

IN THE SUPREME COURT OF THE STATE OF NEVADA

THE STATE OF NEVADA,
Appellant,
vs.
VINNIE ADAMS,
Respondent.

✓ No. 81782

THE STATE OF NEVADA,
Appellant,
vs.
TARIQ MANSON,
Respondent.

No. 82038

FILED

JAN 13 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK


**ORDER DIRECTING SUPPLEMENTAL BRIEFING AND
INVITING AMICUS BRIEFING**

Having reviewed the briefs and record on appeal, we conclude that simultaneous supplemental briefing concerning the determination of competence/incompetence and the possibility of restoration will assist this court. Accordingly, we direct the parties to provide supplemental briefing to address: (1) what is the burden of proof that should apply to a district court's decision in a challenge hearing associated with a competency determination? (2) which party has the burden of proof in a challenge hearing associated with a competency determination? (3) what competency standard is alleged to have been applied by the district court in its decision below? and (4) what competency standard should a district court apply in a competency determination if not the *Dusky* standard?

The parties shall have 30 days from the date of this order within which to file a supplemental brief addressing the issues set forth above. Briefing shall comply with the relevant provisions of NRAP 28 to 32, and the parties may cite to appendices submitted with the original briefs. No reply brief will be permitted.

Further, this court has determined that amicus briefing may be helpful to this court's consideration and resolution of these appeals. Therefore, the Nevada Attorneys for Criminal Justice and Nevada District Attorney's Association are invited to submit amicus briefs addressing the issues set forth above. Any amicus brief must be filed within 15 days from the filing of the party's supplemental brief being supported by the amicus curiae. See NRAP 29(f). Other interested amici may proceed by motion in accord with NRAP 29. The brief shall not exceed 10 pages and shall otherwise comply with the requirements of NRAP 32(a)(4)-(6).

It is so ORDERED.


Parraguirre, C.J.

cc: Attorney General/Carson City
Clark County District Attorney
Clark County Public Defender
Special Public Defender
Nevada Attorneys for Criminal Justice
Nevada District Attorneys Association