordinary intervention is warranted. Pan v. Eighth Judicial Dist. Court, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004); Smith v. Eighth Judicial Dist. Court, 107 Nev. 674, 679, 818 P.2d 849, 853 (1991). In particular, we are not persuaded that the district court erred in determining that the CIRT report contained Brady¹ material, see State v. Huebler, 128 Nev. 192, 198, 275 P.3d 91, 95-96 (2012) (reviewing de novo a

<sup>&</sup>lt;sup>1</sup>Brady v. Maryland, 373 U.S. 83 (1963).

district court's determination regarding a *Brady* claim), and petitioner conceded at oral argument that it would be required to produce the CIRT report if it contained *Brady* material.<sup>2</sup> Accordingly, we

ORDER the petition DENIED.

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	Douglas	0000.
Cherry	, J.	Gibbons, J.
acteure,	. J.	/ Jan lesty J.
Pickering		Hardesty
Parraguirre	, J.	stiglich, J.

cc: Hon. Mark B. Bailus, District Judge Charlotte M. Matanane Bible Marquis Aurbach Coffing Liesl K. Freedman Attorney General/Carson City Gregory & Waldo, LLC Clark County District Attorney Eighth District Court Clerk

<sup>&</sup>lt;sup>2</sup>We note that the district court ordered production of a redacted copy of the CIRT report.