

IN THE SUPREME COURT OF THE STATE OF NEVADA

MARC ZELLARS,

Petitioner,

vs.

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

Respondents,

and

EDMUND JOSE ZUNIGA,

Real Party in
Interest.

No. 44485

FILED

JAN 11 2005

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

ORDER DENYING PETITION
AND MOTION FOR STAY OF TRIAL

This petition for a writ of mandamus challenges the district court's denial of petitioner's "Motion to Disqualify Defense Counsel and to Continue Trial." Eighth Judicial District Court, Clark County; Stewart L. Bell, Judge. Petitioner has also filed an emergency motion requesting a stay of trial, which is currently set for January 12, 2005.

We have reviewed the petition, and we are not persuaded that this court's intervention by way of extraordinary writ is warranted at this time. See Smith v. District Court, 113 Nev. 1343, 950 P.2d 280 (1997). Accordingly, we deny the petition and the motion for a stay of trial.

It is so ORDERED.

Rose

Rose

J.

Gibbons

Gibbons

J.

Hardesty

Hardesty

J.

cc: Hon. Stewart L. Bell, District Judge
Cobeaga Tomlinson, LLP
Edwards, Hale, Sturman & Cushing, Ltd.
Clark County Clerk