

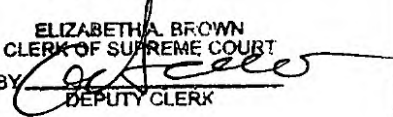
IN THE SUPREME COURT OF THE STATE OF NEVADA

ERIN DESHAUN WARE,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 85345

FILED

OCT 18 2022

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

*ORDER ALLOWING APPEAL TO PROCEED, DIRECTING  
TRANSMISSION OF RECORDS, AND REGARDING BRIEFING*

On September 8, 2022, appellant filed a pro se notice of appeal. In his notice of appeal, appellant states that he is appealing “the Judgment/Order entered on the 16 day of August, 2022” in district court case number C-15-310099-1. Review of the documents before this court does not indicate that a habeas corpus petition was filed in that district court case number. However, a review of the related district court case number A-21-842235-W reveals that an order denying a habeas corpus petition was entered in that district court case number. This court will infer that appellant’s appeal is in regard to the order denying a habeas corpus petition filed in district court case number A-21-842235W. *See Forman v. Eagle Thrifty Drugs & Markets*, 89 Nev. 533, 516 P.2d 1234 (1973), *overruled on other grounds by Garvin v. Dist. Ct.*, 118 Nev. 749, 59 P.3d 1180 (2002) (stating that the notice of appeal “should not be used as a technical trap for the unwary draftsman,” and a “defective notice of appeal should not warrant dismissal for want of jurisdiction where the intention to appeal from a specific judgment may be reasonably inferred from the text of the notice and where the defect has not materially misled” respondent). Accordingly, this appeal may proceed.

Having reviewed the documents on file in this pro se appeal, this court has concluded that its review of the complete record is warranted. The clerk of the district court shall have 30 days from the date of this order to transmit to the clerk of this court certified copies of the complete trial court records of this appeal (district court case numbers C-15-310099-1, C-16-311782-1, and A-21-842235-W). *See* NRAP 11(a)(2). The records shall include copies of documentary exhibits submitted in the district court proceedings, but shall not include any physical, non-documentary exhibits or the original documentary exhibits. The records shall also include any presentence investigation reports submitted in a sealed envelope identifying the contents and marked confidential. *See* NRS 176.156(5).

On October 11, 2022, appellant filed an informal brief. *See* NRAP 28(k). Respondent is not required to file an answering brief unless ordered to do so by this court. NRAP 46A(c). This court generally will not grant relief without providing an opportunity to file a response. *Id.*

It is so ORDERED.

 , C.J.

cc: Erin Deshaun Ware  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk