

IN THE SUPREME COURT OF THE STATE OF NEVADA

VERA LOPEZ,
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. 58028

FILED

JUN 08 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY H. Ingersoll
DEPUTY CLERK


ORDER DENYING PETITION

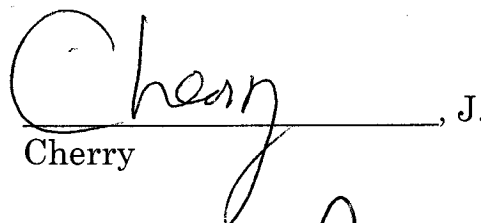
This original petition for a writ of mandamus or prohibition challenges an order of the district court denying petitioner Vera Lopez's pretrial writ of habeas corpus seeking to dismiss the indictment against her. Lopez argues that she was deprived of her right to testify in front of the grand jury because she did not receive notice that complied with NRS 172.241 and Sheriff v. Marcum, 105 Nev. 824, 783 P.2d 1389 (1989). Upon arrest, Lopez was given a "Notice of Intent to Seek Indictment" form, which she signed in acknowledgment of receipt. Lopez concedes that she signed the form, but argues that notice was nevertheless unreasonably conveyed because it was given to her during her arrest when she was too harried to read it and she subsequently misplaced it. As the form was given to Lopez more than 5 days before the grand jury convened and it advised her that she could testify only if she submitted a written request to the district attorney's office, it constituted adequate notice. See NRS

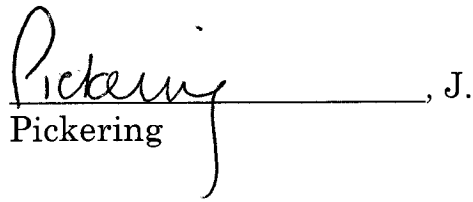
172.241(2). We therefore conclude that our intervention in this matter is not warranted.

Accordingly, we

ORDER the petition DENIED.


Gibbons, J.


Cherry, J.


Pickering, J.

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