

IN THE SUPREME COURT OF THE STATE OF NEVADA

THE STATE OF NEVADA,
Appellant,
vs.
KESHA TEBAULT,
Respondent.

No. 51951

FILED

SEP 05 2008

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

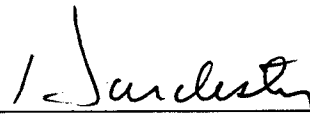
ORDER DISMISSING APPEAL

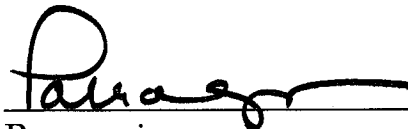
This is an appeal from an order of the district court granting respondent's motion to suppress evidence and motion to dismiss. Eighth Judicial District Court, Clark County; James M. Bixler, Judge.

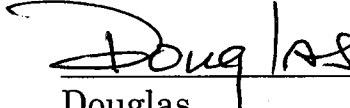
Although NRS 177.015(2) authorizes such an appeal, the statute contemplates that the State must make a preliminary showing of good cause as to why we should entertain the appeal. On July 28, 2008, the State filed points and authorities in support of this appeal and, on August 11, 2008, the respondent filed a reply. Having considered the documents filed, we conclude that the State has failed to make a preliminary showing of good cause as to why we should entertain this appeal and it has not demonstrated that "there may be a miscarriage of

justice if the appeal is not entertained.”¹ Accordingly, we decline to entertain this appeal, deny the motion for a stay, and

ORDER this appeal DISMISSED.


_____, J.
Hardesty


_____, J.
Parraguirre


_____, J.
Douglas

cc: Hon. James M. Bixler, District Judge
Attorney General Catherine Cortez Masto/Carson City
Attorney General Catherine Cortez Masto/Las Vegas
Clark County Public Defender Philip J. Kohn
Eighth District Court Clerk

¹NRS 177.015(2).