

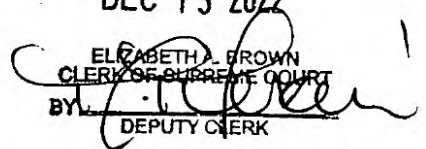
IN THE SUPREME COURT OF THE STATE OF NEVADA

JUSTIN ODELL LANGFORD,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 85375

FILED

DEC 13 2022

ELIZABETH L. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

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

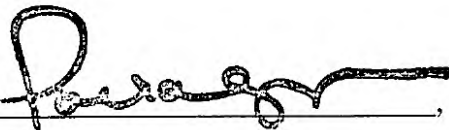
This is a pro se notice of appeal from a district court order denying a motion to vacate and correct illegal sentence. Preliminary review of this appeal revealed a potential jurisdictional defect. Specifically it appeared that the notice of appeal was untimely. However, in the notice of appeal, appellant contended that he never received a copy of the challenged order. Thus, this matter was remanded to the district court for the limited purpose of determining whether appellant was properly served with the order. The district court held a hearing on the issue on November 21, 2022, and has now filed the minutes of that hearing with this court. Because it appears that the district court determined that appellant may not have been properly served with the order and directed that the challenged order be mailed to appellant, this court concludes that this appeal may proceed.

Having reviewed the documents on file in this appeal, this court has concluded that its review of the complete record is warranted. See NRAP 10(a)(1). The clerk of the district court shall have 30 days from the date of this order to transmit to the clerk of this court a certified copy of the complete trial court record of this appeal. See NRAP 11(a)(2). The record 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 record shall also include any presentence investigation reports submitted in a sealed envelope identifying the contents and marked confidential. *See* NRS 176.156(5).

Within 120 days, appellant may file either (1) a brief that complies with the requirements in NRAP 28(a) and NRAP 32; or (2) the "Informal Brief Form for Pro Se Parties" provided by the supreme court clerk. NRAP 31(a)(1). If no brief is submitted, the appeal may be decided on the record on appeal. NRAP 34(g). Respondent need not file a response to any brief filed by appellant, 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: Hon. Carli Lynn Kierny, District Judge
Justin Odell Langford
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk