

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
MICHAEL CHERRY, DISTRICT
JUDGE,
Respondents,
and
SCOTT MORSE AND JEFF HART,
Real Parties in Interest.

No. 42374

FILED

NOV 21 2003

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

ORDER DENYING PETITION

This original petition for a writ of prohibition or mandamus challenges an order of the district court denying petitioner's motion to strike pretrial petitions for writs of habeas corpus filed below by the real parties in interest. Petitioner also seeks an emergency stay of the proceedings below. Having reviewed the petition and the supporting documentation, we have concluded that this court's intervention by way of extraordinary writ is not warranted. Accordingly, we deny the petition and the emergency motion for a stay.

It is so ORDERED.

Shearing J.

Shearing

Rose J.

Rose

Maupin J.

Maupin

cc: Hon. Michael A. Cherry, District Judge
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger
Kelly & Sullivan, Ltd.
William L. Wolfbrandt Jr.
Clark County Clerk