

IN THE SUPREME COURT OF THE STATE OF NEVADA

KELLY EUGENE RHYNE,

No. 35118

Petitioner,

vs.

THE FOURTH JUDICIAL DISTRICT COURT
OF THE STATE OF NEVADA, IN AND FOR
THE COUNTY OF ELKO, AND THE
HONORABLE J. MICHAEL MEMEO,
DISTRICT JUDGE,

FILED

NOV 19 1999

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richard*
CHIEF DEPUTY CLERK

Respondents,

and

THE STATE OF NEVADA,

Real Party
in Interest.

ORDER DENYING PETITION

On November 12, 1999, petitioner filed in this court an original petition for a writ of certiorari or mandamus challenging an order of the district court denying petitioner's motion for a continuance. The petition also requested an emergency stay of the proceedings below. Thereafter, on November 15, 1999, petitioner filed a withdrawal of the emergency request for a stay. In that document, petitioner represents that the district court reconsidered the matter and granted petitioner a continuance. Accordingly, we hereby deny as moot this petition and the emergency request for a stay.

It is so ORDERED.

Young
_____, J.
Young
Agosti
_____, J.
Agosti
Leavitt
_____, J.
Leavitt

cc: Hon. J. Michael Memeo, District Judge
Elko County District Attorney
Matthew J. Stermitz
Calvert & Wilson
Elko County Clerk