

IN THE SUPREME COURT OF THE STATE OF NEVADA

ALFRED C. HARVEY,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 75911

FILED

JUL 23 2018

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

ORDER DENYING MOTION

This is an appeal from a district court order denying appellant's motion for new trial. Appellant has filed a motion to remand this appeal to the district court, arguing that the trial judge should have decided his motion for new trial. Alternatively, appellant moves this court to dismiss his conviction. Respondent opposes the motion and appellant has filed a reply.

Appellant's arguments supporting the motion for remand go to the merits of this pending appeal—whether the district court erred in some manner when it denied appellant's motion for new trial. This court prefers to leave the merits of this appeal to be addressed through appropriate briefing under NRAP 31(a)(1) rather than motion practice. Accordingly appellant's motion for remand or, alternatively, to dismiss his conviction is denied.¹

It is so ORDERED.

Drygas, C.J.

¹Appellant has appealed his judgment of conviction in Docket No. 72829.

cc: Hon. Douglas Smith, District Judge
Clark County Public Defender
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk