

IN THE SUPREME COURT OF THE STATE OF NEVADA

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Electronically Filed  
Sep 09 2019 09:20 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

WILLIAM P. CASTILLO,  
  
Petitioner/Appellant,  
  
vs.  
  
THE STATE OF NEVADA,  
  
Respondents/Appellees.

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Supreme Court No. 73465  
  
(Death Penalty Habeas Corpus Case)

**MOTION TO STAY REMITTITUR PENDING PETITION  
FOR WRIT OF CERTIORARI**

Appellant William Castillo hereby moves for an order staying the remittitur and execution of judgment of this Court to allow Mr. Castillo and his counsel time to prepare a petition for certiorari to be filed in the Supreme Court of the United States. NRAP 41(b)(3). This Court denied Mr. Castillo's petition for rehearing on September 6, 2019, and

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pursuant to NRAP 41 remittitur would issue on October 1, 2019.

DATED this 9th day of September, 2019.

Respectfully submitted  
RENE L. VALLADARES  
Federal Public Defender

/s/ Brad D. Levenson  
BRAD D. LEVENSON  
Assistant Federal Public Defender  
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Attorneys for William P. Castillo

## POINTS AND AUTHORITIES

NRAP 41 (b)(3)(A) provides for a stay of the issuance of this Court's remittitur pending filing of a petition for certiorari in the United States Supreme Court. "A party may file a motion to stay the remittitur pending application to the Supreme Court of the United States for a writ of certiorari." The rule contemplates a stay of 120 days unless good cause is shown. Once the petition is filed, "the stay shall continue until final disposition by the Supreme Court of the United States." NRAP 41(b)(3)(B).

This is a death penalty case. Appellant has raised federal constitutional issues that are subject to review by the United States Supreme Court. Counsel for Mr. Castillo will seek review by filing a petition for certiorari within ninety days of this Court's denial of the petition for rehearing, on or before December 5, 2019.

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Accordingly, this Court should stay issuance of remittitur pending the filing and final disposition of a petition for writ of certiorari.

DATED this 9th day of September, 2019.

Respectfully submitted,

Brad D. Levenson  
Assistant Federal Public Defender  
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Attorney for Appellant

## CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 9th day of September, 2019, electronic service of the foregoing MOTION TO STAY REMITTITUR PENDING PETITION FOR WRIT OF CERTIORARI shall be made in accordance with the Master Service List as follows:

Steven S. Owens  
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/s/ Sara Jelinek  
An Employee of the Federal Public  
Defender, District of Nevada