

IN THE SUPREME COURT OF THE STATE OF NEVADA

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BRIAN KERRY O'KEEFE,)

Case No. 69036

Appellant,)

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT

-VS-

Eighth Judicial District Court Case No. C250630

THE STATE OF NEVADA, et al.,)

FILED

_____,)

(U.S. SUPREME COURT DOCKET SHEET (2 pages)
Attached pursuant N.R.S. 47.150(2)
TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY [Signature]
DEPUTY CLERK

_____,)

Respondent.,)

MOTION TO TAKE JUDICIAL NOTICE (U.S. DOCKET SHEET)

PURSUANT N.R.S. 47.150(2) OF RULES (9;15)

OF THE U.S. SUPREME COURT PURSUANT

N.R.S. 47.140(8) PERTAINING TO NOTICE

OF APPEARANCE AND WAIVER FILED BY (Rule 18)

SOLICITOR GENERAL OF NEVADA, C. WAYNE HOWLE.

• see Andolino v. State, 99 Nev 346, 351 (1983)

Comes Now, Brian O'Keefe, appellant to request this Court to take notice of the attached U.S. Supreme Court docket sheet, case 13-6031.

This docket is relevant to the issue now on appeal pertaining to the issuance of the remittitur in Nevada, case no. 61631, and the state's failure to recognize that the "Solicitor General", C. Wayne Howle, acted on part and for the State of Nevada in the certiorari request from direct appeal no. 61631. This participation clearly demonstrates that as "respondent", Mr. C. Wayne Howle recognized appellant's right to U.S. Certiorari review on direct appeal, which was not denied until October 15, 2013 making my state habeas timely.

Pursuant A.R.S. 208.165; Dated December 25, 2015.

By: [Signature]
Brian K. O'Keefe

15-39872# 90244

LCC LL FORM 28.014

RECEIVED

DEC 28 2015

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
DEPUTY CLERK

FILED PER 1/13/16 ORDER

POINTS AND AUTHORITIES

- N.R.S. 47.150(2). U.S. DOCKET SHEET MANDATES REVIEW

(• see Andolino v. State, 99 Nev. 346, 351 (1983))

Attached Supreme Court of the United States docket sheet hereby clearly manifests pursuant Supreme Court rules 9 and 15 that the solicitor general correctly filed the required response pursuant Supreme Court Rules 15, 18(2). Moreover, the solicitor general filed his notice of appearance pursuant rule 9(1) taking the helm based on the U.S. Government's interest in the case already, pursuant the Ninth Circuit granting the Certificate of Appealability in case no. 12-15271 pertaining

to this instant case C250630. (see Gonzalez v. Thaler, 132 S.Ct 641 (2012))

- (see also 28 U.S.C. §§ 2253, 1291, 1331, 2241) Direct review is allowable

of all direct-appeals in a criminal case, especially since

the entire conviction is actually void and a nullity

- (• see Benton v. Maryland, 395 U.S. 785) (U.S. 5th, 14th Amendments)

since the entire process in state court circumvented the

"CoA" issued with the conviction obtained in want of jurisdiction.



SUPREME COURT OF THE UNITED STATES

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No. 13-6031

Title: Brian Kerry O'Keefe, Petitioner

v.

Nevada

Docketed: August 26, 2013

Lower Ct: Supreme Court of Nevada

Case Nos.: (61631)

Decision Date: April 10, 2013

Rehearing Denied: June 13, 2013

~~~Date~~~ ~~~~~Proceedings and Orders~~~~~

Aug 19 2013 Petition for a writ of certiorari and motion for leave to proceed in forma pauperis filed.

(Response due September 25, 2013)

Sep 13 2013 Waiver of right of respondent Nevada to respond filed.

Sep 26 2013 DISTRIBUTED for Conference of October 11, 2013.

Oct 15 2013 Petition DENIED.

~~~Name~~~~~

~~~~~Address~~~~~

~~~Phone~~~

Attorneys for Petitioner:

Brian K. O'Keefe

#90244

P.O. Box 650

Indian Springs, NV 89070-0650

Party name: Brian Kerry O'Keefe

Attorneys for Respondent:

C. Wayne Howle

Counsel of Record

Solicitor General

Office of Attorney General

State of Nevada

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(775) 684-1261

Party name: Nevada

December 14, 2015 | Version 2014.1

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Supreme Court of the United States

CERTIFICATE OF SERVICE

I do certify that I mailed a true and correct copy of the foregoing
(check appropriate box)

☐ Opening Brief

☐ Reply Brief

☒ Motion: JUDICIAL NOTICE (U.S. DOCKET SHEET)...

☐ Petition: _____

☐ Other: _____

to the below address(es) on this 23rd day of December, 2015, by
placing same in the hands of prison staff for posting in the U.S. Mail, per

Nev.R.App.P. 25: Brass Slip No. 1957129

Supreme Court of Nevada

Office of the Clerk

201 S. Carson Street, Suite 201

Carson City, Nevada 89701

Attorney For _____

☒ and all registered users of the CM/ECF appellate
electronic filing system will be served by the clerk.

_____, Nevada 89_____

Respectfully Submitted,

Brian L. O'Keefe

Brian L. O'Keefe

90244

Lovelock Correctional Center

1200 Prison Road

Lovelock, Nevada 89419

Appellant

In Pro Se