

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRIAN KERRY O'KEEFE ,)

Case No. 73527

Appellant ,)

-VS-

FILED

THE STATE OF NEVADA ,)

OCT 18 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT

BY [Signature]
DEPUTY CLERK

Respondent ,)

MOTION FOR RECONSIDERATION AND FOR
CLARIFICATION THAT APPOINTMENT OF
COUNSEL REQUEST DENIED ON 10/12/2017
BY JUDGE CHERRY, WAS FOR AN ACTION
PERTAINING TO A CIVIL RIGHTS DEPRIVATION
OF PROCEDURAL DUE PROCESS OF HEARING AND
O'KEEFE'S DEPRIVATION OF LIBERTY THAT OCCURRED

Comes Now, Brian O'Keefe, appellant pro se, for leave of Court to file, pursuant
NRS 27(a), placing emphasis that Judge Cherry denied O'Keefe's action to
appoint counsel on 10/12/2017 misconstruing the request for counsel as to
an action that challenged the judgment of conviction in which O'Keefe's
initial action was a clear "civil action" arising under NRS 34.360.

Again, O'Keefe points out that the Nevada legislature passed NRS 34.360,
becoming Nevada Law, in which one can challenge the deprivation of
individual rights of personal "liberty" guaranteed by the 14th Amendment
to which civil rights certainly include procedural due process and
equal protection to raise the deprivation of "Notice" and hearings when
one is guaranteed a hearing before any deprivation of "LIBERTY" occurs.
O'Keefe's action raises a clear NEVEL scenario and matter of first-

impression to which he thought this Court would want, counseled briefing,
based on suspension of writ. (Neve Const. art. 1 § 5) By: Respectfully Submitted,
Brian K. O'Keefe # 90244

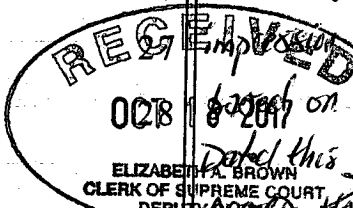
Dated this 15th day of October 2017, pursuant NRS 208.165.

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
DEPUTY CLERK

ADDED HAINES v. KERNER, 404 U.S. 519, 520 (1972); SEE ALSO Nev. Const., Article 1 § 2

17-35767

LCCLL FORM 28.014



CERTIFICATE OF SERVICE BY MAIL

I do certify that I mailed a true and correct copy of the foregoing MOTION FOR RECONSIDERATION ... CLARIFICATION ... to the below address(es) on this 16th day of October, 2017, by placing same in the U.S. Mail via prison law library staff, pursuant to NRCP 5(b): By Brax Sipple. 2008132

Supreme Court of Nevada
Office of the Clerk
201 S. Carson Street, Suite 201
Carson City, Nevada 89701

Brian K. O'Keefe
Brian K. O'Keefe # 90244
Lovelock Correctional Center
1200 Prison Road
Lovelock, Nevada 89419
Appellant In Pro Se

AFFIRMATION PURSUANT TO NRS 239B.030

The undersigned does hereby affirm that the preceding MOTION FOR RECONSIDERATION ... filed in District Court Case No. PI 16-1070 does not contain the social security number of any person.

Dated this 15th day of October, 2017.

Brian K. O'Keefe
Brian K. O'Keefe # 90244
Appellant In Pro Se