

IN THE SUPREME COURT OF THE STATE OF NEVADA

RAYMOND SHERARD,  
Petitioner,  
vs.  
THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE  
MICHELLE LEAVITT, DISTRICT  
JUDGE,  
Respondents,  
and  
THE STATE OF NEVADA,  
Real Party in Interest.

No. 76398

**FILED**

SEP 14 2018

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

*ORDER DENYING PETITION*

This petition for a writ of mandamus seeks an order delineating the constitutionally proper protocol for determining pretrial bail/detention and an order directing the lower court to apply the protocol as needed in the instant matter. We deny the petition as moot because petitioner is no longer in custody and fails to demonstrate that this issue is capable of repetition yet evading review. *See Binegar v. Eighth Judicial Dist. Court*, 112 Nev. 544, 548-49, 915 P.2d 889, 892 (1996); *see also Smith v. District Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991). Accordingly, we

ORDER the petition DENIED.

Cherry, J.  
Cherry

Parraguirre, J.  
Parraguirre

Stiglich, J.  
Stiglich

cc: Hon. Michelle Leavitt, District Judge  
Clark County Public Defender  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk