

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRENDAN DUNCKLEY,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 52383

**FILED**

DEC 18 2008

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

ORDER DIRECTING BRIEFING AND  
RETURNING FAST TRACK DOCUMENTS

This is a direct appeal from a judgment of conviction and a sentence of life.<sup>1</sup> As such, this appeal is governed by the briefing schedule set forth in NRAP 31(a)(1), and is not subject to the fast track rules and procedures of NRAP 3C. See NRAP 3C(a)(1). However, on November 20, 2008, "Appellant's Fast Track Appeal Statement" and "Appellant's Fast Track Appeal Appendix" were received by the clerk of this court.

As briefing in this appeal is governed by NRAP 31(a)(1), it requires the filing of an opening brief and appendix, rather than a fast track statement and appendix. Accordingly, we direct the clerk of this court to return, unfiled, the fast track statement and appendix.

Appellant's appeal was docketed in this court on September 10, 2008. Accordingly, appellant has until January 8, 2009, to file and

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<sup>1</sup>We note that appellant's docketing statement, filed November 24, 2008, incorrectly indicates that this appeal does not involve a life sentence.

serve his opening brief and appendix. See NRAP 31(a)(1). Thereafter, briefing shall proceed in accordance with NRAP 31(a)(1).

It is so ORDERED.

*Mauson*, C.J.

cc: O'Mara Law Firm, P.C.  
Attorney General Catherine Cortez Masto/Carson City  
Washoe County District Attorney Richard A. Gammick