

IN THE SUPREME COURT OF THE STATE OF NEVADA

GERVIN GOMEZ,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, THE HONORABLE DONALD
M. MOSLEY, DISTRICT JUDGE,

Respondents,

and

THE STATE OF NEVADA,
Real Party in Interest.

No. 47085

FILED

JUN 06 2006

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

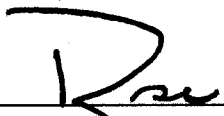
ORDER DENYING PETITION


This is an original petition for a writ of mandamus or prohibition, challenging the district court's ruling that petitioner cannot use duress as a defense to murder.¹ Eighth Judicial District Court, Clark County; Donald M. Mosley, Judge.

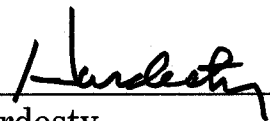
¹On May 22, 2006, petitioner filed a motion for leave to file a reply. Cause appearing, the motion is granted. The clerk of this court shall file the reply provisionally submitted on May 22, 2006.

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.² Accordingly, we

ORDER the petition DENIED.³


_____, C.J.
Rose


_____, J.
Gibbons


_____, J.
Hardesty

cc: Hon. Donald M. Mosley, District Judge
Special Public Defender David M. Schieck
Attorney General George Chanos/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk

²See NRS 34.160; NRS 34.320.

³We vacate the stay of the district court proceedings previously imposed by this court.