

IN THE SUPREME COURT OF THE STATE OF NEVADA

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

Case No. 78721

FILED

MAY 16 2019

ELIZABETH A. BROWN
 CLERK OF SUPREME COURT
 BY D. Richards
 DEPUTY CLERK

MOTION, DISMISS APPEAL SON NO. 78721

WHERE APPELLANT LEARNED SPECIAL

ORDERS ARE NOT APPEALABLE AND

SINCE HAS FILED A MANDAMUS PETITION

COMES NOW, Brian O'Keefe, pro per, to humbly request this "Court" to dismiss his appeal docketed as matter no. 78721.

Petitioner relies on this "Court's" decision rendered in Peck v. Crouser, 129 Nev. Adv. Rep. 12, 295 P.3d 586 (2003) which explained that post judgment special orders are not independently appealable and that the remedy available is by special writ.

Since I learned this, Appellant O'Keefe filed a Writ of Mandamus immediately where this court docketed matter on 4/30/2019, # 78680.

With the matter now docketed properly, Appellant thanks this "Court" and prays for a righteous decision. Respectfully,
 Dated this 10th day of May 2019, pursuant NRS 208.165, Brian K. O'Keefe
 DEPUTY CLERK

INVOKED HANNEY v. KERNER, 404 U.S. 519, 520 (1972), NRCiv? 8.

19-21646

CERTIFICATE OF SERVICE

I do certify that I mailed a true and correct copy of the foregoing
(check appropriate box)

☐ Opening Brief

☐ Reply Brief

☒ Motion: MOTION TO DISMISS

☐ Petition: _____

☐ Other: _____

to the below address(es) on this 10th day of May, 2019, by
placing same in the hands of prison staff for posting in the U.S. Mail, per
Nev.R.App.P. 25:

Nevada Supreme Court
OFFICE OF THE CLERK
201 S. Carson St.
Suite 201
Carson City, Nevada 89701

Attorney For _____

☐ and

_____, Nevada 89_____

B. L. O'Neil
Brian K. O'Neil # 90244
Lovelock Correctional Center
1200 Prison Road
Lovelock, Nevada 89419

Appellant In Pro Se

Supreme Court of Nevada
Office of the Clerk
201 South Carson Street, Suite 201
Carson City, Nevada 89701-4702

In Re: Case Name: Brian O'Leary v/ State of Nevada
Supreme Court No. 77541 and 77797
District Court No. _____

* Dear Clerk, ATTN: BELOW
Please provide me with a copy of the (Two (2)) Docket Sheets for the above stated case.
If there is a charge for such, please provide me with the information necessary so that I may request same from your office.
I thank you in advance for your attention to this matter.

Sincerely,

B. KUW

Lovelock Correctional Center
1200 Prison Road
Lovelock, Nevada 89419

copy: retained

EX I.

Appellant O'Leary filed Motion to
Withdraw Complaint on 4/29/19, Brass Slip No.
228 4843 with 1st Jud Dist Court, Tort
No. 00007 against Clerk of Court and

ELIZABETH BROWN

Sorry and
Thank you for

Dated 8/16/19
Pursuant NR 208-165 B. KUW

Every thing