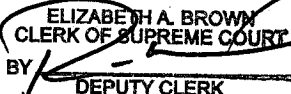


IN THE SUPREME COURT OF THE STATE OF NEVADA

**FILED**

DEC 13 2016

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

ROBERT HOLMES, III

Appellant,

Case No.: 71680

vs.

LAS VEGAS METROPOLITAN

POLICE DEPARTMENT,

Appeal from the Eighth Judicial District

Court, The Honorable Douglas E. Smith

Presiding

MOTION And Opposition To Motion To Dismiss Appeal

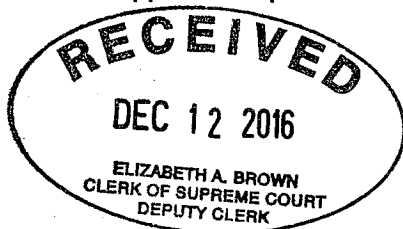
Robert Holmes III pro se

4657 swaying Ferns Drive

Las Vegas Nevada 89147

702-758-0228

Appellant in pro se



16-38481

Appellant Robert Holmes III Filed this motion to ask This Honorable Court to waive his \$500 bond fee that is required to be paid to the Eighth Judicial District Court. Appellant is unemployed and he has no income to pay the bond fee. Appellant Borrowed the \$250 dollars to pay the filing fee from his father who is on a fixed income. Appellant was incarcerated for 7 years, he was told by the Honorable Judge that all the defendants in this forfeiture case did not have to refile a Forma Pauperis Due to there income status of being indigent. This was stated by The Honorable Judge Douglas Smith In the September court hearing for the newly refiled summary judgment motion. The Appellant has no income, and he asks this court to Waive the \$500 bond fee that is suppose to be payed to the Eighth Judicial District Court. The Appellant has a signed Affidavit Attached hereto Ex 1 The Appellant has also filed a new Forma Pauperis back down in the eighth Judicial District Court. The Appellant had a question about the tolling while this case was on appeal for the four years At the Nevada Supreme Court. He was not sure if he had to reapply for Forma Pauperis, and if he does, which he has, he would ask this court to not dismiss his appeal due to him being indigent. Appellant asks this court to grant him waiver of paying the \$ 500 filing fee.

SUBMITTED By

Robert Holmes III

x 

Date December 9, 2016

**AFFIDAVIT OF Robert Holmes III**

**State of Nevada**

**SS:**

**County of Clark**

I Robert Holmes III first duly  
sworn deposes and says;

1. I am the Appellant in this instant case.
2. That I am not working or earning any money.
3. That I am indigent and unable to pay the Bond fee.
4. That I live with my father Robert Holmes Jr at 4657 SWAYING FERNS DR. 89147 LV NV
5. That I have been searching for a job but the problem is my felony convictions.
6. That my father is paying for my cost of living
7. That I was released from prison on July, 22, 2015 after doing 7 years of prison time.

**Dated December 9, 2016**

**Robert Holmes III**

x 

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Opposition to MOTION TO DISMISS APPEAL was sent to the Nevada Supreme Court on the 9<sup>th</sup> day of December, 2016. I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage prepaid ,addressed to:

Marquis Aurbach Coffing

Micah S. Echols, Esq.

Adele V. Karoum, Esq .

10001 park Run Drive

Las Vegas Nevada 89145

By Robert Holmes III

x 

Dated December 9<sup>th</sup> 2016