

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOSEPH NAPOLEON WARREN, III,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 85892

FILED

FEB 15 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY _____
DEPUTY CLERK

*ORDER REDESIGNATING APPEAL, DIRECTING TRANSMISSION OF
RECORD, AND REGARDING BRIEFING*

This is an appeal from a district court order denying a postconviction petition. This appeal was docketed in this court as a fast track appeal. Further review of this appeal reveals that appellant was not represented by appointed counsel in the underlying proceedings. Accordingly, this appeal is not subject to the provisions of Nevada Rule of Appellate Procedure 3C. NRAP 3C(a). The clerk of this court shall redesignate this appeal as a pro se appeal.

Having reviewed the documents on file in this pro se appeal, this court has concluded that its review of the complete record is warranted. See NRAP 10(a)(1). Accordingly, 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).

23-04729

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.¹

_____*Shiglin*_____, C.J.

cc: Joseph Napoleon Warren, III
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

¹This court defers ruling on the pro se document filed on January 25, 2023.