

IN THE SUPREME COURT OF THE STATE OF NEVADA

HALINA IKEUCHI A/K/A HALINA
MARIA IKEUCHI,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE JOHN
S. MCGROARTY, DISTRICT JUDGE,
Respondents,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 41656

FILED

NOV 06 2003

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

ORDER GRANTING PETITION

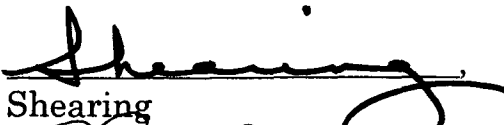
This original petition for a writ of prohibition or mandamus challenges an order of the district court directing the forced administration of antipsychotic drugs to petitioner. Pursuant to this court's order, the State has now filed an answer to the petition. The answer states that the respondent district court does not oppose an order returning "the matter to the district court for further clarification of its order which must be in harmony with the substantive and procedural due process requirements" recently outlined by the United States Supreme Court in the case of Sell v. United States, 539 U.S. ___, 123 S. Ct. 2174 (2003).

In light of the State's response, we grant this petition in part. The clerk of this court shall issue a writ of mandamus instructing the district court to reconsider its order directing the forced medication of petitioner and reevaluate the request to forcibly medicate petitioner in

light of the Supreme Court's recent decision in Sell, as well as its related decisions in Riggins v. Nevada, 504 U.S. 127 (1992) and Washington v. Harper, 494 U.S. 210 (1990).

It is so ORDERED.


_____, J.
Becker


_____, J.
Shearing


_____, J.
Gibbons

cc: Hon. John S. McGroarty, District Judge
Clark County Public Defender
Attorney General Brian Sandoval/Carson City
Attorney General Brian Sandoval/Las Vegas
Clark County District Attorney David J. Roger
Clark County Clerk