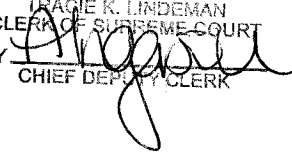


IN THE SUPREME COURT OF THE STATE OF NEVADA  
IN THE MATTER OF AMENDMENT OF  
NEVADA RULE OF APPELLATE  
PROCEDURE 3C.

ADKT 0510

FILED

NOV 06 2015

TRAGIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY   
CHIEF DEPUTY CLERK

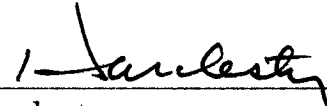
**PETITION TO AMEND NEVADA RULE OF  
APPELLATE PROCEDURE 3C**

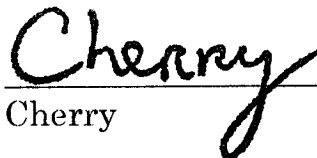
James Hardesty, Chief Justice of the Nevada Supreme Court, and Michael Cherry, Justices of the Nevada Supreme Court hereby petition the Nevada Supreme Court to amend Nevada Rule of Appellate Procedure (NRAP) 3C for the following reasons:

1. NRAP 3C regarding fast track criminal appeals was developed and implemented by this court to allow for the expeditious resolution of certain criminal cases;
2. This court has recently experienced procedural and caseload changes, in part due to the establishment of the Court of Appeals;
3. Because of these changes, it appears that a change to the scope of NRAP 3C is warranted.

Accordingly, we request that the Nevada Supreme Court amend NRAP 3C as shown in as Exhibit A.

DATED this 6<sup>th</sup> day of November, 2015.

  
\_\_\_\_\_, C.J.  
Hardesty

  
\_\_\_\_\_, J.  
Cherry

15-34053

## EXHIBIT A

### AMENDMENT TO NEVADA RULE OF APPELLATE PROCEDURE 3C

#### RULE 3C. FAST TRACK CRIMINAL APPEALS

**(a) Applicability.**

(1) This Rule applies to an appeal from a district court judgment or order entered in a criminal or post-conviction proceeding commenced after September 1, 1996, whether the appellant is the State or the defendant. A proceeding is commenced for the purposes of this Rule upon the filing of an indictment, information, or post-conviction application in the district court.

(2) The Supreme Court may exercise its discretion and apply this Rule to appeals arising from criminal and post-conviction proceedings that are not subject to this Rule.

(3) Unless the court otherwise orders, an appeal is not subject to this Rule if:

(A) the appeal challenges ~~[an order or]~~ a judgment based on a jury verdict or an order resolving a post-conviction habeas petition in a case involving a category A or category B felony, as described in NRS 193.130(2)~~[(a), in which a sentence of death or imprisonment in the state prison for life with or without the possibility of parole is actually imposed]~~;

(B) the appeal is brought by a defendant or petitioner who was not represented by counsel in the district court; or

(C) the appeal is filed in accordance with Rule 4(c).