

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRANDON SMITH-MCIVER,
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. 71240

FILED

OCT 04 2016

TRACIE K. LINDAMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER DENYING PETITION

This is an original petition for a writ of mandamus, or alternatively, writ of prohibition. Petitioner Brandon Smith-McIver argues that the district court acted arbitrarily and capriciously in granting the State's motion for compulsory psychiatric evaluation of McIver without limiting the State's experts to the same method of evaluation performed by the defense's expert. We decline to exercise our original jurisdiction at this time. See NRS 34.160; NRS 34.170; NRS 34.320; NRS 34.330. Accordingly, we

ORDER the petition DENIED.

Cherry, J.
Cherry

Douglas, J.
Douglas

Gibbons, J.
Gibbons

16-30918

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