

IN THE SUPREME COURT OF THE STATE OF NEVADA

THE STATE OF NEVADA,
Appellant,
vs.
ANDRE TERRELL MCGEE,
Respondent.

No. 34694

THE STATE OF NEVADA,
Petitioner,
vs.

No. 35576

THE EIGHTH JUDICIAL DISTRICT COURT
OF THE STATE OF NEVADA, IN AND FOR
THE COUNTY OF CLARK, AND THE
HONORABLE JOSEPH S. PAVLIKOWSKI,
DISTRICT JUDGE,

Respondents,

And

ANDRE TERRELL MCGEE,
Real Party in Interest.

FILED

MAR 17 2000

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY: *[Signature]*
CHIEF DEPUTY CLERK

ORDER DENYING PETITION AND MOTION

Docket No. 35576 is an original petition for a writ of certiorari by the State. The State challenges a district court order granting a motion to withdraw a guilty plea filed by the real party in interest, Andre Terrell McGee. Following entry of the district court's order, the State sought to reprosecute McGee by filing an amended criminal information. Docket No. 34694 is an appeal, by the State, from a district court order granting McGee's motion to dismiss the information.

Having considered the State's writ petition and the other documents before this court, we have decided not to

intervene. See State of Nevada v. District Court, 111 Nev. 1023, 899 P.2d 1121 (1995) (stating that petitions for extraordinary writs are addressed to the sound discretion of the court); see also NRS 34.020.

Additionally, the State has filed a motion seeking to consolidate this matter with the appeal pending in Docket No. 34694. McGee opposes that motion and has filed a motion to dismiss the State's writ petition. Having resolved to deny the petition, we need not specifically address McGee's motion to dismiss. Further, we conclude that consolidation is not warranted.

Accordingly, we deny this petition for writ of certiorari in Docket No. 35576. We further deny the State's motion, of February 1, 2000, to consolidate this matter with the appeal pending in Docket No. 34694.¹

It is so ORDERED.

<u>Young</u> Young	J.
<u>Agosti</u> Agosti	J.
<u>Leavitt</u> Leavitt	J.

cc: Hon. Ronald D. Parraguirre, District Judge
Attorney General
Clark County District Attorney
Goodman Chesnoff & Keach
Clark County Clerk

¹The appeal in Docket No. 34694 remains pending in this court.