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2 IN THE SUPREME COURT OF
3 THE STATE OF NEVADA

4 Electronically Filed
5 Oct 11 2012 09:24 a.m.
6 Tracie K. Lindeman
7 Clerk of Supreme Court

8 LUIS A. HIDALGO, III

9 Appellant,

10 v.

No. 54272

11 STATE OF NEVADA,

12 Respondent.
13 _____/

14 **LUIS A. HIDALGO III'S MOTION FOR PERMISSION TO FILE**
15 **A REPLY TO ANSWER TO PETITION FOR**
16 **EN BANC RECONSIDERATION**

17 Comes now, Appellant, Luis A. Hidalgo, III, by and through counsel, John L.
18 Arrascada and Christine A. Aramini of the Law Firm of Arrascada & Aramini, Ltd.,
19 and files this Motion for Permission to File a Reply to Answer to Petition for *En Banc*
20 Reconsideration.
21

22 After the panel affirmed his conviction, Mr. Hidalgo III brought a Petition of *En*
23 *Banc* Reconsideration on August 13, 2012. Thereafter, on September 19, 2012, this
24 Court entered an Order directing the State to bring an Answer to the Petition. The State
25 submitted its Answer on October 2, 2012.
26

27 Nevada Rule of Appellate Procedure 27(a) permits a moving party to request an
28 order or "other relief." It is respectfully requested this Court allow Mr. Hidalgo III to

1 bring a limited eleven ¹⁴~~(11)~~ page Reply to the State's Answer to the Petition for *En Banc*
2 Reconsideration. It is necessary that Mr. Hidalgo III be afforded the opportunity to
3 reply to the State's Answer because there were misstatements of law advanced by the
4 State that must be rectified before this issue of the first impression can be decided.
5

6 Dated this 10 day of October, 2012.

7 ARRASCADA & ARAMINI, LTD.
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