

IN THE SUPREME COURT OF THE STATE OF NEVADA

74743

WILLIAM BRANHAM,

Appellant,

vs.

ISIDRO BACA, WARDEN, et  
al.,

Respondents.

Supreme Court No. 74743  
Electronically Filed  
Feb 27 2019 08:09 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

**MOTION TO STAY THE REMITTITUR**

Appellant William Branham by and through his counsel of record, hereby moves this Court for an order staying the remittitur of this Court until such time as this Court receives notice from the United States Supreme Court that a petition for writ of certiorari has been filed in this case. *See* NRAP 41(b)(3). This motion is based upon the following points and authorities.

## POINTS AND AUTHORITIES

NRAP 41(b)(3) provides for a stay of the issuance of this Court's remittitur pending the 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." *Id.* The rule contemplates a stay of 120 days unless good cause is shown, or until final disposition by the United States Supreme Court.

Appellant will be filing a petition for writ of certiorari in the United States Supreme Court no later than Tuesday, May 28, 2019. Appellant hereby requests this Court stay the issuance of remittitur pending the filing and final disposition of a petition for writ of certiorari in the United States Supreme Court.

Dated this 26<sup>th</sup> day of February, 2019.

Respectfully submitted,

/s/Jonathan M. Kirshbaum

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## CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on February 26, 2019. Electronic Service of the foregoing shall be made in accordance with the Master Service List as follows: Terrance P. McCarthy, Deputy District Attorney

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/s/ Arielle Blanck  
An Employee of the  
Federal Public Defender, District of Nevada