

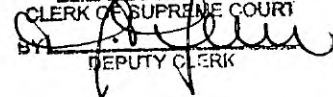
IN THE SUPREME COURT OF THE STATE OF NEVADA

DUSTIN JAMES BARRAL,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 85706

FILED

JAN 25 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER

Appellant has filed a pro se motion for leave to file an opening brief in excess of the page limitation. In support of the motion, appellant asserts that when he includes his exhibits with the brief, the brief exceeds the page limitation. Appellant's submitted brief consists of 26 pages. The exhibits attached to the brief consist of a Legislative Counsel's Preface, portions of documents filed in the underlying district court case, and several miscellaneous documents.

As appellant acknowledges, he may not file an appendix in this matter. NRAP 30(i). Appellant may not circumvent this rule by attaching exhibits to his brief. However, an appellant may attach reproductions of statutes, rules, regulations, or similar documents to a brief. NRAP 28(f). Accordingly, this court orders as follows. The clerk shall detach exhibits B-J from the opening brief received on January 18, 2023, and return them unfiled.¹ The clerk shall file the opening brief, including exhibit A. The

¹Documents that were filed in the underlying district court case are part of the record on appeal that was transmitted to this court and will be considered by this court during the disposition of this appeal. Documents that were not considered by the district court in the underlying proceedings or that do not bear the file-stamp of the district court clerk are not

motion for enlargement of the page limitation is denied as unnecessary. Respondent shall have 30 days from the date of this order to file and serve any answering brief. *See* NRAP 46A(c).

It is so ORDERED.

_____ *Stigler* _____, C.J.

cc: Dustin James Barral
Attorney General/Carson City
Clark County District Attorney

appropriate for consideration on appeal. *See* NRAP 10(a); NRAP 11(a); *Carson Ready Mix, Inc. v. First Nat'l Bank of Nev.*, 97 Nev. 474, 476, 635 P.2d 276, 277 (1981) (“We cannot consider matters not properly appearing in the record on appeal.”).