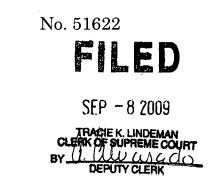
## IN THE SUPREME COURT OF THE STATE OF NEVADA

FERRILL JOSEPH VOLPICELLI, Appellant, vs. THE STATE OF NEVADA, Respondent.



## ORDER TO FILE SUPPLEMENTAL APPENDIX

This is an appeal from an order of the district court denying a post-conviction petition for a writ of habeas corpus. On appeal, appellant argues that the district court erred when it concluded that his trial counsel was not ineffective for failing to argue that one of the judgments of convictions was not permissible to be used to adjudicate appellant a habitual criminal. The appendix filed by appellant's counsel does not contain the judgments of conviction that were used to prove that appellant had at least three prior felony convictions. <u>See</u> NRS 207.010. The judgments of conviction that were filed in the district court are necessary for this court's review of this appeal. <u>See</u> NRAP 10(b).

Accordingly, Kay Ellen Armstrong, as post-conviction counsel for appellant, shall have 10 days from the date of this order to file a supplemental appendix containing the judgments of conviction that were used to adjudicate appellant a habitual criminal.

It is so ORDERED.

1 Sardesty, C.J.

SUPREME COURT OF NEVADA cc: Ferrill Joseph Volpicelli Kay Ellen Armstrong Attorney General Catherine Cortez Masto/Carson City Washoe County District Attorney Richard A. Gammick Washoe District Court Clerk

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SUPREME COURT OF NEVADA

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