

IN THE SUPREME COURT OF THE STATE OF NEVADA

THE STATE OF NEVADA,  
Petitioner,  
vs.  
THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK, THE HONORABLE LEE A.  
GATES, DISTRICT JUDGE,  
Respondents,  
and,  
DONTE JOHNSON,  
Real Party in Interest.

No. 45059

FILED

APR 13 2005

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

ORDER DENYING PETITION

We have considered the petition on file herein, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted at this time.<sup>1</sup> Further, we deny the State's motion for a stay. Accordingly, we

ORDER the petition DENIED.

*Maupin*, J.  
Maupin

*Douglas*, J.  
Douglas

*Parraguirre*, J.  
Parraguirre

<sup>1</sup>See NRS 34.160; NRS 34.320. We note that the real party in interest has expressly waived any potential conflict of interest with respect to the issue presented by the State.

cc: Hon. Lee A. Gates, District Judge  
Attorney General Brian Sandoval/Carson City  
Clark County District Attorney David J. Roger  
Special Public Defender David M. Schieck  
Clark County Clerk