

IN THE SUPREME COURT OF THE STATE OF NEVADA

THE STATE OF NEVADA,  
Petitioner,  
vs.  
THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE  
STEFANY MILEY, DISTRICT JUDGE,  
Respondents,  
and  
WILLIAM LESTER WITTER,  
Real Party in Interest.

No. 75417

**FILED**

MAY 15 2018

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

*ORDER DENYING PETITION*

This is a petition for a writ of mandamus challenging the district court's order granting a motion to enter a third amended judgment of conviction. We have reviewed the documents submitted in this matter, and without deciding upon the merits of any claims raised therein, we decline to exercise original jurisdiction in this matter. See NRS 34.160; NRS 34.170; NRS 34.320; NRS 34.330; NRS 34.020. The State may litigate claims challenging the applicability of the decisions in *Whitehead v. State*, 128 Nev. 259, 285 P.3d 1053 (2012), and *Slaatte v. State*, 129 Nev. 219, 298 P.3d 1170 (2013), and the effect of the third amended judgment of conviction in the appeals pending in *Witter v. State*, Docket Nos. 73431, 73444. Accordingly, we

ORDER the petition DENIED.

Cherry, J.  
Cherry

Parraguirre, J.  
Parraguirre

Stiglich, J.  
Stiglich

cc: Hon. Stefany Miley, District Judge  
Attorney General/Carson City  
Clark County District Attorney  
Federal Public Defender/Las Vegas  
Eighth District Court Clerk

