

IN THE SUPREME COURT OF THE STATE OF NEVADA

Hamza Zalyaul,  
Appellant,

vs.

The State of Nevada,  
Respondent.

) Supreme Court Case No.: 83334

) Electronically Filed

) APPELLANT'S REQUEST FOR EXPEDITED REMITTITUR

) REQUEST FOR EXPEDITED REMITTITUR

) Elizabeth A. Brown

) Clerk of Supreme Court

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COMES NOW, BAYLIE A. HELLMAN, ESQ., on behalf of the attorney  
of record, DAMIAN R. SHEETS, ESQ., hereby requests this Court for  
expedited remittitur. This Request is based on the following memorandum,  
declaration of counsel and all pleadings and papers on file herein.

DATED this 13th day of March, 2023.

NEVADA DEFENSE GROUP

By: Baylie A. Hellman

Baylie A. Hellman, Esq.

Nevada Bar No. 14541

Nevada Defense Group

1389 W. Galleria Drive, Suite 200

Henderson, NV 89014

Attorney for Appellant

## MEMORANDUM/DECLARATION

Counsel, Baylie A. Hellman, on behalf of the attorney of record Damian R. Sheets, is a duly licensed attorney in the State of Nevada and have been retained to represent Appellant Hamza Zalyaul in the instant appeal.

On November 23, 2022, this Court issued its decision vacating the conviction and sentence imposed by the Eighth Judicial District Court.

On December 9, 2022, Appellant filed a Request for Expedited Remittitur.

After various other filings, on December 27, 2022, Respondent timely filed its Petition for Rehearing, which was denied on December 29, 2022.

On January 9, 2023, Respondent timely filed its Petition for En Banc Reconsideration. This Court directed Appellant to answer the Petition, and such answer was ultimately filed on February 10, 2023<sup>1</sup>.

On March 3, 2023, this Court filed its Order Denying En Banc Reconsideration.

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<sup>1</sup> Appellant's Answer was timely filed first on February 8, 2023. However, the filing was rejected for lack of a Certificate of Compliance. Appellant's corrected Answer was thereafter timely filed on February 10, 2023.

Upon information and belief, there are no further remedies available to Respondent under the Nevada Rules of Appellate Procedure to challenge this Court's decision.

It is undersigned counsel's understanding that the Nevada Department of Corrections, where Mr. Zalyaul is currently incarcerated, will not release Respondent until the remittitur is issued to the District Court.

Mr. Zalyaul is prejudiced each day he remains in custody as a result of the delay in issuing the remittitur; since the date of the Order Denying En Banc Reconsideration, Mr. Zalyaul has served 10 additional days on a sentence that has since been vacated.

As such, Undersigned Counsel respectfully renews Appellant's request that the remittitur issue on an expedited schedule to ensure Mr. Zalyaul's timely release.

I declare under penalty of perjury that the information set forth in this Memorandum is true and correct.

DATED this 13th day of March, 2023.

NEVADA DEFENSE GROUP

By: Baylie A. Hellman  
Baylie A. Hellman, Esq.

## **CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY AND AFFIRM** that this document was filed electronically with the Nevada Supreme Court on the 13th day of March, 2023. Electronic Service of the foregoing document shall be made in accordance with the Master Service List.

Baylie A. Hellman  
Baylie A. Hellman, Esq.