

IN THE SUPREME COURT OF THE STATE OF NEVADA

JAMES MONTELL CHAPPELL,
Appellant/Cross-
Respondent,

vs.

THE STATE OF NEVADA,
Respondent/Cross-
Appellant.

No. 43493

FILED

JUL 15 2004

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. R. [Signature]*
CHIEF DEPUTY CLERK


ORDER SETTING BRIEFING SCHEDULE

This is an appeal and cross-appeal from an order of the district court that granted, in part, appellant/cross-respondent's ("appellant") post-conviction petition for a writ of habeas corpus in a capital case. On July 6, 2004, respondent/cross-appellant ("respondent") filed a docketing statement and a transcript request form. To date, however, appellant has failed to file these documents. Appellant shall have 15 days from the date of this order to file and serve his docketing statement, see NRAP 14(b), and to request transcripts in compliance with NRAP 9(a). See also NRAP 10(b) and 30(b)(1).

Briefing for this appeal and cross-appeal shall proceed as follows in accordance with NRAP 28 through 32, inclusive: (1) appellant shall file and serve his opening brief and appendix within 120 days from the date of this order, (2) respondent shall file and serve its combined answering brief on appeal and opening brief on cross-appeal and appendix within 30 days from service of appellant's opening brief, (3) appellant shall file and serve a combined reply brief on appeal and answering brief on cross-appeal within 30 days from service of respondent's combined brief, and (4) if deemed necessary, respondent shall file and serve a reply brief on cross-appeal within 30 days from service of appellant's combined brief.

See SCR 250. In preparing and assembling the appendix, counsel shall strictly comply with the provisions of NRAP 30.

It is so ORDERED.

 C.J.

cc: David M. Schieck
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger