

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

MATTHEW LEON MOULTRIE,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 65390

FILED

DEC 29 2015

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

ORDER MODIFYING OPINION

On December 24, 2015, we entered an opinion in this matter. *Moultrie v. State*, 131 Nev. ___, ___ P.3d ___ (Adv. Op. No. 93, December 24, 2015). We have determined that a footnote in the majority opinion requires modification. Accordingly, cause appearing, we direct the clerk of this court to modify the majority opinion filed on December 24, 2015, by adding the following sentence to the end of footnote 4 (directly after the citation to *Maresca v. State*, 103 Nev. 669, 673, 748, P.2d 3, 6 (1987)):

"Nevertheless, parties should move diligently to resolve criminal proceedings. See NRS 169.035 (providing criminal procedure statutes "shall be construed to secure simplicity in procedure, fairness in administration and the elimination of unjustifiable expense and delay")."

It is so ORDERED.

[Signature], C.J.
Gibbons

[Signature], J.
Silver

15-90154

cc: Hon. Robert W. Lane, District Judge
Christopher R. Arabia
Attorney General/Carson City
Esmeralda County District Attorney
Esmeralda County Clerk