

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL RIPPO,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 44094

FILED

JAN 05 2005

ORDER

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK

This is an appeal from an order of the district court denying appellant's post-conviction petition for a writ of habeas corpus in a capital case. Appellant filed the notice of appeal in the district court on October 12, 2004, and the appeal was docketed in this court on October 18, 2004. Accordingly, a transcript request form was due to be filed by October 27, 2004. See SCR 250(7)(a) (on appeal from an order resolving an application for post-conviction relief in a capital case, the appeal shall proceed in accordance with the ordinary procedures specified in the Nevada Rules of Appellate Procedure); NRAP 9(a) (appellant shall file copies of the transcript request form no later than 15 days from the date the notice of appeal is filed in the district court). Further, the docketing statement was due to be filed by November 2, 2004. See NRAP 14(b) (docketing statement shall be filed within 15 days after docketing of the appeal).

On November 29, 2004, appellant submitted an untimely transcript request form and docketing statement. Accordingly, appellant's counsel was requested to file an appropriate motion for an extension of time. To date, appellant has failed to file the requisite motion. In the interest of judicial efficiency, we direct the clerk to file the late transcript

request form and docketing statement. We admonish appellant's counsel for failing to file an appropriate motion for leave to file the late documents.

It is so ORDERED.

Becker _____, C.J.

cc: Christopher R. Oram
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger