

IN THE SUPREME COURT OF THE STATE OF NEVADA

ANDRE GRANT SNIPES,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 82384

FILED

JUL 08 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER GRANTING MOTION

Respondent has filed a motion to strike the portion of the opening brief that refers to an argument based on an unpublished decision of this court. Appellant opposes the motion, and concedes that the brief cites and discusses an unpublished decision, but notes that this court has sometimes considered unpublished decisions in its dispositions. Respondent has filed a reply.

An unpublished decision entered prior to 2016 has no precedential value, and it is improper to cite to or rely on unpublished dispositions of this court that predate 2016. See NRAP 36(c) (providing that a party may cite an unpublished disposition issued by the Supreme Court on or after January 1, 2016). The motion is granted. The clerk of this court shall strike the first full paragraph on page 9 of the opening brief starting with the text "In Smith v. State" through the end of the block quote and including footnotes 26 and 27. The clerk shall also strike the reference to "*Smith v. State*, 2014 Nev. Unpub. Lexis 387, 4-5, 2014 WL 989701 (Nev. 2014)" from the "Table of Cases" on page ii.

It is so ORDERED.

J. Sanders, C.J.

cc: Sandra L. Stewart
Attorney General/Carson City
Clark County District Attorney