

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOSHUA JUSTIN PAULO A/K/A
JOSHUA PAULO,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
KATHLEEN E. DELANEY, DISTRICT
JUDGE,
Respondents,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 67978

FILED

JUN 10 2015

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DENYING PETITION

This original petition for a writ of mandamus challenges a district court order denying a motion to dismiss an indictment. Petitioner argues that the indictment is defective because he was incompetent to consult with counsel regarding his right to testify before the grand jury and the proceedings on two criminal complaints had been suspended until his competency was determined, *see* NRS 178.405(1), thereby precluding the State from proceeding to the grand jury. The district court denied petitioner's motion to dismiss on November 6, 2014, yet petitioner waited until May 13, 2015, to file this mandamus petition. In light of petitioner's considerable delay in filing this petition, *see State of Nevada v. Eighth Judicial Dist. Court (Hedland)*, 116 Nev. 127, 135, 994 P.2d 692, 697 (2000) (applying laches doctrine to petition for writ of mandamus), we decline to exercise our discretion in this matter, *see Davis v. Eighth*

Judicial Dist. Court, 129 Nev., Adv. Op. 11, 294 P.3d 415, 417 (2013).

Accordingly, we

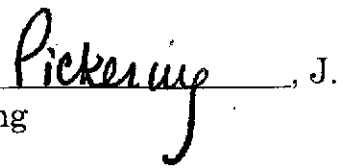
ORDER the petition DENIED.

 J.

Saitta

 J.

Gibbons

 J.

Pickering

cc: Hon. Kathleen E. Delaney, District Judge
Clark County Public Defender
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk