

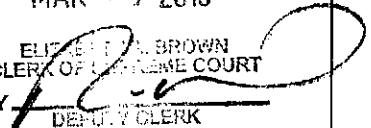
IN THE SUPREME COURT OF THE STATE OF NEVADA

THE STATE OF NEVADA,  
Appellant,  
vs.  
RIGOBERTO INZUNZA,  
Respondent.

No. 75662

FILED

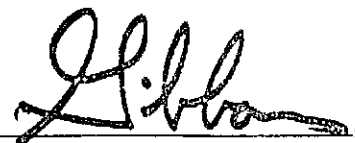
MAR 15 2019

ELIZABETH L. BROWN  
CLERK OF THE SUPREME COURT  
BY  DEPUTY CLERK

ORDER DENYING MOTION

Respondent has filed a motion to strike appellant's reply brief on the basis that the arguments raised therein were not made in the opening brief and/or directly contradict key concessions that were made by the respondent in the opening brief. *See* NEAP 28(c) (limiting the reply brief to answering new matters set forth in the answering brief). Appellant opposes the motion. Having considered the briefs and the arguments of the parties, this court denies the motion. Whether an argument raised for the first time on appeal should be considered relates to the merits of the appeal and is not a reason to strike an argument from a brief. *See Taylor v. Barringer*, 75 Nev. 409, 410, 344 P.2d 676, 676 (1959); *Hotel Last Frontier Corp. v. Frontier Props., Inc.*, 79 Nev. 150, 155, 380 P.2d 293, 295 (1963). If it is determined during the disposition of this appeal that new matter is raised in the reply, such new matter may be disregarded. *See, e.g., Khoury v. Seastrand*, 132 Nev. 520, 530 n.2, 377 P.3d 81, 88 n.2 (2016) (declining to consider an issue raised for the first time in the reply brief).

It is so ORDERED.

 C.J.

cc: Attorney General/Carson City  
Clark County District Attorney  
Clark County Public Defender