

IN THE SUPREME COURT OF THE STATE OF NEVADA

JESUS NAJERA,

Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,

IN AND FOR THE COUNTY OF

CLARK; AND THE HONORABLE

CRYSTAL ELLER, DISTRICT JUDGE,

Respondents,

and

THE STATE OF NEVADA,

Real Party in Interest.

No. 83923

FILED

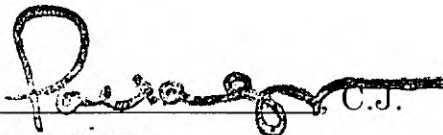
AUG 19 2022


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

ORDER DENYING PETITION FOR REVIEW


Review denied. NRAP 40B.


It is so ORDERED.


Parraguirre C.J.


Hardesty, J.

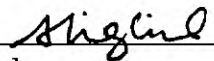

Cadish, J.


Pickering, J.


Herndon, J.

STIGLICH, J., with whom SILVER, J. agrees, dissenting:

In this case, the district court directed the State to file a response to petitioner's petition for a writ of habeas corpus by September 20, 2021. The State filed its response to the petition on November 3, 2021, 44 days after it was due and apparently without filing a request for extension of time in accordance with applicable rules. Because the State ignored the deadline set by the district court for a response to the petition, this court should consider the merits of the petition for review to provide guidance regarding the application of N.R.Cr.P. 11 and EDCR 2.25 to circumstances such as those presented here.

, J.
Stiglich

I concur:

, J.
Silver

cc: Hon. Crystal Eller, District Judge
The Pariente Law Firm, P.C.
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk