

IN THE SUPREME COURT OF THE STATE OF NEVADA

LAWRENCE E. SCHWIGER,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 39007

FILED

APR 25 2002

JANETTE M. D. QUINN
CLERK OF SUPREME COURT
BY *J. Richard*
CHIEF DEPUTY CLERK

~~No. 39008~~

LAWRENCE E. SCHWIGER,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

ORDER ADMINISTRATIVELY CLOSING APPEAL

Appellant Lawrence E. Schwiger filed two proper person notices of appeal from a judgment of conviction entered in the district court on December 11, 2001, in district court case no. C173970. The clerk of this court docketed the appeals under two separate docket numbers (Nos. 39007 and 39008). On January 22, 2002, attorney David C. Amesbury entered a notice of appearance as counsel for appellant and filed a motion to consolidate both matters.


Appellant's notices of appeal designated two district court case numbers, C173970 and C174784. The minute entries of the proceedings below reveal, however, that on July 19, 2001, the district court consolidated the two matters into a single case, which proceeded under case no. C173970, and dismissed case no. C174784 because the charges in that case had been incorporated into case no. C173970. Thereafter, on

December 11, 2001, the district court entered a single judgment of conviction in district court case no. C173970.

As noted, upon receipt of appellant's notices of appeal designating both district court case numbers, the clerk of this court inadvertently docketed this matter as two separate appeals. Accordingly, the clerk of this court is hereby directed to administratively close Docket No. 39008, and to transfer to Docket No. 39007 all documents filed or received in Docket No. 39008. In light of this order, appellant's motion to consolidate is hereby denied as moot.

Finally, on January 18, 2002, April 3, 2002, and April 17, 2002, appellant submitted proper person letters to this court regarding the prosecution of this appeal. Appellant has not been granted permission to file documents in proper person, and the clerk of this court has received, but has not filed these documents. Because appellant is represented by counsel in this appeal, the clerk of this court is hereby directed to return to appellant unfiled all proper person documents received to date in Docket Nos. 39007 and 39008. Appellant shall proceed hereafter by and through counsel and shall address all concerns relating to this appeal to his counsel, attorney David C. Amesbury.

It is so ORDERED.

 _____, C.J.

cc: Hon. Joseph T. Bonaventure, District Judge
Attorney General/Carson City
Clark County District Attorney
Amesbury & Shutt
Lawrence Schwiger
Clark County Clerk