

IN THE SUPREME COURT OF THE STATE OF NEVADA

KIM DENNIS BLANDINO,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 84433

**FILED**

APR 28 2022

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

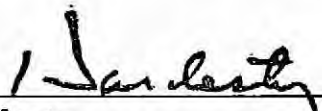
*ORDER DENYING & STRIKING MOTIONS*

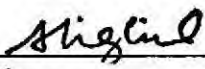
This is an appeal from a jury verdict finding appellant guilty of extortion and impersonation of an officer. Appellant, in pro se, has filed three emergency motions. In the first motion, filed on March 25, 2022, he seeks to waive the appointment of counsel and asks this court to allow him to proceed pro se both in this appeal and below, where appellant has yet to be sentenced. In the other two motions, filed on April 12, 2022, appellant requests the immediate cessation of the use of his middle name in court documents and records and seeks reconsideration of our April 4, 2022, order suspending deadlines pending transmittal of the judgment of conviction and further order of this court.


As we have explained, appellant “has neither a statutory right to self-representation on appeal nor a First Amendment right to proceed in proper person on appeal.” *Blandino v. State*, 112 Nev. 352, 356, 914 P.2d 624, 627 (1996) (explaining the due process concerns with allowing defendants to proceed pro se on direct appeal). Although he now points to NRS 178.397, which governs the right to appointed counsel “through appeal, unless the defendant waives such appointment,” that statute does not explicitly grant the right to appear on appeal without counsel, and NRAP 46A(b)(1) expressly prohibits defendants from proceeding on direct

appeal without counsel. *See Martinez v. Court of Appeal of Cal.*, 528 U.S. 152, 163 (2000) (recognizing courts' discretion over whether to allow defendants to proceed pro se, "the overriding state interest in the fair and efficient administration of justice" at the appellate level, and that "the States are clearly within their discretion to conclude that the government's interests outweigh an invasion of the appellant's interest in self-representation"). Accordingly, we deny appellant's motion to proceed on appeal pro se, as well as any further relief requested in his March 25 motion. Further, we direct the clerk of this court to strike appellant's April 12 motions.<sup>1</sup>

It is so ORDERED.

 J.  
Hardesty

 J.  
Stiglich

 J.  
Herndon

cc: Hon. Michelle Leavitt, District Judge  
Kim Dennis Blandino  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk

---

<sup>1</sup>We note, however, that this court may suspend briefing and hold an appeal in abeyance when judicial economy warrants, such as pending entry of a judgment of conviction. NRAP 2.