

IN THE SUPREME COURT OF THE STATE OF NEVADA

RUFINO PATACASIL,
Petitioner,

vs.

THE SIXTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
PERSHING,

Respondent,

and

THE STATE OF NEVADA,
Real Party in Interest.

No. 56626

FILED

DEC 17 2010

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

ORDER DENYING PETITION

This is a petition for a writ of mandamus. Petitioner seeks an order directing the district court and his attorney to comply with this court's order regarding holding an evidentiary hearing. On September 13, 2010, and October 25, 2010, this court ordered the state to respond to the petition. On November 17, 2010, the State responded that the district court has substituted counsel for petitioner and it appears that this matter is moving forward in the district court. We are confident that the district court will resolve all pending matters as expeditiously as its calendar permits. Accordingly, we

ORDER the petition DENIED.

Cherry, J.
Cherry

Saitta, J.
Saitta

Gibbons, J.
Gibbons

cc: Karla K. Butko
Theodore C. Herrera
Pershing County District Attorney
Pershing County Clerk