

IN THE SUPREME COURT OF THE STATE OF NEVADA

MELVIN LEROY GONZALEZ,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 65768

FILED

JUL 03 2014

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY A. Malone
DEPUTY CLERK

ORDER STRIKING FAST TRACK STATEMENT

On July 1, 2014, the clerk of this court filed the fast track statement. Although the certificate included with the brief pursuant to NRAP 3C(h)(3) indicates that the brief complies with the formatting requirements in NRAP 32(a)(4) and NRAP 32(a)(6), review of the brief indicates that the text is not entirely double-spaced as required by NRAP 32(a)(4),¹ and the font is not set in a plain style throughout.² Further, the certificate of compliance incorrectly states that the fast track statement does not exceed 8 pages. We also note that the fast track statement contains several unnecessary pages and/or information, such as the table of contents and table of cases cited. *See* NRAP 3C(e)(1)(B); NRAP Form 6. Because the statement is not prepared in accordance with NRAP 32(a), *see* NRAP 3C(h)(1) (requiring fast track filings to comply with the formatting provisions in NRAP 32(a)(4)-(6)), we direct the clerk of this court to strike the fast track statement filed on July 1, 2014. *See* NRAP 32(e) ("If a

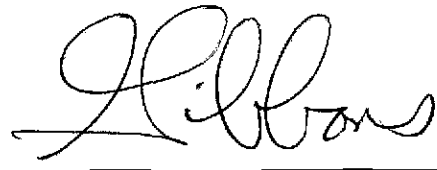
¹Headings, footnotes, and quotations of more than two lines may be single-spaced. NRAP 32(a)(4).

²Boldface may be used for emphasis. NRAP 32(a)(6).

brief . . . is not prepared in accordance with this Rule, the clerk will not file the document, but shall return it to be properly prepared.”).

Appellant shall have until July 10, 2014, to file and serve a fast track statement that complies with NRAP 3C(h)(1).³ Failure to comply with this order may result in the imposition of sanctions. See NRAP 3C(n).

It is so ORDERED.

 , C.J.

cc: Pershing County Public Defender
Attorney General/Carson City
Humboldt County District Attorney

³We note that if a properly formatted fast track statement exceeds the page limit set forth in NRAP 3C(e)(1)(B), it will nonetheless be acceptable without a motion to exceed the page limit if it contains no more than 7,000 words. NRAP 3C(h)(2). If appellant must rely on compliance with the type-volume limitations, the certificate required by NRAP 3C(h)(3) must specify the number of words in the fast track statement, not simply that it contains no more than 7,000 words. NRAP 32(a)(8)(B); NRAP Form 6.