

IN THE SUPREME COURT OF THE STATE OF NEVADA

EVARISTO JONATHAN GARCIA,
Appellant,
vs.
JAMES DZURENDA, DIRECTOR,
Respondent.

No. 80255

FILED

APR 10 2020

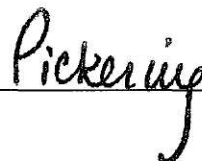
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER OF LIMITED REMAND

This is an appeal from an order denying a postconviction petition for a writ of habeas corpus. Pursuant to appellant's request, this court has suspended the briefing schedule in this appeal while the district court considers and rules on appellant's pending timely motion to alter or amend the judgment. The district court has indicated to this court that it will grant the motion and conduct an evidentiary hearing. Appellant has now filed a formal motion to remand pursuant to NRAP 12A. The motion is granted.

This appeal is remanded to the district court for the limited purpose of allowing the district court to hold an evidentiary hearing and to enter its order. The district court shall have 30 days from the date of this order to enter its written decision and to transmit a certified copy of that decision to this court. Any party aggrieved may file an amended notice of appeal from the new order. The briefing schedule remains suspended pending further order of this court.

It is so ORDERED.

 C.J.

20-13641

cc: Hon. David M. Jones, District Judge
Federal Public Defender/Las Vegas
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk