

IN THE SUPREME COURT OF THE STATE OF NEVADA

CAROL CHAFFEE,
Appellant.

vs.

DAVID ROGER, CLARK COUNTY
DISTRICT ATTORNEY, AND LAS
VEGAS METROPOLITAN POLICE
DEPARTMENT,
Respondents.

No. 43037

FILED

MAY 27 2004

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

ORDER DECLINING TO ANSWER CERTIFIED QUESTION

Pursuant to NRAP 5, United States District Judge Edward C. Reed has certified a question to this court regarding the constitutionality of NRS 199.300(1)(b). The issue arose in the federal court in the context of an action for declaratory and injunctive relief challenging the facial constitutionality of the statute. Having carefully considered the federal court's certification order, we respectfully decline to answer the certified question under the circumstances presented in the federal action.

It is so ORDERED.

Shearing, C.J.
Shearing

Agosti, J.
Agosti

Rose, J.
Rose

Becker, J.
Becker

Maupin, J.
Maupin

Gibbons, J.
Gibbons

Douglas, J.
Douglas

cc: Hon. Edward C. Reed, United States District Court Judge
Carol Chaffee
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger/Civil Division
Clerk, United States District Court, District of Nevada