

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRIAN KERRY O'KEEFE,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 77541

FILED


JUL 03 2019

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

ORDER DENYING MOTION

Appellant has filed a motion for clarification. The motion appears to request that this court take judicial notice of certain documents attached to the motion. The documents attached as Exhibit C, pages 2 and 3; and Exhibit D are contained in the record on appeal, which was filed in this appeal on February 8 and 11, 2019. Thus, appellant's request to take judicial notice of these documents is denied. Appellant's request to take judicial notice of the document attached as Exhibit C, page 1, is again denied.¹ The document was never filed in the district court or considered by the district court, and is not the type of source that generally would allow this court to take judicial notice of the facts it purports to establish. See NRS 47.130(2). The clerk of this court shall strike the document attached as Exhibit C, page 1 from the motion filed on May 14, 2019.

It is so ORDERED.

, C.J.

¹Appellant requested this court take judicial notice of this same document in his previous motion filed on April 24, 2019. The court denied the request and struck the document in an order filed May 2, 2019.

cc: Brian Kerry O'Keefe
Attorney General/Carson City
Clark County District Attorney