

IN THE SUPREME COURT OF THE STATE OF NEVADA

PAOLA M. ARMENI; JONAH J.  
HORWITZ; AND DEBORAH A. CZUBA,  
Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE  
MICHAEL VILLANI, DISTRICT  
JUDGE,

Respondents,

and

TIMOTHY FILSON, WARDEN; ADAM  
P. LAXALT, ATTORNEY GENERAL  
FOR THE STATE OF NEVADA; AND  
THE STATE OF NEVADA,

Real Parties in Interest.

No. 73462

**FILED**

DEC 06 2017

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

*ORDER GRANTING MOTIONS*

Petitioners are counsel for appellant in Docket No. 73223, Samuel Howard, who is pursuing postconviction relief from his death penalty conviction in the district court. The American Civil Liberties Union of Nevada Foundation (ACLUNV) and the American Civil Liberties Union Foundation (ACLU); and the Ethics Bureau at Yale have filed motions for leave to file amicus briefs in support of petitioners. NRAP 29(c).

Real party in interest, the State of Nevada, opposes the motion filed by the ACLUNV and ACLU as untimely and on the ground that it adds nothing significant to the issues before the court. NRAP 29. The ACLUNV and ACLU counter that the motion was filed within 7 days of the due date for Mr. Howard's opening brief in Docket No. 73223, and that they have particular experience regarding the litigation of constitutional death

penalty issues and of the obligations of counsel under the guidelines established by the American Bar Association regarding such representation, and the rules of professional conduct in Nevada. The Ethics Bureau at Yale also proposes to offer its expertise in the ethical implications and potential effects on pro bono advocacy raised by the trial court's decision to sanction petitioners. The State of Nevada opposes the motion. All proposed amici request leave to file the briefs outside the time limits of NRAP 29.

Having considered the arguments of the parties, we grant the motions. See NRAP 29; *Ryan v. Commodity Futures Trading Comm'n*, 125 F.3d 1062, 1063 (7th Cir. 1997) (an amicus brief is generally appropriate where "the amicus has unique information or perspective that can help the court beyond the help that the lawyers for the parties are able to provide"). The clerk of this court shall detach the proposed amicus briefs from the motions filed on October 11, 2017, and October 18, 2017, and shall file them separately. Real parties in interest may address the amicus curiae briefs in their answer against issuance of the writ of mandamus.

It is so ORDERED.

Cherry, C.J.

cc: Federal Defender Services of Idaho  
Gentile, Cristalli, Miller, Armeni & Savarese, PLLC  
Attorney General/Carson City  
Clark County District Attorney  
American Civil Liberties Union of Nevada/Las Vegas  
American Civil Liberties Union Foundation/North Carolina  
The Gersten Law Firm PLLC  
Yale Law School  
Lambrose Brown