

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOSHUA BLACK,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
WILLIAM D. KEPHART, DISTRICT
JUDGE,
Respondents,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 76472

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. William D. Kephart, District Judge
Clark County Public Defender
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk