

IN THE SUPREME COURT OF THE STATE OF NEVADA

STEVEN LAWRENCE DIXON,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 77535

FILED

5 2019

ORDER DIRECTING FULL BRIEFING

ELI BROWN
CLERK OF THE SUPREME COURT
BY: [Signature] DEPUTY CLERK

This is an appeal from a judgment of conviction, pursuant to a jury verdict, of fourth-degree arson. Sixth Judicial District Court; Michael Montero, Judge.

Appellant alleges error in relation to his *Batson*¹ objection. In response, the State asks this court to adopt a dual motivation analysis and/or a different analysis for *Batson* error related to the challenge of an alternate juror when no alternate ultimately participates in the jury's deliberations. We have concluded that full briefing is warranted. NRAP 3C(k)(1). Accordingly, counsel for the parties shall fully brief the issues as provided in NRAP 28, 28.2, 30, 31, and 32. Appellant shall have 30 days from the date of this order to file and serve the opening brief. Thereafter, briefing shall proceed in accordance with the schedule set forth in NRAP 31(a)(1). In addition to the issues previously raised, we direct the parties to address the issue of a district court's failure to hold a *Batson* hearing and any appropriate remedy. Failure to comply with this order may result in the imposition of sanctions. See NRAP 28(j), 28.2(c), 30(g), and 31(d).

It is so ORDERED.

[Signature], C.J.

¹*Batson v. Kentucky*, 476 U.S. 79 (1986).

19-21284

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