

IN THE SUPREME COURT OF THE STATE OF NEVADA

GIBRAN RICHARDO FIGUEROA-  
BELTRAN,

Appellant,

vs.

UNITED STATES OF AMERICA,  
Respondent.

No. 76038

**FILED**

APR 16 2019

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

*ORDER REINSTATING BRIEFING*

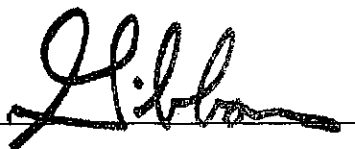
This matter involves legal questions certified to this court under NRAP 5 by the United States Court of Appeals for the Ninth Circuit. This court previously granted appellant's motions to stay briefing in this matter pending the Ninth Circuit's resolution of his petition for panel and en banc rehearing of the certification order and then pending a petition for a writ of certiorari in the United States Supreme Court. Appellant has now filed a status report explaining that his certiorari petition was denied on April 1, 2019.

As it appears that this matter may now proceed, this court reinstates briefing as follows. Appellant shall have 30 days from the date of this order to file and serve an opening brief addressing the certified questions. Respondent shall have 30 days from the date the opening brief is served to file and serve an answering brief. Appellant shall then have 20 days from the date the answering brief is served to file and serve any reply brief. In addressing the certified questions, the parties' briefs should address *Andrews v. State*, 134 Nev., Adv. Op. 12, 412 P.3d 37 (2018), which was decided after the parties briefed this matter in federal court. The parties' briefs shall comply with NRAP 28, 28.2, 31, and 32. See NRAP 5(g)(2). The parties may file a joint appendix containing any portions of the

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record before the Ninth Circuit that are necessary to this court's resolution of the certified question and were not already provided to this court with the Certification Order. *See* NRAP 5(d), (g)(2).

It is so ORDERED

 C.J.

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