

IN THE SUPREME COURT OF THE STATE OF NEVADA

HECTOR MAURICE JAZEK,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND, THE HONORABLE
SALLY L. LOEHRER, DISTRICT
JUDGE,

Respondents,

and

THE STATE OF NEVADA,
Real Party in Interest.

No. 52009

FILED

SEP 18 2008

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

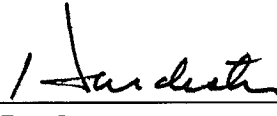
ORDER GRANTING MOTION AND DISMISSING PETITION

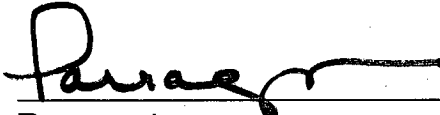
This original petition for a writ of mandamus challenges a district court decision denying petitioner's pretrial petition for a writ of habeas corpus. The petition alleges that the State failed to present exculpatory evidence to the grand jury and, as a result, this court should direct the district court to dismiss two of the three charges against him—robbery with the use of a deadly weapon and battery with intent to commit a crime. After considering the petition, this court directed the State to file an answer on behalf of the respondents and granted petitioner's motion to stay the district court proceedings.

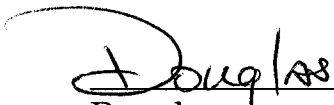
Petitioner now has filed a motion to withdraw the petition. In counsel's declaration attached to the motion, counsel for petitioner represents that petitioner has entered into negotiations with the State and the case has been resolved. Petitioner therefore asks the court to allow him to withdraw this petition and to vacate the stay. Cause appearing,

the motion is granted. We dismiss the petition and vacate the stay imposed by our order entered on August 11, 2008.

It is so ORDERED.


_____, J.
Hardesty


_____, J.
Parraguirre


_____, J.
Douglas

cc: Hon. Sally L. Loehrer, District Judge
Clark County Public Defender Philip J. Kohn
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Eighth District Court Clerk