

IN THE SUPREME COURT OF THE STATE OF NEVADA

GIBRAN RICHARDO FIGUEROA-
BELTRAN,

Appellant,

vs.

UNITED STATES OF AMERICA,
Respondent.

No. 76038

FILED

SEP 27 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER GRANTING MOTION

This matter involves legal questions certified to this court under NRAP 5 by the United States Court of Appeals for the Ninth Circuit. Appellant previously filed a motion to stay briefing in this matter pending the Ninth Circuit's resolution of his petition for panel and en banc rehearing of the certification order. We granted the unopposed motion, suspending briefing pending further order of this court and directing appellant to file a report informing this court of the status of the petition for rehearing.

Appellant has now filed a report advising this court that his petition was denied by the Ninth Circuit on August 17, 2018. However, he states that he will be filing a petition for a writ of certiorari in the United States Supreme Court, on or before November 15, 2018, seeking review of the certification order. Appellant asks that this court continue the stay of this matter pending the resolution of his anticipated certiorari petition.

We treat the report as a motion for a continuation of the stay, *see* NRAP 27(a)(1), and cause appearing, grant the motion to the following extent. Briefing of this matter remains suspended pending further order of

this court. Appellant shall have 90 days from the date of this order to file a report informing this court of the status of the petition for writ of certiorari.

It is so ORDERED.

 _____, C.J.

cc: Federal Public Defender/Las Vegas
United States Attorney, District of Nevada