

IN THE SUPREME COURT OF THE STATE OF NEVADA

FERRILL JOSEPH VOLPICELLI,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 70646

**FILED**

NOV 03 2016

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

*ORDER*

This is a pro se appeal from a district court order denying a postconviction motion to correct an illegal sentence. This court has concluded that its review of the complete record is warranted. See NRAP 10(a)(1). Accordingly, the clerk of the district court shall have 30 days from the date of this order to transmit to the clerk of this court a certified copy of the complete trial court record of this appeal. See NRAP 11(a)(2). The record shall include copies of documentary exhibits submitted in the district court proceedings, but shall not include any physical, non-documentary exhibits or the original documentary exhibits. The record shall also include any presentence investigation reports submitted in a sealed envelope identifying the contents and marked confidential. See NRS 176.156(5).

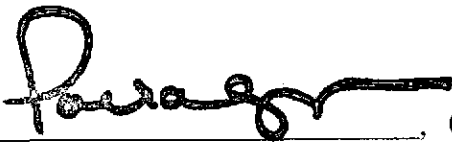
Appellant has filed a "Motion for Substitution of Appellant's Memorandum of Points and Authorities in Support of Appeal for the 'Informal Brief' Form for Pro Se Parties." It appears that, along with the notice of appeal in this matter, appellant filed in the district court a "memorandum of points and authorities in support of appeal," which shall be included in the record on appeal as directed above, and which appellant apparently intends to serve as his brief on appeal. We grant the motion to

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the extent that the points and authorities filed along with the notice of appeal will be reviewed in their entirety. Respondent need not file a response to the memorandum of points and authorities unless directed to do so by this court.<sup>1</sup> See NRAP 46A(c).

Appellant has also filed a motion requesting the appointment of attorney Richard Cornell as appellate counsel. Appellant is not entitled to appointed counsel at the state's expense in postconviction proceedings. See *Brown v. McDaniel*, 130 Nev., Adv. Op. 60, 331 P.3d 867, 870 (2014); see also *Coleman v. Thompson*, 501 U.S. 722, 755 (1991). Accordingly, we deny the motion.

It is so ORDERED.

 C.J.

cc: Ferrill Joseph Volpicelli  
Attorney General/Carson City  
Washoe County District Attorney  
Washoe District Court Clerk

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<sup>1</sup>Appellant's "Motion for Order for Respondents to Reply to Appellant's Questions Presented" is denied at this time.