

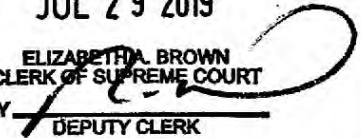
IN THE SUPREME COURT OF THE STATE OF NEVADA

SAUL MEZAMERCADO,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
DOUGLAS W. HERNDON, DISTRICT
JUDGE,
Respondents,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 79281

FILED

JUL 29 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This original, emergency petition for a writ of mandamus challenges a district court order denying petitioner's motion for a pretrial writ of habeas corpus based on alleged ineffective assistance of counsel during plea negotiations.

Having reviewed the petition and supporting documents, we are not convinced that our extraordinary intervention is warranted. See NRS 34.160; *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991) (recognizing that the issuance of a writ of mandamus is discretionary). Petitioner's trial is scheduled to begin today, and petitioner has not demonstrated that his right to a fair trial is impacted by the challenged decision such that pretrial habeas relief is necessary under NRS Chapter 34. Cf. *Lafler v. Cooper*, 566 U.S. 156, 163-64 (2012)

(recognizing that ineffective assistance of counsel during pretrial plea negotiations may require post-conviction habeas relief). Accordingly, we

ORDER the petition DENIED.¹

Pickering, J.
Pickering

Parraguirre, J.
Parraguirre

Cadish, J.
Cadish

cc: Hon. Douglas W. Herndon, District Judge
Joseph P. Reiff
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

¹In light of this order, petitioner's emergency motion for stay is denied as moot.