

IN THE SUPREME COURT OF THE STATE OF NEVADA

DARRIN RAFAEL WILDER,
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. 79068

FILED

SEP 10 2019

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

ORDER DISMISSING PETITION

This is an original petition for a writ of mandamus or, alternatively, prohibition. Eighth Judicial District Court, Clark County; Douglas W. Herndon, Judge. Petitioner seeks to prevent the district court from compelling his attendance at a pretrial deposition.

Real party in interest has filed a motion to dismiss this petition as moot because it has withdrawn the motion for a deposition and petitioner is no longer under an order to appear. "The duty of every judicial tribunal is to decide actual controversies by a judgment which can be carried into effect, and not to give opinions upon moot questions or abstract propositions, or to declare principles of law which cannot affect the matter in issue before it." *Univ. and Cmty. Coll. Sys. of Nev. v. Nevadans for Sound Gov't*, 120 Nev. 712, 720, 100 P.3d 179, 186 (2004) (quoting *NCAA v. Univ. of Nev.*, 97 Nev. 56, 57, 624 P.2d 10, 10 (1981)). As a result, this court has long recognized that cases which present live controversies at their inception may be rendered moot by subsequent events. *Id.* Petitioner does not oppose

