

IN THE SUPREME COURT OF THE STATE OF NEVADA

FERRILL JOSEPH VOLPICELLI,
Petitioner,

vs.

THE SECOND JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
WASHOE; AND THE HONORABLE
KATHLEEN A. SIGURDSON,
DISTRICT JUDGE,

Respondents.

No. 82726

FILED

OCT 18 2021

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

*ORDER RECALLING REMITTITUR AND GRANTING MOTION TO
STAY ISSUANCE OF THE REMITTITUR*

This court denied appellant's petition for review on September 20, 2021, and the notice in lieu of remittitur issued that same day. On September 27, 2021, appellant mailed a pro se motion to defer issuance of the remittitur pending resolution of a petition for a writ of certiorari that appellant will file in the United States Supreme Court. The motion is construed as a motion to recall the notice in lieu of remittitur and stay its issuance. The motion is granted. The clerk shall recall the notice in lieu of remittitur issued on September 20, 2021. Issuance of the notice in lieu of remittitur shall be stayed until January 18, 2022. *Cf.* NRAP 41(b)(3)(B). If the clerk of this court receives written notice by January 18, 2022, from the clerk of the United States Supreme Court that appellant has filed a petition for a writ of certiorari, the stay shall continue in effect until final disposition

of the certiorari proceedings. *Id.* If such notice is not received by January 18, 2022, the notice in lieu of remittitur shall issue forthwith.

It is so ORDERED.

1- Sandberg, C.J.

cc: Hon. Kathleen A. Sigurdson, District Judge
Ferrill Joseph Volpicelli
Attorney General/Carson City
Washoe District Court Clerk