

IN THE SUPREME COURT OF THE STATE OF NEVADA

GILBERT JAY PALIOTTA,
Appellant,
vs.
THE STATE OF NEVADA IN
RELATION TO THE NEVADA
DEPARTMENT OF CORRECTIONS;
AND RENEE BAKER, WARDEN,
Respondents.

No. 66664

FILED

JUL 31 2015

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

*ORDER DIRECTING COMPLIANCE WITH NRAP 9
AND SETTING BRIEFING SCHEDULE*

This court referred this matter to the Pro Bono Committee of the State Bar of Nevada's Appellate Litigation Section for the selection of pro bono counsel to represent appellant. Appellant has not filed an objection to the appointment. On July 22, 2015, Adam D. Hosmer-Henner, Esq., of McDonald Carano Wilson LLP, filed a notice of appearance on behalf of appellant as his pro bono counsel. Accordingly, this appeal no longer stands submitted for decision on the civil pro se appeal statement, and we set forth the following schedule for the requesting of transcripts and briefing in this appeal.

Appellant shall have 14 days from the date of this order to determine the transcripts necessary for a review of this appeal and to file either a transcript request form or a certification that no transcripts are requested under NRAP 9(a). As appellant is now a client of a program for legal aid, *see* NRS 12.015(1)(b), appellant's counsel is directed to follow NRS 12.015(3) for obtaining any necessary transcripts at county expense. Appellant shall have 90 days from the date of this order to file and serve the opening brief and appendix. *See* NRAP 28; NRAP 30; NRAP 31(a)(1).

Appellant shall state on the cover page of the opening brief whether it is a replacement brief or a supplement to appellant's previously filed pro se appeal statement. This court encourages the submission of a replacement brief. Thereafter, briefing shall proceed in accordance with NRAP 31(a)(1). Because the trial court record has been filed in this appeal, the parties are permitted, but not required, to cite to that record in lieu of filing joint or separate appendices with their briefs. *Compare* NRAP 10(a) (governing transmission of trial court record), *with* NRAP 30 (setting forth requirements for appendices). Although this matter will be scheduled for oral argument upon completion of briefing, counsel may notify this court in writing if counsel believes that oral argument is undesirable or unnecessary.

It is so ORDERED.

1. J. J. J., C.J.

cc: McDonald Carano Wilson LLP/Las Vegas
Attorney General/Carson City
Legal Aid Center of Southern Nevada, Barbara E. Buckley,
Executive Director
Anne R. Traum, Coordinator, Appellate Litigation Section,
Pro Bono Committee, State Bar of Nevada