

FILED

JAN 17 2018

IN THE SUPREME COURT OF THE STATE OF NEVADA

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY [Signature]  
DEPUTY CLERK

BRIAN KERRY O'KEEFE,  
Petitioner/Plaintiff,  
v.  
The EIGHTH Judicial District  
Court of the State Of Nevada, In and  
For the County of Clark,  
Respondent/Defendant.

(S.C.N. Case No. \_\_\_\_\_  
Dept. No. \_\_\_\_\_  
Docket No. \_\_\_\_\_)

NOTICE OF MOTION

MOTION TO WAIVE FILING FEES FOR PETITION FOR WRIT OF MANDAMUS

COMES NOW, Petitioner/Plaintiff, Brian Kerry O'Keefe, pro per,  
and respectfully moves this Honorable Court to waive the filing fees necessary to file a Petition for Writ of  
Mandamus, being filed contemporaneously herewith.

This motion is made and based pursuant to the supporting Points and Authorities attached hereto,  
N.R.S. 34.150 through N.R.S. 34. 310, N.R.A.P., Rule 21(e) and Rule 24, as well as all papers,  
pleadings, and documents on file herein.

POINTS AND AUTHORITIES

I. STATEMENT OF THE FACTS

On the 9<sup>th</sup> day of January, 2018, in the below entitled case,  
Petitioner/Plaintiff Brian Kerry O'Keefe was granted leave to proceed in forma pauperis in the  
District Court. See Exhibit #1, attached (~~Criminal Court Minutes~~) last on August 31, 2017,  
Signed by Eighth Judicial Dist. Court Judge M. Villani. (Dept. 17)  
This particular action pertains to a criminal matter to  
which O'Keefe was declared indigent and proceeding in  
forma pauperis, case 08-C250630, ever since.

RECEIVED  
JAN 11 2018  
ELIZABETH A. BROWN  
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N.R.A.P., Rule 21(c) requires that a filing fee be paid prior to this Court entertaining a Petition for Writ of Mandamus.

N.R.A.P., Rule 24, allows an indigent who has been granted leave to proceed In Forma Pauperis in the District Court to so proceed in this Court.

Petitioner would offer that due to his poverty, his circumstances remaining the same, he is unable to pay the required filing fee for the Petition for Writ of Mandamus that he is filing herewith, and requests that said filing fees be waived in the interest of justice.

Dated this 9<sup>th</sup> day of January, 2008.

### CONCLUSION

WHEREFORE, all of the above stated reasons, Petitioner/Plaintiff respectfully requests this Honorable Court to waive the required filing fees.

DATED this 9<sup>th</sup> day of January, 2008.

Respectfully submitted,

Brian K. O'Keefe No. 90244

Petitioner/Plaintiff

### CERTIFICATE OF SERVICE

I hereby certify pursuant to N.R.C.P. 5(b) that I am the Petitioner/Plaintiff in the foregoing Notice of Motion and Motion to Waive Filing Fees for Petition for Writ of Mandamus, and that on this 9<sup>th</sup> day of January, 2008, I did serve a true and correct copy of the above mentioned document, by giving it to a prison official at the ~~City~~ State Prison to deposit in the U.S. Mail, sealed in an envelope, postage pre-paid, and addressed as follows:

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DATED this 9<sup>th</sup> day of January, 2008.

Brian K. O'Keefe No. 90244  
Petitioner/Plaintiff