

IN THE SUPREME COURT OF THE STATE OF NEVADA

INTERNATIONAL FIDELITY  
INSURANCE COMPANY AND  
BLACKJACK BONDING, INC.,  
Petitioners,

vs.

THE MUNICIPAL COURT OF THE  
CITY OF LAS VEGAS, COUNTY OF  
CLARK, AND THE HONORABLE  
GEORGE ASSAD, MUNICIPAL COURT  
JUDGE,

Respondents,

and

CITY OF LAS VEGAS,  
Real Party in Interest.

No. 42109

FILED

DEC 03 2004

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *J. Richards*  
CHIEF DEPUTY CLERK

ORDER DISMISSING PETITION FOR WRIT OF PROHIBITION

This original petition for a writ of prohibition challenges the Las Vegas Municipal Court's forfeiture of a bail bond exceeding \$2,500.


This writ petition arises out of a Las Vegas Municipal Court case. The defendant, Luis Anguiano, was arrested on a domestic battery charge. Petitioners posted Anguiano's bail bond in the amount of \$3,115, and Anguiano was released. Subsequently, Anguiano failed to appear before the Municipal Court and his bail was eventually forfeited.


The City of Las Vegas moved for entry of judgment on the forfeited bond. Petitioners opposed the judgment's entry, contending that the Municipal Court is not authorized to forfeit bonds exceeding \$2,500. The Municipal Court entered judgment on the bond, but stayed execution of the bond, pending resolution of this petition for a writ of prohibition. Subsequently, Anguiano was arrested on a bench warrant and appeared before the Municipal Court. The Municipal Court exonerated Anguiano's

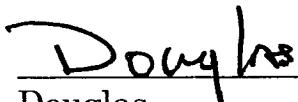
bail bond, and consequently, the underlying bond in this writ proceeding is no longer subject to judgment. Accordingly, this petition is moot.<sup>1</sup>

Further, this petition does not fall within the “capable of repetition, yet evading review” exception to the mootness doctrine,<sup>2</sup> nor does it present the significant public interest concerns found in Board of County Commissioners v. White.<sup>3</sup> Accordingly, we dismiss this petition.<sup>4</sup>

It is so ORDERED.<sup>5</sup>

\_\_\_\_\_, J.  
Rose

\_\_\_\_\_, J.  
Maupin

\_\_\_\_\_, J.  
Douglas

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<sup>1</sup>See NCAA v. University of Nevada, 97 Nev. 56, 58, 624 P.2d 10, 11 (1981).

<sup>2</sup>Langston v. State, Dep't of Mtr. Vehicles, 110 Nev. 342, 871 P.2d 362 (1994).

<sup>3</sup>102 Nev. 587, 729 P.2d 1347 (1986).

<sup>4</sup>NRAP 21(b); Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991).

<sup>5</sup>In light of this order, we deny petitioners' March 29, 2004 motion to stay forfeiture proceedings exceeding \$2,500, and petitioners' June 14, 2004 motion to file a reply in support of the stay motion.

cc: Honorable George Assad, Municipal Court Judge  
Jones Vargas/Las Vegas  
Deanne M. Rymarowicz  
Las Vegas City Attorney