

IN THE SUPREME COURT OF THE STATE OF NEVADA

* * * * *

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

Case No. 77797-COA

FILED

OCT 21 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY: [Signature] DEPUTY CLERK

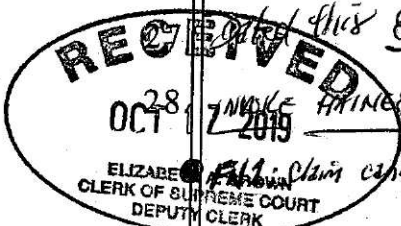
MOTION TO TAKE JUDICIAL NOTICE OF CORRECT
TITLE WITH CITE OF AUTHORITY OF THE STATE
OF NEVADA vs. WHITE, 330 P.3d 482, at 485
(2014) WHERE ENTRY REQUIRES A FELONIOUS INTENT
PROVIDED NOW IN SUPPORT OF PETITION FOR REHEARING
SUBMITTED WHEN O'KEEFE FINALLY OBTAINED WHILE
STILL IN SOLITARY CONFINEMENT AT HIGH DESERT

Comes now, Brian O'Keefe, Appellant pro per, to provide the
correct case name and cite. Moreover again, where O'Keefe
just learned of authority, THE STATE OF NEVADA vs. WHITE, 330 P.3d
482, 485; 130 Nev. Adv. Rep. 56 (July 10, 2014 FILED), this authority
specifies that, "Consent to the entry is not a defense to burglary if
the person "acquired the entry with felonious intent", id at 485.

Additionally, the entire purpose of writs of coram nobis is to bring
up factual errors pertaining to a case one is no longer in custody
on. Waiver¹ of a claim does not pertain to actions under coram
nobis where actual innocence moreover opens the gate by all law.

On this 8th day of October 2019 pursuant to NRS 208.165, by Respectfully Submitted,
[Signature] #90244
Brian K. O'Keefe
High Desert State Prison
P.O. Box 650
Indian Springs, NV 89070
19-43408

LCC LL FORM 28.014



INDIAN SPRINGS v. KEENER, 404 U.S. 519, 520 (1972)

Waiver claim cannot be waived by parties. NRS 34.810 not applicable.

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: TO TAKE JUDICIAL NOTICE

☐ Petition: _____

☐ Other: _____

to the below address(es) on this _____ day of _____, 20____, by
placing same in the hands of prison staff for posting in the U.S. Mail, per
Nev.R.App.P. 25:

Supreme Court of Nevada

OFFICE OF THE CLERK

201 S. Carson St.

Ste. 201

Carson City, Nevada 89201

Attorney For _____

☐ and

_____, Nevada 89_____

High Desert S.P.

P.O. BOX 650

Indian Springs, NV

89070-0070

Brian K. O'Keefe

Lovelock Correctional Center # 90244

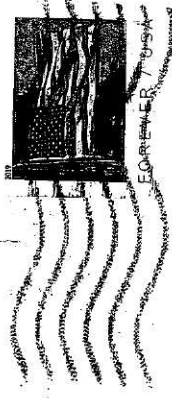
1200 Prison Road

Lovelock, Nevada 89419

Appellant

In Pro Se

Brian Kerry O'Keefe #90244
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JANUARY SPRING, NV. 89070



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