

CITY OF RENO,

No. 38317

Petitioner,

vs.

THE JUDGES OF THE SECOND JUDICIAL DISTRICT COURT FOR THE STATE OF NEVADA, IN AND FOR THE COUNTY OF WASHOE, GENERALLY, AND THE HONORABLE PETER I. BREEN, DISTRICT JUDGE, PARTICULARLY,

Respondents,

and

COUNTY OF WASHOE,

Real Party in Interest.

**FILED**

**SEP 05 2001**

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *J. Richards*  
CHIEF DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF PROHIBITION

This original petition for a writ of prohibition seeks an order prohibiting all judges of the Second Judicial District Court, and Judge Peter Breen particularly, from presiding over the underlying case, which was assigned to Senior Judge Mario Recanzone by administrative order. We have considered this petition, and the "answer" thereto, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted at this time. Accordingly, we deny the petition.<sup>1</sup>

It is so ORDERED.<sup>2</sup>

*Shearing*  
\_\_\_\_\_  
Shearing J.

*Rose*  
\_\_\_\_\_  
Rose J.

*Becker*  
\_\_\_\_\_  
Becker J.

<sup>1</sup>See NRAP 21(b); Smith v. District Court, 113 Nev. 1343, 950 P.2d 280 (1997).

<sup>2</sup>We vacate the administrative order filed July 27, 2001, appointing Senior Judge Mario G. Recanzone to hear any and all matters relating to County of Washoe v. City of Reno, Case No. CV01-03867.

Petitioner's motion for temporary stay is denied as moot.

cc: Hon. Janet J. Berry, Chief District Judge  
Hon. Peter I. Breen, District Judge  
Hon. Charles M. McGee, District Judge  
Hon. Jerome M. Polaha, District Judge  
Hon. Connie J. Steinheimer, District Judge  
Hon. Deborah Schumacher, District Judge  
Hon. Brent T. Adams, District Judge  
Hon. Steven R. Kosach, District Judge  
Hon. James W. Hardesty, District Judge  
Hon. Steven P. Elliott, District Judge  
Hon. Scott Jordan, District Judge, Family Court Division  
Washoe County District Attorney  
Reno City Attorney  
Administrative Office of the Courts  
Washoe County Clerk