

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRET O. WHIPPLE, ESQ.

Petitioner,

vs.

THE STATE BAR OF NEVADA, A
DIVISION OF THE SUPREME COURT
OF NEVADA; KAIT FLOCCHINI, ESQ,
AN INDIVIDUAL IN HER OFFICIAL
CAPACITY; AND BARTH AARON,
ESQ., AN INDIVIDUAL IN HIS
OFFICIAL CAPACITY.

Respondents.

No. 70219

FILED

JUN 23 2016

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK


*ORDER DENYING PETITION
FOR WRIT OF MANDAMUS OR PROHIBITION*

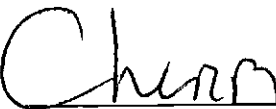
This is an original petition for a writ of mandamus or prohibition challenging a decision of a Northern Nevada Disciplinary Board hearing panel that denied petitioner's request to stay the disciplinary proceedings pending final review of the NRCP 11 sanctions matter in Docket No. 68668, out of which the disciplinary complaint arose.


Having reviewed the petition and appendix, we conclude that petitioner has not demonstrated that our intervention by extraordinary writ relief is warranted. *See Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004). SCR 108 provides that a "complaint shall not be deferred or abated because of substantial similarity to the material allegations of pending criminal or civil litigation" unless good cause is found by a three-member screening panel appointed under SCR 105(1). The hearing panel denied petitioner's stay request because it was not timely presented to a screening panel and because petitioner did not show good cause supporting a stay. Petitioner has not demonstrated that the hearing panel's decision was in excess of its jurisdiction or constituted

an arbitrary or capricious exercise of discretion. See NRS 34.160; NRS 34.320; *Int'l Game Tech., Inc. v. Second Judicial Dist. Court*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). Accordingly, we decline to intervene in this matter and we deny the petition. See NRAP 21(b)(1); *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991) (stating that a petition for extraordinary writ relief is purely discretionary with this court).

It is so ORDERED.


_____, J.
Douglas


_____, J.
Cherry


_____, J.
Gibbons

cc: Chair, Northern Nevada Disciplinary Panel
C. Stanley Hunteerton, Bar Counsel, State Bar of Nevada
Justice Law Center
Barth Aaron