

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRYAN FERGASON,
Appellant,
vs.
LAS VEGAS METROPOLITAN POLICE
DEPARTMENT,
Respondent.

No. 62357

FILED

JAN 17 2013

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER REGARDING FILING FEE

This is a proper person appeal, docketed in this court on December 28, 2012, without payment of the requisite filing fee. On that same day, this court issued a notice directing appellant to pay the filing fee. In response, appellant filed a proper person application to proceed in forma pauperis. If appellant wishes to proceed in the instant matter in forma pauperis, he must first file his request in the district court.

NRAP 24(a) provides that a request for in forma pauperis status must first be presented to the district court. If the district court grants the request, an appellant may proceed in this court without prepayment of fees or costs. If the district court denies the request, it must state in writing the reasons for its decision. A motion for leave to proceed in forma pauperis may then be filed in this court within thirty days after notice of the district court's decision is served. Under NRAP 24(a), an appellant may not seek in forma pauperis status from this court before the matter has been finally resolved by the district court.

Accordingly, appellant's motion to proceed in forma pauperis is denied without prejudice. Appellant must first seek leave to proceed in forma pauperis in the district court. Appellant is cautioned that his failure either to properly seek leave to proceed in forma pauperis in the district

court or to pay the filing fee within 30 days will result in the dismissal of this appeal.

It is so ORDERED.

CLERK OF THE SUPREME COURT
TRACIE K. LINDEMAN

BY: Tracie K. Lindeman

cc: Bryan Fergason
Clark County District Attorney