

1 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

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Electronically Filed
Sep 30 2014 09:04 a.m.
Tracie K. Lindeman
Clerk of Supreme Court

4 EDWARD THOMAS WILSON,)

5 Appellant,)

6 vs.)

7 STATE OF NEVADA,)

8 Respondents.)

Case No. 63101

9 **MOTION TO STAY THE REMITTITUR**

10 Appellant Edward Thomas Wilson hereby moves for an order staying the
11 remittitur and execution of judgment of this Court for a period of ninety days (90) in
12 order to allow him and his counsel time to prepare a petition for certiorari to be filed in
13 the Supreme Court of the United States. NRAP 41(b)(1).

14 Mr. Wilson’s appeal from the Order denying his petition for post-conviction.
15 This Court’s Order of Affirmance was issued on September 12, 2014. This motion is
16 based upon the attached memorandum of points and authorities.

17 Dated this 26th day of September, 2014.

18 Respectfully submitted

19 /s/ Douglass A. Mitchell
20 DOUGLASS A. MITCHELL, ESQ.
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26 Attorneys for Petitioner
27 EDWARD THOMAS WILSON

1 **POINTS AND AUTHORITIES**

2 NRAP 41(b)(1) provides for a stay of the issuance of this Court’s remittitur
3 pending filing of a petition for certiorari in the United States Supreme Court. “A party
4 may file a motion to stay the remittitur pending application to the Supreme Court of the
5 United States for a writ of certiorari.” The rule contemplates a stay of 120 days unless
6 good cause is shown. Once the petition is filed, “the stay shall continue until final
7 disposition by the Supreme Court of the United States.” NRAP 41(b)(2).

8 This is a death penalty case. Mr. Wilson has raised a federal constitutional issue
9 that is subject to review by the United States Supreme Court. Counsel for Appellant
10 will seek review by filing a petition for certiorari within ninety days of this Court’s
11 September 25, 2014 denial of Order of Affirmance.

12 Accordingly, this Court should stay issuance of the remittitur pending the filing
13 and final disposition of a petition for writ of certiorari.

14 Dated this 26th day of September, 2014.

15
16 Respectfully submitted

17 /s/ Douglass A. Mitchell
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CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 26th day of September, 2014. Electronic Service of the foregoing MOTION TO STAY THE REMITTITUR shall be made in accordance with the Master Service List as follows:

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