

IN THE SUPREME COURT OF THE STATE OF NEVADA

STANLEY EARNEST RIMER,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
DOUGLAS W. HERNDON, DISTRICT
JUDGE,
Respondents,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 57454

FILED

JAN 25 2011

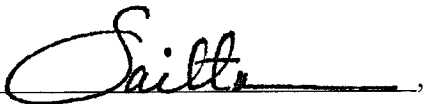
TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *T. Lindeman*
DEPUTY CLERK

ORDER DENYING PETITION

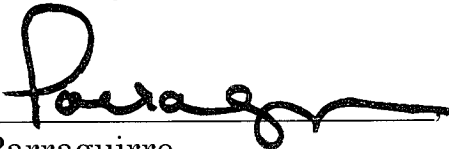
This original petition for a writ of mandamus challenges a district court order denying petitioner's motion to dismiss an indictment on the grounds that: (1) the indictment fails to specify the provision of NRS 200.508 (related to child abuse, neglect, or endangerment) under which he is being prosecuted; (2) the indictment fails to provide adequate notice of the criminal acts allegedly committed and the elements of the charged crimes related to child abuse and neglect; (3) the second-degree murder count is deficient on several grounds; (4) the indictment presents a danger that petitioner's double jeopardy rights will be violated; and (5) the indictment is insufficiently specific because of the repeated use of "and/or" connectors in pleading the factual allegations supporting the counts. We have considered the petition and the documents submitted, and we are not

satisfied that this court's intervention by way of extraordinary writ is warranted. Accordingly, we deny the petition. See NRAP 21(b).

It is so ORDERED.¹


_____, J.
Saitta


_____, J.
Hardesty


_____, J.
Parraguirre

cc: Hon. Douglas W. Herndon, District Judge
Clark County Public Defender
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

¹We deny the motion for stay filed on January 4, 2011.