

IN THE SUPREME COURT OF THE STATE OF NEVADA

No. 35930

BRYAN SCOTT FREESE,

Petitioner,

vs.

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

Respondents,

and,

THE STATE OF NEVADA,

Real Party in Interest.

**FILED**

JUN 09 2000

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

ORDER DENYING PETITION

This original petition for a writ of mandamus challenges an order of the district court revoking petitioner Bryan Scott Freese's admission to bail pending appeal and remanding petitioner into custody.


Having reviewed the State's response to this court's show cause order of April 11, 2000, we have concluded that our intervention by way of extraordinary writ is not warranted. Specifically, we note that on April 25, 2000, the district court conducted a hearing and, pursuant to NRS 178.4873, entered a stay pending appeal of the district court's order granting Freese's post-conviction petition for a writ of habeas corpus. The district court also revisited the issue of bail and determined that Freese should remain in custody pending this court's final resolution of this appeal.

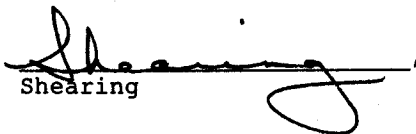
Under these circumstances, it appears that the district court has neither exceeded its jurisdiction, nor

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manifestly abused its discretion. Accordingly, we deny this petition.

It is so ORDERED.

  
Maupin J.

  
Shearing J.

  
Becker J.

cc: Hon. Kathy A. Hardcastle, District Judge  
Attorney General  
Clark County District Attorney  
Carmine J. Colucci  
Clark County Clerk