

IN THE SUPREME COURT OF THE STATE OF NEVADA

EDWARD LATTIN, III,
Petitioner.

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
KATHY A. HARDCASTLE, DISTRICT
JUDGE,

Respondents,

and

THE STATE OF NEVADA,
Real Party in Interest.

No. 53932

FILED

AUG 05 2009

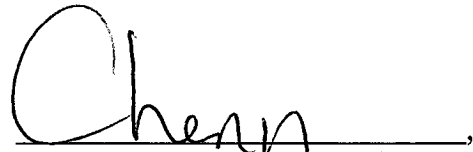
TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK


ORDER DENYING PETITION

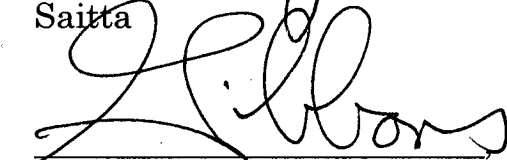
This is an original petition for a writ of mandamus or prohibition challenging the district court's ruling that a chemist's declaration regarding the presence in the body of drugs or alcohol was admissible in a grand jury proceeding pursuant to NRS 50.320. Petitioner requests this court to direct the district court to conduct a "sufficiency of the evidence review" of the grand jury proceedings without consideration of the chemist's declaration. Having reviewed the petition and the accompanying documentation, we conclude that this court's intervention

by way of extraordinary writ is not warranted. Accordingly, we deny the petition.

It is so ORDERED.


_____, J.
Cherry


_____, J.
Saitta


_____, J.
Gibbons

cc: Hon. Kathy A. Hardcastle, District Judge
Law Offices of John G. Watkins
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Eighth District Court Clerk