

IN THE SUPREME COURT OF THE STATE OF NEVADA

JAMES MONTELL CHAPPELL,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 49478

**FILED**

DEC 18 2009

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

ORDER GRANTING STAY OF REMITTITUR

Appellant has moved to stay issuance of the remittitur pending the filing of a petition for a writ of certiorari with the United States Supreme Court. Cause appearing, we grant the motion and stay issuance of the remittitur until March 2, 2010. See NRAP 41(b). If the clerk of this court receives written notice by March 2, 2010, from the clerk of the United States Supreme Court that appellant has filed a petition for a writ of certiorari, the stay shall continue in effect until final disposition of the certiorari proceedings. If such notice is not received by March 2, 2010, the remittitur shall issue on March 3, 2010.<sup>1</sup>

It is so ORDERED.

J. Sanders, C.J.

<sup>1</sup>Pursuant to NRAP 41(b), a stay of the remittitur pending application to the United States Supreme Court for a petition for certiorari "shall not exceed sixty (60) days." Accordingly, we have granted an extension of 60 days. Additionally, we have enlarged this period by 14 days to allow the clerk of the United States Supreme Court sufficient time after filing of the certiorari petition to prepare and mail written notification to the clerk of this court.

cc: Hon. Douglas W. Herndon, District Judge  
Special Public Defender  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk