

IN THE SUPREME COURT OF THE STATE OF NEVADA

RYE PATCH GOLD US, INC., A  
NEVADA CORPORATION; AND RYE  
PATCH GOLD CORP., A BRITISH  
COLUMBIA CORPORATION,

Petitioners,

vs.

THE SIXTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
PERSHING; AND THE HONORABLE  
MICHAEL MONTERO, DISTRICT  
JUDGE,

Respondents,

and

COUER ROCHESTER, INC.,

Real Party in Interest.

No. 61663

**FILED**

SEP 09 2013

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY R. Malone  
DEPUTY CLERK

*ORDER DISMISSING PETITION FOR  
WRIT OF MANDAMUS OR PROHIBITION*


This original petition for a writ of mandamus or prohibition challenges district court orders appointing a special master and declining to revoke the appointment of the special master.

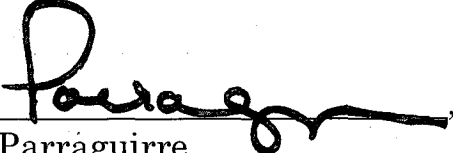
Petitioners have notified this court that the underlying district court action has been dismissed pursuant to the parties' stipulation. Petitioners assert that the issues of public importance raised in their petition may recur, thus warranting this court's consideration notwithstanding dismissal of the district court action here. Real party in interest has responded, arguing that petitioners have failed to demonstrate that the issue presented here fits within any exception to the mootness doctrine. *See Personhood Nev. v. Bristol*, 126 Nev. \_\_\_, \_\_\_, 245

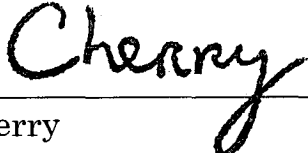
P.3d 572, 574-75 (2010) (explaining when the capable-of-repetition-yet-evading-review exception to the mootness doctrine applies).

Having considered the parties' arguments, and as the underlying district court case has been dismissed, we conclude that this petition is moot, and we dismiss the petition. *See id.* at \_\_\_, 245 P.3d at 574 (explaining that this court's duty is to decide actual controversies and not to give opinions on moot questions).

It is so ORDERED.<sup>1</sup>

  
\_\_\_\_\_, J.  
Hardesty

  
\_\_\_\_\_, J.  
Parraguirre

  
\_\_\_\_\_, J.  
Cherry

cc: Hon. Michael Montero, District Judge  
Erwin & Thompson  
Parsons Behle & Latimer/Reno  
Pershing County Clerk

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<sup>1</sup>In light of this order, we vacate the stay imposed by our October 5, 2012, order.