

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICKEY M. THOMAS,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
LINDA MARIE BELL, DISTRICT
JUDGE,
Respondents,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 57618

FILED

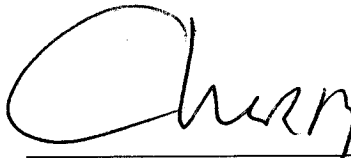
FEB 09 2011

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

ORDER DENYING PETITION

This original petition for a writ of mandamus or prohibition challenges a district court's orders denying petitioner's motion to dismiss a murder charge in an indictment based on deficiencies in the grand jury proceedings and a motion to preclude the State from seeking the death penalty because the State failed to file a timely notice of intent to seek the death penalty after the grand jury returned a superseding indictment. We have considered the petition and the supporting documentation, 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.



Cherry

J.



Gibbons

J.



Pickering

J.

cc: Hon. Linda Marie Bell, District Judge
Special Public Defender
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk