

IN THE SUPREME COURT OF THE STATE OF NEVADA

No. 35750

DAVID MIRANDA,

Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT COURT
OF THE STATE OF NEVADA, IN AND FOR
THE COUNTY OF CLARK, AND THE
HONORABLE SALLY L. LOEHRER,
DISTRICT JUDGE,

Respondents,

and

THE STATE OF NEVADA,

Real Party in Interest.

FILED

MAR 09 2000

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

ORDER DENYING PETITION

FOR WRIT OF MANDAMUS

This original petition for a writ of mandamus challenges an indictment on the grounds that: (1) petitioner was not provided proper notice of the grand jury proceedings; and (2) the State failed to present exculpatory evidence to the grand jury. Petitioner has also requested this court to issue an "emergency" stay of the trial currently scheduled for March 13, 2000.¹

Having reviewed the petition, we are not persuaded that this court's intervention by way of extraordinary writ is warranted. Accordingly, we deny the petition. Further, we

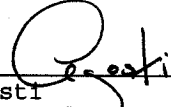
¹Petitioner's counsel represents that the district court rejected the contentions respecting improper notice and failure to present exculpatory evidence on September 29, 1999. Neither the instant petition, nor the motion for an emergency stay provide any explanation of why petitioner waited approximately five months until March 8, 2000, two judicial days before trial, to file this petition and motion.


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deny petitioner's emergency motion for a stay of the proceedings below.

It is so ORDERED.


_____, C.J.
Rose


_____, J.
Agosti


_____, J.
Leavitt

cc: Hon. Sally L. Loehrer, District Judge
Clark County District Attorney
Clark County Public Defender
Clark County Clerk