IN THE SUPREME COURT OF THE STATE OF NEVADA

NAPOLEON SEPULVEDA OLIVERA, Appellant,

VS.

THE STATE OF NEVADA,

Respondent.

NAPOLEON SEPULVEDA OLIVERA, Appellant,

VS.

THE STATE OF NEVADA,

Respondent.

No. 86814

No. 87024 V

AUG 2 5 2023

CLERIFOR SUPPLIES COURT
BY DEPUTY CLERK

ORDER ADMINISTRATIVELY CLOSING DOCKET NO. 87024, DIRECTING TRANSMISSION OF RECORD, AND REGARDING BRIEFING

On June 23, 2023, this court docketed appellant's appeal from the district court's decision regarding his motion to correct illegal sentence in district court case no. C-16-315019-1 as Docket No. 86814. Subsequently, appellant filed a notice of appeal from the same decision, which was inadvertently docketed as a new appeal in Docket No. 87024. Accordingly, the clerk of this court shall administratively close Docket No. 87024 and transfer the notice of appeal and other documents filed under Docket No. 87024 to Docket No. 86814. Appellant may proceed in Docket No. 86814.

Having reviewed the documents on file in the pro se appeal in Docket No. 86814, this court has concluded that its review of the complete record is warranted. See NRAP 10(a)(1). Accordingly, the clerk of the district court shall have 30 days from the date of this order to transmit to the clerk of this court a certified copy of the complete trial court record of this appeal. See NRAP 11(a)(2). The record shall include copies of

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documentary exhibits submitted in the district court proceedings, but shall not include any physical, non-documentary exhibits or the original documentary exhibits. The record shall also include any presentence investigation reports submitted in a sealed envelope identifying the contents and marked confidential. See NRS 176.156(5).

Within 120 days, appellant may file either (1) a brief that complies with the requirements in NRAP 28(a) and NRAP 32; or (2) the "Informal Brief Form for Pro Se Parties" provided by the supreme court clerk. NRAP 31(a)(1). If no brief is submitted, the appeal may be decided on the record on appeal. NRAP 34(g). Respondent need not file a response to any brief filed by appellant, unless ordered to do so by this court. NRAP 46A(c). This court generally will not grant relief without providing an opportunity to file a response. *Id*.

It is so ORDERED.

stiguil, C.J.

cc: Napoleon Sepulveda Olivera Attorney General/Carson City Clark County District Attorney Eighth District Court Clerk

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