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4 IN THE SUPREME COURT OF THE STATE OF NEVADA

Electronically Filed
Sep 14 2012 08:54 a.m.
Tracie K. Lindeman
Clerk of Supreme Court

5 DELARIAN WILSON,)
6 APPELLANT,)
7 vs.)
8 STATE OF NEVADA)
9 RESPONDENT.)
-----)

CASE NO: 60309

10 **Motion For Limited Remand For Purposes Of Concluding Appellant's Motion For**
11 **Reconsideration**

12 Appellant, Delarian Wilson, by and through his attorney Keith C. Brower, Esq., respectfully
13 requests that this Court remand this matter to the district court so that appellant may obtain a ruling
14 on his Motion For Reconsideration.

15 **Argument For Remand**

16 Appellant's Post Conviction Writ was denied in a Written Findings Of Fact, Conclusions Of
17 Law, and Order on or about January 6, 2012. The Appellant filed a timely Motion For
18 Reconsideration. At the date scheduled for a hearing on the Motion For Reconsideration, the State
19 requested additional time within which to respond to Appellant's Motion. As this time was beyond
20 the time for filing an appeal, Appellant requested and was granted an Order Staying The Finding Of
21 Fact, Conclusions Of Law, and Order (Exhibit 1). However, in speaking with Bar Counsel and
22 several other practicing appellate practitioners, counsel for the Appellant was advised that Appellant
23 might be giving up his appellate rights if an appeal was not taken. An appeal was filed in this Court
24 in an abundance of caution, prior to any ruling on Appellant's Motion For Reconsideration.

25 As Appellant's timely filed Motion For Reconsideration remains undecided, Appellant
26 respectfully requests a remand to the district court for a dispositive outcome on this motion.

27 **Conclusion**

28 As the District Court stayed the Findings Of Fact, Conclusions Of Law, And Order pending
their ruling on Appellant's timely motion for reconsideration and as Appellant's this motion remains

1 undecided, Appellant respectfully requests a remand to the district court for a dispositive outcome
2 on this motion.

3 As such, counsel requests that this Court this Motion For Remand.

4 DATED this 13th day of September, 2012.

5 Respectfully submitted,

6 By 

KEITH C. BROWER, ESQ.

NEVADA BAR#007288

THE LAW OFFICES OF KEITH C. BROWER, LLC

8275 SOUTH EASTERN #200

LAS VEGAS, NEVADA 89123

ATTORNEY FOR APPELLANT

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FILED
FEB 21 2012

John D. Bixler
CLERK OF COURT

ORIGINAL

7 IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA IN AND
8 FOR THE COUNTY OF CLARK

9 STATE OF NEVADA)
10 Plaintiff,)

11 vs.)

12 DELARIAN WILSON,)
13 ID# 1966773)
14 Defendant)

Case No. : 07C232494-1
Dept. No.: XXIV

07C232494 - 1
ORDR
Order
1776210



15 ORDER STAYING THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

16 It is hereby ORDERED, ADJUDGED, AND DECREED, that The Findings Of
17 Fact, Conclusions Of Law And Order filed on or about January 6, 2012 with a Notice Of Entry Of
18 Order filed on or about January 18, 2012 be stayed until Defendant's timely filed Motion For
19 Reconsideration can be heard.

20 IT IS SO ORDERED.

21 Dated this 21st day of February, 2012.

22 By: *James Bixler*
The Honorable James Bixler

23 Respectfully Submitted By:

24 *Keith C. Brower*
Keith C. Brower, Esq

RECEIVED
FEB 21 2012
CLERK OF THE COURT

EXHIBIT 1