

IN THE SUPREME COURT OF THE STATE OF NEVADA

NEVADA POWER COMPANY, A
NEVADA CORPORATION; NEVADA
TAXPAYER'S ASSOCIATION, INC., A
NEVADA CORPORATION; UTILITY
SHAREHOLDERS ASSOCIATION OF
NEVADA, INC., A NEVADA
CORPORATION; INTERNATIONAL
BROTHERHOOD OF ELECTRICAL
WORKERS LOCAL 396, AND NEVADA
MANUFACTURERS ASSOCIATION,
Petitioners,

vs.

THE COUNTY OF CLARK, A
POLITICAL SUBDIVISION OF THE
STATE OF NEVADA; CLARK COUNTY
BOARD OF COUNTY
COMMISSIONERS, A POLITICAL
SUBDIVISION OF THE STATE OF
NEVADA; HARVARD L. LOMAX,
REGISTRAR OF VOTERS, IN AND FOR
THE COUNTY OF CLARK,
Respondents.

No. 40100

FILED

SEP 05 2002

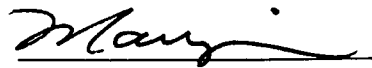
JANETIE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK

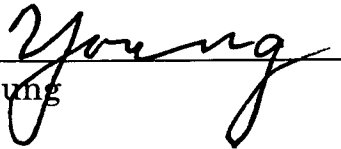
ORDER DENYING PETITION FOR WRIT OF MANDAMUS

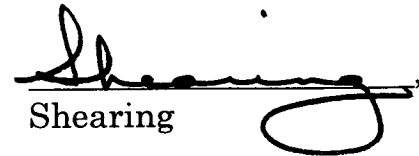
This is an original petition for a writ of mandamus challenging the inclusion of an advisory question on the November 5, 2002 general election ballot. We have considered the petition, and we are not satisfied


that this court's intervention by way of extraordinary relief is warranted.¹ Accordingly, we deny the petition.² The motions for expedited treatment and to dismiss are denied as moot.


It is so ORDERED.


Maupin, C.J.
Maupin


Young, J.
Young

Shearing, J.
Shearing

Agosti, J.
Agosti

Rose, J.
Rose

Leavitt, J.
Leavitt

Becker, J.
Becker

¹See NRS 34.160 (stating that a writ of mandamus may be issued to compel the performance of an act which the law especially enjoins as a duty resulting from an office, trust or station); NRS 293.482(1)(b) (“[T]he result of the voting on the [advisory] question does not place any legal requirement on the governing body or any officer of the political subdivision.”); Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991) (stating that the issuance of a writ of mandamus is purely discretionary with this court); Bailey v. Baker, 696 S.W.2d 255, 256 (Tex. App. 1985) (denying a mandamus petition because of an unjustified delay in seeking relief).

²See NRAP 21(b).

cc: Kummer Kaempfer Bonner & Renshaw
Clark County District Attorney
Clark County District Attorney/Civil Division
Clark County Clerk