

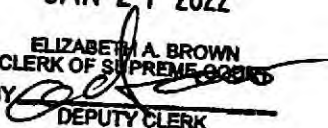
IN THE SUPREME COURT OF THE STATE OF NEVADA

TEODOMIRO ESQUIVEL,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 83400

FILED

JAN 21 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

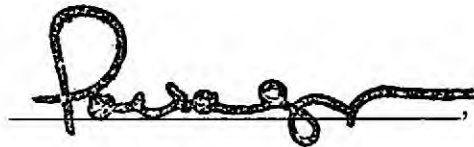
ORDER DENYING MOTION AND TO FILE DOCUMENTS

This is an appeal from a judgment of conviction. Appellant has filed a motion to stay this appeal pending a district court hearing on a motion to withdraw a no contest plea. Appellant asserts that the plea was made due to ineffective assistance of counsel and that resolution of the motion to withdraw the plea “may” render this appeal moot. Respondent has filed an opposition and argues that appellant presents no authority in support of his motion for a stay for the resolution of an as-yet unfiled motion, and that an ineffective assistance of counsel claim is properly brought following a direct appeal, pursuant to a postconviction petition for a writ of habeas corpus. No good cause appearing, the motion is denied.

This appeal was docketed on August 20, 2021. Accordingly, appellant’s opening brief and appendix were due on December 20, 2021. To date, appellants has failed to file these documents. Further, this court’s order of September 23, 2021, directed appellant to file a transcript request form by September 30, 2021. While it appears that appellant served a transcript request form on the court reporter, appellant failed to file the transcript request form with this court. See NRAP 9(a). Accordingly, appellant shall have 7 days from the date of this order to file and serve the

transcript request form. Appellant shall have 14 days from the date of this order to file and serve the opening brief and appendix. Thereafter, briefing shall proceed in accordance with NRAP 31(a)(1). Failure to comply timely with this order may result in the imposition of sanctions. *See* NRAP 31(d); NRAP 9(a)(7).

It is so ORDERED.

 C.J.

cc: Evenson Law Office
Attorney General/Carson City
Humboldt County District Attorney