

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL DAMON RIPPO,
Appellant,

vs.

RENEE BAKER, Warden, and
ADAM PAUL LAXALT, Attorney
General for the State of Nevada,
Respondents.

Supreme Court No. 51626
Electronically Filed
May 20 2016 09:55 a.m.
Tracie K. Lindeman
Clerk of Supreme Court
(Death Penalty Habeas Corpus
Case)

MOTION TO STAY THE REMITTITUR

Appellant Michael Damon Rippo hereby moves this Court for an order staying the remittitur and execution of judgment of this Court until such time as this Court receives notice from the Supreme Court of the United States that a petition for writ of certiorari has been filed in this case. NRAP 41(b)(1).

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This motion is based upon the following memorandum of points and authorities.

DATED this 20th day of May, 2016

Respectfully submitted,

RENE L. VALLADARES
Federal Public Defender

DAVID ANTHONY
Assistant Federal Public Defender
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Counsel for Appellant

POINTS AND AUTHORITIES

NRAP 41(b)(1) provides for a stay of the issuance of this Court's remittitur pending the filing of a petition for certiorari in the United States Supreme Court. "A party may file a motion to stay the remittitur pending application to the Supreme Court of the United States for a writ of certiorari." Id. The rule contemplates a stay of 120 days unless good cause is shown.

Appellant will be filing a petition for writ of certiorari in the United States Supreme Court no later than August 17, 2016. Appellant hereby requests that this Court stay the issuance of remittitur pending the filing and final disposition of a petition for writ of certiorari in the United States Supreme Court.

DATED this 20th day of May, 2016.

Respectfully submitted,

/s/ David Anthony
DAVID ANTHONY
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Las Vegas, Nevada 89101
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CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the May 20, 2016, electronic service of the foregoing MOTION TO STAY REMITTITUR shall be made in accordance with the Master Service List as follows:

Steve S. Owens, Chief Deputy District Attorney

Adam Paul Laxalt, Attorney General

/s/ Felicia Darensbourg

An Employee of the Federal Public
Defender