

IN THE SUPREME COURT OF THE STATE OF NEVADA

NICHOLAS L. SHAULEY,
Appellant,
vs.

No. 87359

THE STATE OF NEVADA,
Respondent.

NICHOLAS L. SHAULEY,
Appellant,
vs.

No. 87360 ✓

THE STATE OF NEVADA,
Respondent.

FILED

OCT 09 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

*ORDER ADMINISTRATIVELY CLOSING APPEAL, TRANSFERRING
DOCUMENTS, DIRECTING TRANSMISSION OF RECORD, AND
REGARDING BRIEFING*

Docket No. 87359 is an appeal from an order of the district court denying a postconviction petition for writ of habeas corpus. The clerk of this court inadvertently docketed the appeal in Docket No. 87360 as a separate matter when appellant filed a second notice of appeal challenging the same order. Accordingly, the clerk of this court is directed to administratively close the appeal in Docket No. 87360 and transfer to Docket No. 87359 all documents filed or received in that matter.

This court has concluded that its review of the complete record in Docket No. 87359 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 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.

Stiglin, C.J.

cc: Nicholas L. Shauley
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk