

1 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

2
3 JOHN JOSEPH SEKA,
4 Appellant,

Supreme Court No. 37907

5 vs.

6 THE STATE OF NEVADA,
7 Respondent.

FILED

OCT 10 2001

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

8
9 JOHN JOSEPH SEKA,
10 Appellant,

Supreme Court No. ~~37907~~

11 vs.

12 THE STATE OF NEVADA,
13 Respondent.

37937

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16 **RESPONSE TO ORDER TO SHOW CAUSE**

17 On September 17, 2001, this Court issued an Order to Show Cause as to: (1) why the
18 proper person appeal in Docket No. 37937 should not be dismissed for lack of jurisdiction; and
19 (2) why any assignments of error arising out of the district court's interlocutory denial of the
20 proper person petition for a writ of habeas corpus cannot be presented and resolved in the context
21 of the direct appeal from the judgment of conviction.

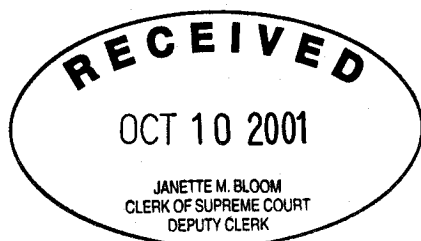
22 On April 24, 2001, without informing counsel, John Joseph Seka ("Appellant") filed a
23 proper person petition for a writ of habeas corpus in the district court. On May 1, 2001 the
24 district court denied Appellant's proper person habeas corpus petition. On May 24, 2001,
25 Appellant filed a proper person notice of appeal with this Court, Docket No. 37937.

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1 Subsequent to the proper person petitions made by the Appellant the Appellant was
2 contacted by counsel. Appellant now respectfully requests to withdraw his proper person petition
3 for a writ of habeas corpus. A letter and authorization to that affect was signed on October 2,
4 2001 by Appellant. (See Authorization attached hereto as Exhibit "A" and incorporated as
5 though fully set forth herein. Accordingly, these issues should now be moot.

6 DATED this 8th day of October, 2001.

7 **CHRISTIANSEN LAW OFFICES**

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9 By David T Brown

10 PETER S. CHRISTIANSEN, ESQ.

11 Nevada Bar No. 005254

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16 Attorneys for Appellant

17 JOHN JOSEPH SEKA

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DISTRICT ATTORNEY
200 South Third Street
Las Vegas, Nevada 89155

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EXHIBIT "A"

AUTHORIZATION

I, JOHN JOSEPH SEKA, hereby authorize my attorney, Peter S. Christiansen, Esq., of CHRISTIANSEN LAW OFFICES to dismiss on my behalf my post conviction Petition for Writ of Habeas Corpus which I filed in proper person, as I wish to proceed with my direct Appeal filed by my counsel, which is currently in front of the Nevada Supreme Court.

John Joseph Seka 10/2/01
JOHN JOSEPH SEKA DATE