

Case No. 78209

Supreme Court of Nevada

Siaosi Vanisi,

Petitioner/Appellant,

vs.

William Gittere, *et al.*,

Respondent/Appellee.

Electronically Filed  
May 23 2022 10:46 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

**Motion to Stay Remittitur  
Pending Filing of Petition for  
Writ of Certiorari**

DEATH PENALTY CASE

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Counsel for Petitioner/Appellant

Appellant Siasosi Vanisi hereby moves for an order staying the remittitur and execution of judgment of this Court to allow Mr. Vanisi time to prepare a petition for certiorari to be filed in the Supreme Court of the United States. NRAP 41(b)(3). This Court denied Mr. Vanisi's petition for rehearing on May 18, 2022, and pursuant to NRAP 41 remittitur would issue on June 12, 2022.

Dated this 23rd day of May, 2022.

Respectfully submitted,

Rene L. Valladares  
Federal Public Defender

/s/ *Randolph M. Fiedler*

Randolph M. Fiedler  
Assistant Federal Public Defender

## POINTS AND AUTHORITIES

NRAP 41(b)(3)(A) provides for a stay of the issuance of this Court's remittitur pending filing of a petition for certiorari in the United States Supreme Court. "A party may file a motion to stay the remittitur pending application to the Supreme Court of the United States for a writ of certiorari." The rule contemplates a stay of 120 days unless good cause is shown. Once the petition is filed, "the stay shall continue until final disposition by the Supreme Court of the United States." NRAP 41(b)(3)(B).

This is a death penalty case. Appellant has raised federal constitutional issues that are subject to review by the United States Supreme Court. Counsel for Mr. Vanisi will seek review by filing a petition for certiorari within ninety days of this Court's denial of the petition for rehearing, on or before August 16, 2022.

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Accordingly, this Court should stay issuance of remittitur pending the filing and final disposition of a petition for writ of certiorari.

DATED this 23rd day of May, 2022.

Respectfully submitted  
Rene L. Valladares  
Federal Public Defender

/s/ *Randolph M. Fiedler*  
Randolph M. Fiedler  
Assistant Federal Public Defender

## CERTIFICATE OF SERVICE

I hereby certify that on May 23, 2022, I electronically filed the foregoing document with the Nevada Supreme Court by using the appellate electronic filing system. The following participants in the case will be served by the electronic filing system:

Jennifer P. Noble  
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/s/ Sara Jelinek  
An Employee of the  
Federal Public Defender