

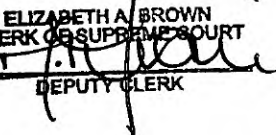
IN THE SUPREME COURT OF THE STATE OF NEVADA

DENNIS KEITH KIEREN, JR.,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 85442

**FILED**

**AUG 28 2023**

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

*ORDER REGARDING PRO BONO COUNSEL*

This is an appeal from an order dismissing a petition for a writ of mandamus. Having considered the documents transmitted by the district court, the record on appeal, and appellant's informal brief, this court has determined that the appointment of pro bono counsel to represent appellant would assist this court in reviewing this appeal. By this order, the court expresses no opinion as to the merits of this appeal.

Pro bono counsel is an attorney who provides legal services without charge for the benefit of the public good. The appointment of pro bono counsel provides attorneys with an opportunity to volunteer legal services in furtherance of their professional responsibility and, at the same time, allows financially eligible litigants access to quality legal representation without cost. Counsel will be appointed for purposes of this appeal only and will participate in oral argument. Currently, the Pro Bono Committee of the Appellate Litigation Section of the State Bar of Nevada (Pro Bono Committee), in conjunction with the Legal Aid Center of Southern Nevada, has developed a pro bono appellate program to assist the public and this court. This case is hereby referred to the program established by

the Pro Bono Committee to evaluate whether appellant can benefit from the program.

Accordingly, the clerk of this court shall transmit a copy of this order and the attached case summary to the Legal Aid Center of Southern Nevada for financial eligibility screening. If appellant qualifies and does not object to pro bono counsel, the Legal Aid Center in cooperation with the Pro Bono Committee shall locate a volunteer attorney from the program to represent appellant. Once an attorney is located, the attorney shall file a notice of appearance in this court within 60 days from the date of this order. Briefing and oral argument will be scheduled thereafter. Alternatively, if appellant is not financially eligible or objects to pro bono representation, or if a volunteer attorney cannot be located, the Legal Aid Center of Southern Nevada shall notify this court in writing within 60 days from the date of this order. In such case, oral argument will not be held. The proceedings in this appeal shall be suspended pending further order of this court.

It is so ORDERED.

                    *Shiglin*                    , C.J.

cc: Dennis Keith Kieren, Jr.  
Attorney General/Carson City  
Legal Aid Center of Southern Nevada, Barbara E. Buckley,  
Executive Director  
Paul Ray, Coordinator, Appellate Litigation Section,  
Pro Bono Committee, State Bar of Nevada  
Kelly Dove

Docket No. 85442

*Kieran v. State*

Appellant is an inmate who has been attempting to get probate documents notarized within the Nevada Department of Corrections. He filed a petition for a writ of mandamus in the First Judicial District seeking an order directing the staff at the Northern Nevada Correctional Center to notarize a document. The State moved to dismiss the petition on mootness grounds in light of NNCC staff allegedly being willing to notarize the document. Over appellant's objection, the district court granted the motion.

Appellant contends that the district court should have entered an order granting declaratory relief with respect to all NDOC facilities confirming that the prisons have a statutory duty to follow the notary procedures set forth in NRS 240.1655. Appellant argues the issue is not moot because NNCC and NDOC will simply continue denying notary requests and forcing inmates to institute litigation to have those requests fulfilled. It appears this may be an ongoing issue within the NDOC.