

FILED

IN THE SUPREME COURT OF THE STATE OF NEVADA

JAN 13 2016

BRIAN KERRY O'KEEFE,

Appellant,

-vs-

THE STATE OF NEVADA, et al.

Respondent,

and

Real Part
In Interest.

Case No. 69036

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

Eighth Judicial Dist. Case C850630

Dept. No. XVII

PROPER PERSON
RECEIVED/ENTERED

DEC 15 2015

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT

Emphasis:
ONE EXHIBIT AS EXHIBIT "A"
attached and incorporated herein
by reference with all Points and
Authorities of statutory law to apply.

MOTION TO DISMISS COUNSEL ON APPEAL

PURSUANT ORDER FILED DECEMBER 03, 2015

DOCKET ENTRY 15-36837 BY C.J. HARDESTY

ACCORD HAINES v. KERNER, 404 U.S. 519

COMES NOW, Brian O'Keefe, appellant, (file for relief by order)

to timely reply and request dismissal of counsel with leave
of court to file his Opening Brief with state responding.

This motion is made pursuant ORDER, 15-36837 and the Nevada

Constitution, article 1 subsection 8, U.S. Constitution and the POINTS AND

AUTHORITIES that follow.

Dated December 9, 2015.

By: Respectfully Submitted

Brian O'Keefe - #90244

Pursuant NRS 208.165
15-38154

CCILL FORM 28.016

RECEIVED

DEC 14 2015

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
DEPUTY CLERK

FILED PER 1/13/16 ORDER

EXHIBIT A

SEN No. 69036

ORDER FOR PETITION FOR
WRIT OF HABEAS CORPUS

Eighth Judicial Dist Ct. Case No. 0250630

Dated / Filed Oct. 15, 2014

(1 page.)

EXHIBIT A

PPOW

FILED

2014 OCT 15 P 2:20

DISTRICT COURT
CLARK COUNTY, NEVADA

John A. Johnson
CLERK OF THE COURT

Brian Kerry O'Keefe,

Petitioner,

vs.

Warden Robert LeGrand,

Respondent,

Case No: C250630

Dept No: 17

ORDER FOR PETITION FOR
WRIT OF HABEAS CORPUS

Petitioner filed a petition for writ of habeas corpus (Post-Conviction Relief) on September 15, 2014. The Court has reviewed the petition and has determined that a response would assist the Court in determining whether Petitioner is illegally imprisoned and restrained of his/her liberty, and good cause appearing therefore.

IT IS HEREBY ORDERED that Respondent shall, within 45 days after the date of this Order, answer or otherwise respond to the petition and file a return in accordance with the provisions of NRS 34.360 to 34.830, inclusive.

IT IS HEREBY FURTHER ORDERED that this matter shall be placed on this Court's Calendar on the 28th day of October, 2014, at the hour of

8:15 o'clock for further proceedings.

[Signature]
District Court Judge

PAB

RECEIVED BY
DEPT 17 ON

SEP 17 2014

Points And Authorities

1 The Constitution of Nevada, article 1 § 8 and the U.S.
2
3 allow a defendant to proceed pro se. Moreover, this Court
4
5 has allowed, by Order, if appellant answered order issued.
6 (EXHIBIT "A" PPOW incorporated herein by reference.)
7 Attached and incorporated herein by reference is the district court's
8
9 P.P.O.W. issued pursuant petitioner's Habeas Corpus matter filed
10
11 exclusively pursuant N.R.S. 34.360 challenging his fundamental
12
13 Constitutional violation of want of jurisdiction. The County of Clark
14
15 district attorney's office has repeatedly confessed error by failing to
16
17 properly address the correct issue raised by petitioner multiple
18
19 times, i.e., want of jurisdiction. Hereby now incorporating the
20 (See Polk v. Nevada, 126 Nev. 19; NRAP 31(d))
21 original "ORDER FOR PETITION FOR WRIT OF HABEAS CORPUS" filed 2014,
22
23 October 15, 2:20 PM, by reference with all points of authorities
24
25 including the GOOD-CAUSE burden of proof test met noting
26
27 jurisdictional claims can be raised at any time precluding time
28 or procedural bars.

CERTIFICATE OF SERVICE BY MAIL

I do certify that I mailed a true and correct copy of the foregoing MOTION TO DISMISS COUNSEL ON APPEAL ... HARDISTY, C.J. to the below address(es) on this 9th day of December, 2018, by placing same in the U.S. Mail via prison law library staff, pursuant to NRCP 5(b): Brass Slip No. 2011199

Supreme Court of Nevada
Office of the Clerk
201 S. Carson St., Suite 201
Carson City, NV. 89701

Please Note: All registered users of the CM/ECF electronic filing system will be served by the clerk using that perspective system.

Brian K. O'Kane
Brian K. O'Kane # 90244
Lovelock Correctional Center
1200 Prison Road
Lovelock, Nevada 89419

Appellant In Pro Se

AFFIRMATION PURSUANT TO NRS 239B.030

The undersigned does hereby affirm that the preceding MOTION TO DISMISS COUNSEL ON APPEAL ... C.J. filed in District Court Case No. C250630 does not contain the social security number of any person.

Dated this 9th day of December, 2018.

Brian K. O'Kane
Brian K. O'Kane
Appellant In Pro Se