

IN THE SUPREME COURT OF THE STATE OF NEVADA

NEVADA LINKS, D/B/A BALI HAI
GOLF CLUB, A NEVADA
CORPORATION; DESERT PINES GOLF
CLUB, A NEVADA CORPORATION;
GOLF CLUB OF ILLINOIS, INC., A
NEVADA CORPORATION; AND GOLF
CLUB OF NEVADA, INC., A NEVADA
CORPORATION,

Appellants,

vs.

THE STATE BOARD OF
EQUALIZATION, AN
ADMINISTRATIVE AGENCY OF THE
STATE OF NEVADA; CLAY FITCH,
CHAIRMAN OF SAID BOARD;
STEPHEN R. JOHNSON; SHELLI
LOWE; WES SMITH; AND LESLIE
DAANE, IN THEIR OFFICIAL
CAPACITIES AS MEMBERS OF SAID
BOARD; CHARLES E. CHINNOCK, IN
HIS OFFICIAL CAPACITY AS
SECRETARY OF SAID BOARD; AND
MARK W. SCHOFIELD, IN HIS
OFFICAL CAPACITY AS CLARK
COUNTY ASSESSOR,
Respondents.

No. 42385

FILED

AUG 26 2005

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

ORDER DISMISSING APPEAL


This is an appeal from a district court order that denied a petition for a writ of mandamus; the petition sought to compel depositions of three deputy assessors prior to a State Board of Equalization hearing. First Judicial District Court, Carson City; Michael R. Griffin, Judge.

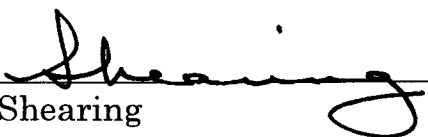
Respondent Mark Schofield, the Clark County Assessor, has moved to dismiss this appeal as moot because the State Board of Equalization has already held the hearing, and because the appellants can

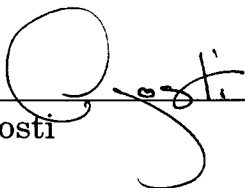
pursue the relief they seek in an appeal once the judicial review process is complete. Appellants oppose the motion.

Having considered the motion and opposition, we conclude that the issues are not ripe for review in this appeal challenging the denial of appellants' mandamus petition.¹ Potentially, the district court could grant appellants petition for judicial review, and even if it does not, and appellants appeal from the district court's denial, it appears this court can reach the discovery issues in any future appeal. Thus, we conclude the issues raised in this appeal are better suited for review in any appeal from the district court's decision on appellants' petition for judicial review. Accordingly, we grant Schofield's motion, and dismiss this appeal.

It is so ORDERED.²


_____, A.C.J.
Rose


_____, Sr. J.
Shearing


_____, Sr. J.
Agosti

¹Matter of T.R., 119 Nev. 646, 651, 80 P.3d 1276, 1279 (2003) (setting forth the factors to be weighed in deciding whether a case is ripe for judicial review: (1) the hardship to the parties of withholding judicial review, and (2) the suitability of the issues for review).

²The Honorable Miriam Shearing, Senior Justice, and the Honorable Deborah A. Agosti, Senior Justice, participated in the decision of this matter under a general order of assignment entered on July 14, 2005.

cc: Hon. Michael R. Griffin, District Judge
Lionel Sawyer & Collins/Reno
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger
Carson City Clerk