

No. 84180

FILED

APR 04 2022

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

SEAN RODNEY ORTH #96723

PO Box 650

Indian Springs, Nevada

89070

IN THE SUPREME COURT OF THE STATE OF NEVADA

SEAN RODNEY ORTH,

PETITIONER,

DOCKET NO.

VS

THE EIGHTH JUDICIAL DISTRICT

DIST. CRT CASE NO. C-20-352701-1

COURT OF THE STATE OF NEVADA

DEPT. NO. X

FOR THE COUNTY OF CLARK,

RESPONDENT.

EX PARTE

NOTICE OF MOTION

MOTION TO WAIVE FILING FEES FOR PETITION FOR WRIT
OF HABEAS CORPUS.

Comes now, SEAN ORTH, PETITIONER, and PER
AND RESPECTFULLY MOVES THIS HONORABLE COURT TO
ALLOW FILING FEES NECESSARY TO FILE
PETITION FOR A WRIT OF HABEAS CORPUS.

RECEIVED

APR 04 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
DEPUTY CLERK

MOTION IS SUPPORTED BY THE ATTACHED POINTS
AND AUTHORITIES AND ALL DOCUMENTS ON FILE IN
THIS CASE INCLUDING THE RECORD BELOW.

22-10390

MEMORANDUM OF POINTS AND AUTHORITIES

A. STATEMENT OF FACTS.

IN DECEMBER 2020 PETITIONER WAS ARRESTED IN THE EIGHTH JUDICIAL DISTRICT COURT OF HENRARD IN STATE V. ORTH, CASE NO. C-20-352701-1 AND PLEADED NOT GUILTY TO PROHIBITED PERSON OWN/POSSESS FIREARM, VIOLATION OF ENDS 202.360 AND FAILING TO STOP AT SIGNAL OF POLICE, INRS 484B.550 (b)(3). PETITIONER HAS BEEN GRANTED LEAVE TO PROCEED PRO SE UPON GRANTED APPLICATION IN FORMA PAUPERIS AND HAS SUBMITTED PETITION FOR A WRIT OF HABEAS CORPUS TO THIS HONORABLE COURT. PETITIONER NOW MOVES TO WAIVE THE FILING FEE FOR THE PETITION.

B. LEGAL ARGUMENTS.

I. THE FILING FEE SHOULD BE WAIVED.

NRAP RULE 21(C) REQUIRES A FILING FEE BE PAID PRIOR TO THIS HONORABLE COURT ENTERING A WRIT OF HABEAS CORPUS.

NRAP RULE 24 ALLOWS AN INDIGENT WHO HAS BEEN GRANTED LEAVE TO PROCEED IN FORMA PAUPERIS IN THE DISTRICT COURT TO SO PROCEED IN THIS HONORABLE COURT.

PETITIONER BEING GRANTED IN FORMA PAUPERIS BELOW ASKS THIS HONORABLE COURT TO WAIVE FEES TO FILE PETITION FOR A WRIT OF HABEAS CORPUS.

C. Conclusion.

IT IS THE PRAYER OF PETITIONER THAT
THIS HONORABLE COURT WILL WAIVE THE FEES
TO FILE PETITION FOR WRIT OF HABEAS.

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Respectfully Submitted, March 27, 2022.

Sam Oath

Dear Clerk

March 27, 2022

My name is Sean Orth. I am pro se in the
Eighth Judicial District Court of Nevada in
State of Nevada v. Sean Rodney Orth, Case No. (20-352701-1.
I Go Back to Court March 30, 2022 on motion to Retake
Plea and motion to Dismiss for Double Jeopardy Violation.

I Am only able to write on this paper. It is
all I have. I have had to mail out in (3) separate
envelopes to my family a petition for writ of mandamus
to consolidate and send as one to your court which
was done. I only had one box provided to send
service to the District of the petition [exhibits]. The
Prison would not provide another box. My family
marked the petition to the court with tracking number.
I have not heard anything and presume this

HONORABLE COURT ADMITS THE MARCH 30, 2022 DETERMINATION.
len.

I HAVE NO DIRECT ACCESS TO A LAW LIBRARY. I HAVE
BEEN PROVIDED A FORM FROM ANOTHER PRISONER TO
REQUEST WAIVER OF FEES AND IT IS ENCLOSED. I COPIED
THE FORM.

I AWAIT THE HONORABLE COURT'S DECISION. THANK
YOU FOR YOUR SERVICE.

Sean Orth.

SEAN ORTH #96723

P.O. Box 650

Indian Springs, NEVADA

89070