

IN THE SUPREME COURT OF THE STATE OF NEVADA

THE STATE OF NEVADA,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
NANCY M. SAITTA, DISTRICT
JUDGE,

Respondents,

and

FAAPOI PAOPAO, JR.,
Real Party in Interest.

No. 39021

FILED

APR 08 2002

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

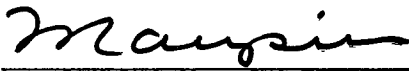
ORDER DENYING PETITION


This original petition for a writ of mandamus challenges an order of the district court denying the State's motion to use the victim's prior preliminary hearing testimony at trial. We have considered the petition on file herein, and we are not satisfied that this court's


intervention by way of extraordinary relief is warranted at this time.¹

Accordingly, we

ORDER the petition DENIED.²


_____, C.J.
Maupin


_____, J.
Young


_____, J.
Agosti

¹See NRS 34.160; 34.170.

²On February 26, 2002, Faapoi Paopao, Jr., filed a motion to supplement his answer to the State's petition for a writ of mandamus. The document that Paopao seeks to add to the record is attached to his motion and consists of a letter to the district court from the prosecutor explaining that the victim was unavailable to testify. Cause appearing, Paopao's motion to supplement the petition is granted. The clerk of this court shall supplement the petition with the document submitted on February 26, 2002. See NRAP 21(a).

cc: Hon. Nancy M. Saitta, District Judge
Clark County District Attorney
Clark County Public Defender
Clark County Clerk