

IN THE SUPREME COURT OF THE STATE OF NEVADA

LAS VEGAS METROPOLITAN POLICE  
DEPARTMENT,  
Petitioner,  
vs.  
THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE  
JAMES CROCKETT, DISTRICT  
JUDGE,  
Respondents,  
and  
JE SEON OH,  
Real Party in Interest.

No. 73130

**FILED**

SEP 07 2017

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

*ORDER DENYING PETITION*

This original petition for a writ of mandamus or prohibition challenges a district court order directing the return of property seized in a civil forfeiture action. Having considered all documents on file herein, we conclude that the issues raised in the petition—namely, whether the district court properly ordered the return of the seized property when the criminal charges against real party in interest had been dismissed—have been rendered moot by the intervening reindictment of real party in interest.<sup>1</sup> Accordingly, we decline to intervene in this matter and therefore deny the petition, without prejudice to petitioner's ability to properly challenge any

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<sup>1</sup>While petitioner informs this court of the reindictment in its reply brief and attempts to raise additional issues related to it, we decline to consider these newly raised arguments in the context of this proceeding. See *Edelstein v. Bank of N.Y. Mellon*, 128 Nev. 505, 523 n.13, 286 P.3d 249, 261 n.13 (2012).

ripe issue in an appropriate manner. See *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991) (stating that a petition for extraordinary writ relief is purely discretionary with this court).

It is so ORDERED.<sup>2</sup>

Cherry, C.J.  
Cherry

Douglas, J.  
Douglas

Gibbons, J.  
Gibbons

Pickering, J.  
Pickering

Hardesty, J.  
Hardesty

Stiglich, J.  
Stiglich

cc: The Honorable Jim Crockett, District Judge  
Liesl K. Freedman  
Matthew J. Christian  
Law Office of Andrew M. Leavitt, Esq.  
Eighth District Court Clerk

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<sup>2</sup>Petitioner's motion for stay is denied as moot.