

IN THE SUPREME COURT OF THE STATE OF NEVADA

NICHOLAS ROCCO TAGLIAMONTE,
Appellant,

vs.

THE STATE OF NEVADA,
Respondent.

NICHOLAS ROCCO TAGLIAMONTE,
Appellant,

vs.

THE STATE OF NEVADA,
Respondent.

No. 83324

FILED

AUG 31 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

No. 83325

*ORDER ALLOWING APPEALS TO PROCEED AND REMANDING FOR
THE APPOINTMENT OF COUNSEL*

These are pro se appeals from judgments of conviction. Because it appeared that the notices of appeal were filed one day late pursuant to NRAP 4(b), this court directed the attorney general to obtain and transmit to this court any notice of appeal or mail log from the prison indicating the actual date on which appellant may have delivered his notices of appeal to a prison official. The attorney general has responded and provides this court with the prison notice of appeal long reflecting that appellant delivered legal mail in both cases on July 27, 2021, within the time period for filing. Accordingly, these appeals may proceed.

These appeals are remanded to the district court for the limited purpose of securing counsel for appellant. *See Evitts v. Lucey*, 469 U.S. 387 (1985). If appellant is indigent, the district court shall have 30 days from the date of this order to appoint counsel for appellant. Otherwise, within 30 days from the date of this order, the district court shall order that appellant must retain counsel and that retained counsel must enter an appearance in the district court on appellant's behalf within 30 days from the date of the

district court's order. Within 5 days from the appointment or appearance of counsel, the district court clerk shall transmit to the clerk of this court: (1) a copy of the district court's written or minute order appointing appellate counsel; or (2) a copy of the notice of appearance filed by retained counsel.

It is so ORDERED.

1. Sanderby, C.J.

cc: Hon. David A. Hardy, District Judge
Nicholas Rocco Tagliamonte
Attorney General/Carson City
Washoe County District Attorney
Attorney General/Las Vegas
Washoe District Court Clerk