

IN THE SUPREME COURT OF THE STATE OF NEVADA

STEVEN B. GLADE, A MEMBER OF
THE BAR OF THE STATE OF
NEVADA, AND BARRY SHINEHOUSE,
AS TRUSTEE OF THE 1984
SHINEHOUSE FAMILY TRUST
ACTING DERIVATIVELY FOR
SADDLE WEST CASINO, INC., A
NEVADA CORPORATION,
Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
MICHAEL L. DOUGLAS, DISTRICT
JUDGE,

Respondents,

and

STEVEN J. DUESING, AN
INDIVIDUAL; DENNIS M. DUESING,
AN INDIVIDUAL; SADDLE WEST
CASINO, INC., A NEVADA
CORPORATION; SADDLE WEST
CASINO, A NEVADA LIMITED
PARTNERSHIP; SADDLE WEST
REALTY, INC., A NEVADA
CORPORATION; AND SADDLE WEST
REALTY, A NEVADA LIMITED
PARTNERSHIP,
Real Parties in Interest.

No. 43162

FILED

SEP 15 2004

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

ORDER DISMISSING PETITION FOR WRIT OF
MANDAMUS, PROHIBITION OR CERTIORARI

This original petition for a writ of mandamus challenges a district court order disqualifying petitioner Steven Glade as counsel for petitioner Barry Shinehouse, trustee. On July 20, 2004, petitioners filed a

motion for leave to withdraw their petition because the underlying case has settled. We grant the motion and dismiss this petition.¹ The parties shall bear their own fees and costs, if any.

It is so ORDERED.

Becker, J.
Becker

Agosti, J.
Agosti

Gibbons, J.
Gibbons

cc: Eighth Judicial District Court Dept. 11, District Judge
Steven B. Glade
Law Offices of Thomas D. Beatty
Hutchison & Steffen, Ltd.
Leavitt Sully & Rivers
Woods, Erickson, Whitaker & Miles, LLP

¹See NRAP 42. We note that the motion requests a dismissal without prejudice in the event that litigation to enforce the settlement becomes necessary, in which case petitioners would still wish to challenge the disqualification order. This court will only dismiss a matter with prejudice. But since a writ petition is addressed to this court's original jurisdiction and may be filed at any time (subject to any defenses such as laches), and since we have not ruled upon the merits of the petition, there appears to be no bar to a future petition.