

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVID GATHERRIGHT,  
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK, AND, THE HONORABLE  
STEWART L. BELL, DISTRICT JUDGE,  
Respondents,  
and  
THE STATE OF NEVADA,  
Real Party in Interest.

No. 52301

**FILED**

AUG 28 2008

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

ORDER DENYING PETITION AND MOTION

This original petition for a writ of prohibition or mandamus challenges a district court decision denying a motion to dismiss a charge of pandering under NRS 201.300 on the grounds that the statute is unconstitutionally overbroad and vague and that the charge is not supported by sufficient independent evidence to establish the corpus delicti of the offense. Petitioner has also filed a motion to stay the proceedings in district court. Having considered the petition on file herein, we are not satisfied that this court's intervention by way of extraordinary writ is warranted at this time. Accordingly, we deny the

petition<sup>1</sup> and the motion for a stay of the district court proceedings.

It is so ORDERED.

L. Jankovich, J.

Paragon, J.

Dryden, J.

cc: Hon. Stewart L. Bell, 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

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<sup>1</sup>See NRAP 21(b).