

IN THE SUPREME COURT OF THE STATE OF NEVADA

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AMMAR HARRIS,

Appellant,

vs.

WILLIAM GITTERE, Acting
Warden; and AARON D. FORD,
Attorney General for the State of
Nevada,

Respondents.

Electronically Filed
Jan 18 2019 09:37 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

Case No. 69509

(Death Penalty Case)

MOTION TO STAY THE REMITTITUR

Appellant Ammar Harris hereby moves this Court for an order staying the remittitur and execution of judgment of this Court until such time as this Court receives notice from the Supreme Court of the United States that a petition for writ of certiorari has been filed in this case. NRAP 41(b)(1).

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This motion is based upon the following memorandum of points and authorities.

DATED this 17th day of January, 2019.

Respectfully submitted,

/s/ Thomas A. Ericsson

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Points and Authorities

NRAP 41(b)(1) provides for a stay of the issuance of this Court's remittitur pending the filing of a petition for certiorari in the United States Supreme Court. "A party may file a motion to stay the remittitur pending application to the Supreme Court of the United States for a writ of certiorari." Id. The rule contemplates a stay of 120 days unless good cause is shown.

Appellant will be filing a petition for writ of certiorari in the United States Supreme Court no later than May 17, 2019. Appellant hereby requests that this Court stay the issuance of remittitur pending the filing and final disposition of a petition for writ of certiorari in the United States Supreme Court.

DATED this 17th day of January, 2019.

Respectfully submitted,

/s/ Thomas A. Ericsson

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CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 17th day of January, 2019, electronic service of the foregoing MOTION TO SAY REMITTITUR shall be made in accordance with the Master Service List as follows:

Steven B. Wolfson
Clark County District Attorney
Steven S. Owens
Chief Deputy District Attorney
pdmotions@clarkcountyda.com
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A true copy of this document was also mailed on the 18th day of January, 2019, as follows:

Aaron D. Ford
Nevada Attorney General
100 N. Carson Street
Carson City, Nevada 89701-4717

/s/ Rachael Stewart
Oronozy & Ericsson, LLC