

IN THE SUPREME COURT OF THE STATE OF NEVADA

RALPH SIMON JEREMIAS

Appellant,

vs.

THE STATE OF NEVADA

Respondent.

Electronically Filed
Apr 27 2018 03:25 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

Docket No. 67228

Direct Appeal From A Judgment of Conviction
Eighth Judicial District Court
The Honorable Valerie Adair, District Judge
District Court No. C256769

APPELLANT'S MOTION TO STAY REMITTITUR

JoNell Thomas
State Bar #4771
Special Public Defender
330 South 3rd Street
Las Vegas, NV 89155
(702) 455-6265
Attorney for Ralph Jeremias

Comes now Appellant RALPH JEREMIAS, by and through his counsel JoNell Thomas, and respectfully requests this Court stay issuance of the Remittitur pending application to the United States Supreme Court for a Petition for Writ of Certiorari.

The Order Denying Rehearing was filed April 27, 2018, and pursuant to the rules of the United States Supreme Court, the petition for writ of certiorari must be filed within 90 days from said date, up to and including July 26, 2018.

NRAP 41(a) states the Remittitur will issue twenty-five (25) days after entry of the order denying the petition unless the time is enlarged by order. Counsel requests that the time to issue the Remittitur be enlarged and respectfully requests this Court enter an Order to Stay Issuance of the Remittitur pending the filing of the Writ of Certiorari by Appellant.

POINTS AND AUTHORITIES

Nevada Rules of Appellate Procedure Rule 41 provides in pertinent part:

...(b) Stay of remittitur pending application for certiorari. A stay of the remittitur pending application to the Supreme Court of the United States for a writ of certiorari may be granted upon motion, reasonable notice of which shall be given to all parties. The stay shall not exceed sixty (60) days unless the period is extended for cause shown. If during the period of the stay there is filed with the clerk of the Supreme Court of Nevada a notice from the clerk of the Supreme Court of the United States that the party who has obtained the stay has filed a petition for the writ in that court, the stay shall continue until final disposition by the Supreme Court of the United States. Upon the filing of a copy of an

order of the Supreme Court of the United States denying the petition for writ of certiorari the remittitur shall issue immediately.....

Good cause exists for stay of Remittitur in this case due to the nature of the issues intended to be raised. As such the propriety of the decision should be scrutinized by the highest Court in the land.

A stay of ninety (90) days in issuance of the remittitur is therefore respectfully requested.

DATED this 27th day of April, 2018.

/S/ JONELL THOMAS

JONELL THOMAS
Clark County Special Public Defender
Nevada Bar No. 4771
330 S. Third St., Ste. 800
Las Vegas, Nevada 89155
(702) 455-6265

CERTIFICATE OF SERVICE

The undersigned does hereby certify that on 4-27-2018, a copy of the foregoing
Motion to Stay Remittitur was served as follows:

BY ELECTRONIC FILING TO

District Attorney's Office
200 Lewis Ave., 3rd Floor
Las Vegas, NV 89155

Nevada Attorney General
100 N. Carson St.
Carson City NV 89701

/S/ JONELL THOMAS

JONELL THOMAS