

IN THE SUPREME COURT OF THE STATE OF NEVADA

THE HONORABLE ELIZABETH  
HALVERSON, EIGHTH JUDICIAL  
DISTRICT COURT JUDGE,  
Petitioner,

vs.

THE HONORABLE KATHY A.  
HARDCASTLE, EIGHTH JUDICIAL  
DISTRICT COURT CHIEF JUDGE,  
Respondent,  
and  
THE STATE OF NEVADA,  
Real Party in Interest.

No. 49453

**FILED**

**MAY 17 2007**

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

ORDER GRANTING TEMPORARY STAY, IN PART,  
AND DIRECTING ANSWER

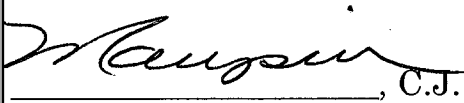
This original petition for a writ of quo warranto challenges respondent's authority to (1) require petitioner to meet with a panel of three judges concerning her judicial and non-judicial activities, (2) remove and reassign petitioner's criminal caseload, and (3) order that petitioner be barred from the Regional Justice Center until petitioner take certain steps, effectively excluding petitioner from her courtroom, which she alleges compromises her ability to perform the duties of the position to which she was elected.

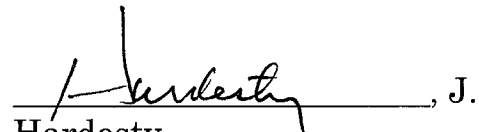
Petitioner has also moved for a stay of respondent's May 10, 2007 order barring her from the Regional Justice Center, to maintain the status quo pending our consideration of this matter. We grant the motion,

in part, and we temporarily stay enforcement of that portion<sup>1</sup> of respondent's May 10 order barring petitioner from the Regional Justice Center, pending our receipt and consideration of any opposition to the motion. In this, petitioner must be permitted to enter the Regional Justice Center, so long as she complies with the protocol applicable to other elected Eighth Judicial District Court judges.

Further, having reviewed the petition, it appears that petitioner may have no plain, speedy, and adequate remedy in the ordinary course of the law. Therefore, respondent shall have until 4:00 p.m. on Wednesday, May 23, 2007, to file an answer, including legal support for any claim to the authority challenged above, against issuance of the requested writ.

It is so ORDERED.<sup>2</sup>

  
\_\_\_\_\_, C.J.  
Maupin

  
\_\_\_\_\_, J.  
Hardesty

  
\_\_\_\_\_, J.  
Parraguirre

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<sup>1</sup>We refer specifically to the language on lines 5-8 on page 3 of the order.

<sup>2</sup>The Honorable Michael A. Cherry, Justice, has voluntarily recused himself from participation in this matter, and the Honorable Mark Gibbons, Justice, did not participate in the consideration of this order.

DOUGLAS, J., with whom SAITTA, J., joins, concurring:

Although we agree with the court's decision to order an answer and temporarily stay enforcement of that portion of the May 10 order barring petitioner's access to the Regional Justice Center, we note that the May 10 order raises concerns regarding the Center's security. Accordingly, as the factual basis underlying those concerns is not clear from the documents before this court, we would condition the stay on petitioner accessing the Center through the main, secured public entrances, as requiring her to access the Regional Justice Center through these public entrances would not interfere in any way with her ability to perform her judicial duties.

  
\_\_\_\_\_, J.  
Douglas

  
\_\_\_\_\_, J.  
Saitta

cc: Gentile DePalma, Ltd.  
Attorney General Catherine Cortez Masto/Carson City  
Eighth District Court Clerk