

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAIMON MONROE A/K/A DAIMON
DEVI HOYT,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 52788

FILED

JUN 19 2009

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *H. Ingerson*
DEPUTY CLERK

ORDER DENYING MOTION

Appellant has filed a motion for joinder in “relevant issues presented” in several other appeals.¹ The motion is not a model of clarity. While the title on the motion identifies docket numbers for three cases in which appellant seeks to join “in relevant issues,” including this appeal² and two other appeals (Nos. 52234 and 52916) in which he is the appellant, the text of the motion seeks to join “in any arguments addressed in co-Defendant’ [sic] appeal (Case No. 52877) which are relevant to Appellant’s case, including, but not limited to” seven specifically identified issues.

¹The motion also seeks leave to file an opening brief in excess of 25 pages. That request requires no action for two reasons. First, the page limit for briefs is 30 pages. NRAP 28(g). Second, the opening brief filed on June 16, 2009, does not exceed the page limit.

²The typed title identifies this appeal Docket No. 52877 as one of the cases in which appellant seeks to join in the issues. There is a handwritten strike through that number and the number for this appeal (52788) is written under it. Docket No. 52877 is Bryan Ferguson’s appeal from a judgment of conviction in the same district court case (C228752) as appellant’s judgment of conviction being challenged in this appeal.

An appellant is required to raise any issues for this court's consideration in a properly filed opening brief that includes a "statement of the issues presented for review" and "the contentions of the appellant with respect to the issues presented, and the reasons therefor, with citations to the authorities, statutes and parts of the record relied on." NRAP 28(a)(2), (4). When a case involves more than one appellant or respondent or when multiple cases are consolidated for appeal, "any number of [appellants or respondents] may join in a single brief, and any appellant or respondent may adopt by reference any part of the brief of another." NRAP 28(i). This case, however, does not involve multiple appellants and none of the cases have been consolidated for appeal. Accordingly, the motion to join in relevant issues presented in other appeals is denied.³

It is so ORDERED.

Amulety, C.J.

cc: Law Offices of Martin Hart, LLC
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger

³On June 12, 2009, appellant filed a motion for an extension of time to file the opening brief and appendix. Despite that pending motion, the opening brief and appendix were filed when they were received via E-Flex on June 16, 2009. Because the documents were filed, we will take no action on the motion for extension of time.