

IN THE SUPREME COURT OF THE STATE OF NEVADA

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RYAN MATTHEW LIPSITZ,
Appellant,
vs.
STATE OF NEVADA,
Respondent.

Case No: 80765
Electronically Filed
Apr 29 2020 06:00 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

RESPONSE TO ORDER TO SHOW CAUSE AND SUSPENDING BRIEFING

COMES NOW, Appellant, RYAN LIPSITZ, by and through Appellate counsel Waleed Zaman, Esq., and provides the following Response and non-opposition to this Court's Order to Show Cause and Suspending Briefing. This application is made and based on the points and authorities herein, and the declaration of Counsel attached hereto.

Dated this 29th day of April 2020.

/s/Waleed Zaman

Waleed Zaman, Esq.
Nevada Bar No. 13993
2880 South Jones Blvd.
Suite 3
Las Vegas, Nevada 89146
Attorney for Appellant

POINTS AND AUTHORITIES

Counsel does not oppose dismissing the instant matter for lack of jurisdiction pursuant to *NRS* 177.015. This matter is more appropriately filed as a Petition for post-conviction relief and was inadvertently filed as a direct appeal.

CONCLUSION

Based upon the foregoing, Appellant respectfully requests that this Court dismiss the instant matter.

Dated this 29th day of April 2020.

/s/Waleed Zaman

Waleed Zaman, Esq.

Nevada Bar No. 13993

2880 South Jones Blvd.

Suite 3

Las Vegas, Nevada 89146

DECLARATION OF WALEED ZAMAN, ESQ.

I, Waleed Zaman, Esq., being first duly sworn, and upon information and belief, declare under penalty of perjury and say:

1. I am an attorney duly licensed to practice before all of the Courts in the State of Nevada, and I was appointed to represent Ryan Lipsitz in the instant matter;
2. That I am in agreement that this Court lacks jurisdiction to hear this matter, and my prior filing of the Notice of Appeal unintentionally did not consider the same pursuant to *NRS 177.015*.
3. That this request is not made unnecessarily or to delay resolution of the matter.

FURTHER DECLARANT SAYETH NAUGHT

Dated this 29th day of April 2020.

/s/Waleed Zaman
Waleed Zaman, Esq.
Nevada Bar No. 13993
2880 South Jones Blvd.
Suite 3
Las Vegas, Nevada 89146

Signed in Conformity with *NRS 53.045*
On this 29th day of April 2020.

CERTIFICATE OF SERVICE

In accordance with *NRAP* 25, I hereby certify that, on April 29th, 2020, I filed the foregoing **RESPONSE TO ORDER TO SHOW CAUSE AND SUSPENDING BRIEFING** with the Nevada Supreme Court by electronic filing. I certify that the following parties or their counsel of record are registered as e-filers and that they will be served electronically by the system, in accordance with the master list:

Aaron Ford, Esq.
Nevada Attorney General

Alexander Chen, Esq.
Chief Deputy District Attorney – Appellate

I further certify that on April 29th, 2020, I served a true and correct copy of the foregoing **RESPONSE TO ORDER TO SHOW CAUSE AND SUSPENDING BRIEFING** through personal mail, addressed in a sealed and prepaid envelope to:

Ryan Lipsitz #1169942
High Desert State Prison
P.O. Box 650
Indian Springs, Nevada 89070-0208

Dated this 29th day of April 2020.

/s/ Waleed Zaman, Esq.

Waleed Zaman, Esq.