

IN THE SUPREME COURT OF THE STATE OF NEVADA

No. 34637

COACH USA, D/B/A CALIFORNIA  
CHARTER; AND JIMMIE DAVIS, AN  
EMPLOYEE OF COACH USA,

Petitioners,

vs.

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

Respondents,

and

JOSE G. CASTRO,

Real Party in Interest.

**FILED**

JAN 12 2000

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *J. R. [Signature]*  
DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

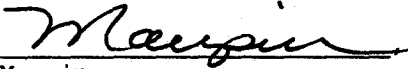
This original petition for a writ of mandamus challenges an order of the district court denying a motion to quash service of process. As the petition raised issues of arguable merit, on August 16, 1999, we entered an order directing the real party in interest, Jose G. Castro, to file an answer to the petition within twenty days from the date of our order. To date, Castro has not filed an answer or otherwise responded to our order.<sup>1</sup> Castro's failure to file an answer notwithstanding, we have considered the petition, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted at this time. Accordingly,

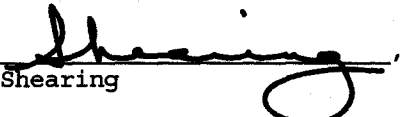
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<sup>1</sup>Although this court could construe the failure to file an answer as a confession of error, we decline to do so. This failure caused unnecessary review and analysis by the court that could have been provided by counsel. For the failure to file an answer as this court ordered, we sanction attorney Joseph A. Scalia two hundred and fifty dollars (\$250.00), payable to the Supreme Court Law Library. Attorney Scalia shall file proof of payment with the clerk of this court not later than thirty (30) days from the date of this order.

we deny the petition. See NRAP 21(b); State ex rel. Dep't  
Transp. v. Thompson, 99 Nev. 358, 662 P.2d 1338 (1983).

It is so ORDERED.<sup>2</sup>

  
Maupin J.

  
Shearing J.

  
Becker J.

cc: Hon. Michael A. Cherry, District Judge  
Delanoy Schuetze & McGaha, P.C.  
Joseph A. Scalia II  
Clark County Clerk  
Susan Southwick, Law Librarian

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<sup>2</sup>We deny petitioners' request for a stay in light of this order.