

IN THE SUPREME COURT OF THE STATE OF NEVADA

DERRICK ALLEN,)	
)	
Appellant,)	
)	
vs.)	
)	
THE STATE OF NEVADA,)	
)	
Respondent.)	
)	

Electronically Filed
Jul 27 2022 02:45 p.m.
Elizabeth A. Brown
Clerk of Supreme Court
Case No. 85033

**APPELLANT’S RESPONSE TO ORDER TO SHOW CAUSE
AND SUSPENDING BRIEFING FILED JULY 20, 2022**

Comes Now DERRICK BRYAN ALLEN, by and through Deputy Public Defender DEANNA KEANE, and files this Response to the Order to Show Cause Filed July 20, 2022. The details of this response are included in the attached Declaration of Deanna Keane.

DATED this 27th day of July, 2022.

Respectfully submitted,

DARIN F. IMLAY
CLARK COUNTY PUBLIC DEFENDER

By /s/ Deanna Keane
DEANNA KEANE, #12045
Deputy Public Defender
309 So. Third Street, Suite #226
Las Vegas, Nevada 89155-2610
(702) 455-4685

DECLARATION OF DEANNA KEANE

1. I am an attorney licensed to practice law in the State of Nevada; I am a deputy public defender assigned to respond to the Order to Show Cause filed in this matter; I am familiar with the procedural history of this case.

2. I did not advise Mr. Allen to file the proper person Notice of Appeal.

3. Upon receipt of the Order to Show Cause Filed July 22, 2022, Appellate staff reviewed the documentation sent to the Court by Mr. Allen for filing. The envelope attached contained a postmark of July 1, 2022.

4. Appellate staff contacted the Southern Desert Correctional Center and was transferred to the Law Library. Appellate staff spoke with Mrs. Brice in the Law Library and asked Mrs. Brice if the Inmate Log contained any information that may provide an exact date as to when Mr. Allen submitted the Notice of Appeal for filing with the District Court. Appellate staff was informed by Mrs. Brice that she has personal knowledge that Mr. Allen did not submit the Notice of Appeal to her to be logged in the Inmate Log. Appellate staff asked how Mrs. Brice knew for certain that Mr. Allen had not submitted the document prior to the July 1, 2022 date and she stated that “nothing has been logged in the inmate log since March of 2021.”

5. I am not aware of any reason why the Notice of Appeal should not be dismissed for lack of jurisdiction.

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on the 27th day of July, 2022.

/s/ Deanna Keane
DEANNA KEANE

CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 27th day of July, 2022. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

AARON D. FORD
ALEXANDER CHEN

DEANNA KEANE

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage pre-paid, addressed to:

DERRICK ALLEN
NDOC NO: 89571
c/o Southern Desert Correctional Center
P.O. Box 208
Indian Springs, NV 89070

BY /s/ Carrie M. Connolly
Employee, Clark County Public
Defender's Office