

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN RE THE INVESTIGATION OF DEATH  
OF SADIE NATASHA JENNINGS, A MINOR  
CHILD.

No. 34879

**FILED**

OCT 19 1999

ORDER DENYING APPLICATION

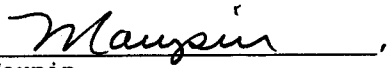
JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *[Signature]*  
CHIEF DEPUTY CLERK

On August 27, 1999, petitioner filed with the district court a petition to summon a grand jury pursuant to NRS 6.130(2). On September 2, 1999, the district court denied the petition. On September 24, 1999, petitioner filed with this court an Application For Order Directing Selection and Impaneling of Grand Jury pursuant to NRS 6.140.


NRS 6.140 provides, in relevant part: "In any county, if the district judge for any reason fails or refuses to select a grand jury when required, any interested person resident of the county may apply to the supreme court for an order directing the selection of a grand jury." (Emphasis added.) Petitioner's prior petition to the district court was filed pursuant to NRS 6.130(2), which provides that the district court "may" summon a grand jury after receiving an affidavit or verified petition. This language clearly indicates that the summoning of a grand jury pursuant to subsection 2 is within the district court's discretion and is

not mandatory.<sup>1</sup> Because the summoning of the grand jury was not required in this case, petitioner's application is inappropriate pursuant to NRS 6.140. Accordingly, we deny petitioner's application.

It is so ORDERED.

  
Maupin J.

  
Shearing J.

  
Becker J.

cc: Hon. Michael E. Fondi, District Judge  
Hon. Michael R. Griffin, District Judge  
Day R. Williams  
Carson City Clerk

---

<sup>1</sup>Pursuant to NRS 6.130(1), the district court would be required to summon a grand jury upon submission of a verified petition "containing the signatures of registered voters equal in number to 25 percent of the number of voters voting within the county at the last preceding general election."