

IN THE SUPREME COURT OF THE STATE OF NEVADA

COBRA THERMOSOLAR PLANTS,
INC.; AND AMERICAN HOME
ASSURANCE COMPANY,
Petitioners,

vs.

THE FIFTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF NYE;
AND THE HONORABLE STEVEN
ELLIOTT,

Respondents,


and

BRAHMA GROUP, INC.,
Real Party in Interest.

No. 80706

FILED

APR 15 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
CHIEF DEPUTY CLERK

*ORDER DENYING PETITION FOR A WRIT OF MANDAMUS, OR,
ALTERNATIVELY, PROHIBITION*

In this original petition for a writ of mandamus, or, alternatively, prohibition, petitioner asks this court to direct Nye County to vacate its order denying petitioner's motion for a stay and stay the entire action pending resolution of the Federal action.

We deny the instant petition as moot. "The question of mootness is one of justiciability. This court's duty is not to render advisory opinions but, rather, to resolve actual controversies by an enforceable judgment." *Personhood Nev. v. Bristol*, 126 Nev. 599, 602, 245 P.3d 572, 574 (2010). "A moot case is one which seeks to determine an abstract question which does not rest upon existing facts or rights." *Nat'l Collegiate Athletic Ass'n v. Univ. of Nev., Reno*, 97 Nev. 56, 58, 624 P.2d 10, 11 (1981). Here, this court entered an order staying the entire Nye County action in *Tonopah Solar Energy, LLC v. Fifth Judicial Dist. Court of State ex rel.*

County of Nye (*Brahma*), Docket No. 78256 (Order Granting Stay and Granting Motion to Strike, March 27, 2020). Thus, because the relief petitioner seeks has already been granted, we deny the instant petition as moot. Accordingly, we

ORDER the petition DENIED.

Pickering, C.J.
Pickering

Hardesty, J.
Hardesty

Cadish, J.
Cadish

cc: Chief Judge, The Fifth Judicial District Court
Hon. Steven Elliott, Senior Judge
Weil & Drage, APC
Kelley, Drye & Warren LLP
Peel Brimley LLP/Henderson
Nye County Clerk