

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

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WILLIAM WITTER,

Defendant/Appellant,

vs.

STATE OF NEVADA,

Plaintiff/Appellee.

Supreme Court No. 73444

District Court Case No. 73431

(Death Penalty Case)

Electronically Filed  
Oct 31 2017 03:14 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

**MOTION TO SUSPEND BRIEFING IN DOCKET NOS. 73431  
AND 73444**

William Witter requests the Court suspend briefing in Docket Nos. 73431 and 73444 until the motions pending before the Court are resolved. In both cases, the State moved to consolidate. In Docket No. 73431, Witter moved to dismiss the State's Notice of Appeal and Amended Notice of Appeal. Pending issues include: (1) the State's standing to appeal and (2) which party is properly designated as the Appellant and which is the Appellee (or cross-appellant).

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Because these threshold issues will determine which party will bear the Appellant designation to file opening briefs in Docket Nos. 73431 and 73444, the Court should suspend briefing in both cases until it resolves the pending motions.

DATED this 30th day of October, 2017.

Respectfully submitted,

/s/ David Anthony

DAVID ANTHONY

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## **CERTIFICATE OF SERVICE**

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 30th day of October, 2017, electronic service of the foregoing MOTION TO SUSPEND BRIEFING SCHEDULE IN DOCKET NOS. 73431 AND 73444 shall be made in accordance with the Master Service List as follows:

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/s/ Stephanie Young  
An Employee of the Federal Public Defender,  
District of Nevada