

IN THE SUPREME COURT OF THE STATE OF NEVADA

TAKISHA M., A MINOR,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
WILLIAM O. VOY, DISTRICT JUDGE,
FAMILY COURT DIVISION, AND THE
HONORABLE GERALD W.
HARDCASTLE, DISTRICT JUDGE,
FAMILY COURT DIVISION,
Respondents,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 48667

FILED

JAN 11 2007

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

ORDER DENYING PETITION FOR WRIT OF
PROHIBITION OR MANDAMUS

This original petition for a writ of prohibition or mandamus challenges the detention of petitioner, a minor, in the Clark County Juvenile Detention Facility.

Both mandamus and prohibition are extraordinary remedies, and it is within this court's discretion to determine if a petition will be considered.¹ After reviewing the petition, and supplement thereto,² we


¹See Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991).

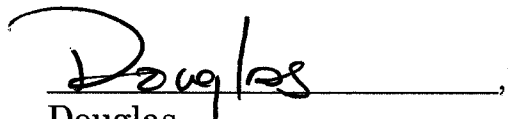
²We grant petitioner's January 5, 2007 motion for leave to file a supplement to her petition, and we direct the clerk of this court to file petitioner's supplement to her petition, provisionally received in this court on that same date.

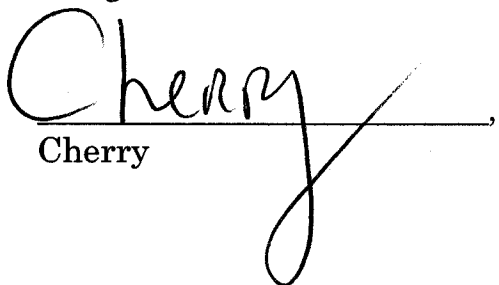
conclude that our intervention by way of extraordinary relief is not warranted. Specifically, according to petitioner, she was placed in the detention facility on December 28, 2006, but she was released on January 2, 2007, following a district court hearing. Because petitioner has been released, this petition is moot.³

Accordingly, we

ORDER the petition DENIED.⁴


Gibbons, J.


Douglas, J.


Cherry, J.

³University Sys. v. Nevadans for Sound Gov't, 120 Nev. 712, 720, 100 P.3d 179, 186 (2004) (“[T]he duty of every judicial tribunal is to decide actual controversies by a judgment which can be carried into effect, and not to give opinions upon moot questions or abstract propositions, or to declare principles of law which cannot affect the matter in issue before it.” (quoting NCAA v. University of Nevada, 97 Nev. 56, 57, 624 P.2d 10, 10 (1981))); see also Skinner v. Lewis and Clark, 980 P.2d 1049, 1052 (Mont. 1999) (recognizing that the party invoking the exception to the mootness doctrine for matters capable of repetition yet evading review bears the burden to demonstrate that the challenged action is too short in duration to be fully adjudicated before ceasing and that a reasonable expectation exists that the same party would again be subject to the same action).

⁴NRAP 21(b); Smith, 107 Nev. 674, 818 P.2d 849.

cc: Hon. Gerald W. Hardcastle, District Judge, Family Court Division
Hon. William O. Voy, District Judge, Family Court Division
Clark County Public Defender Philip J. Kohn
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger/Juvenile Division
Clark County Clerk