

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ROY DANIELS MORAGA,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 83179-COA

**FILED**

JAN 25 2022

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

*ORDER*

On December 29, 2021, this court entered an Order of Affirmance in this matter. On January 14, 2022, appellant filed a pro se "Notice of Appeal" purporting to appeal the Order of Affirmance. The clerk of this court construed the notice of appeal as a petition for rehearing. See NRAP 40. Appellant has now filed a pro se letter stating that he did not file a petition for rehearing; rather, he filed a notice of appeal.<sup>1</sup>

Because appellant indicates that he did not wish to file a petition for rehearing, this court will not treat the January 14, 2022, filing as a petition for rehearing. However, there is no provision in the Nevada Rules of Appellate Procedure for an appeal of a decision of the Court of Appeals. Accordingly, this court orders as follows. No further action will be taken on the January 14, 2022, filing. If appellant wishes to ask the Supreme Court to review the Order of Affirmance, he may file a petition for review in the Supreme Court within 14 days of this order. See NRAP 40B.

<sup>1</sup>Appellant also states that his writ of habeas corpus was e-filed in this case on January 10, 2022. No such document has been filed in this matter. Further, appellant is not permitted to electronically file documents in this court.

If no petition for review is timely filed, the clerk shall issue the remittitur.  
The clerk shall file this order in both this court and the Supreme Court.

It is so ORDERED.

 \_\_\_\_\_, C.J.

cc: Roy Daniels Moraga  
Attorney General/Carson City  
Clark County District Attorney