

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRIAN KERRY O'KEEFE,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 61631

FILED

JUN 28 2013

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *T. Malone*
DEPUTY CLERK

ORDER DENYING MOTIONS

Appellant has submitted a proper person motion requesting this court to dismiss his appointed counsel and appoint new counsel to represent him in this appeal. Appellant has also submitted a request to appear and file motions in proper person. The clerk of this court shall file the proper person documents received on June 25, 2013.

In support of both motions, appellant informs this court that he has irreconcilable differences with his counsel and a break-down in communication has occurred. We conclude appellant has failed to demonstrate good cause to remove and substitute appointed counsel. See *Thomas v. State*, 94 Nev. 605, 584 P.2d 674 (1978); cf. *Thomas v. Wainwright*, 767 F.2d 738, 742 (11th Cir. 1985) (appellant's general loss of confidence or trust in counsel alone is not adequate cause for appointment of new counsel). And we decline to grant appellant permission to file documents in proper person. Therefore, we deny the motions. No action will be taken on the proper person petition for en banc reconsideration attached to the motion to file documents in proper person.

Appellant's counsel shall have 10 days from the date of this order to file a petition for en banc reconsideration, if deemed warranted. See NRAP 40A(a).

It is so ORDERED.

Pickering, C.J.

cc: Bellon & Maningo, Ltd.
Attorney General/Carson City
Clark County District Attorney
Brian Kerry O'Keefe