

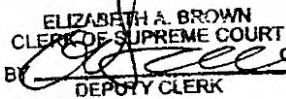
IN THE SUPREME COURT OF THE STATE OF NEVADA

SEAN RODNEY ORTH,
Appellant,
vs.
BRIAN WILLIAMS, WARDEN AT HIGH
DESSERT STATE PRISON, NV,
Respondent.

No. 87007

FILED

OCT 09 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

O R D E R

Appellant has filed a pro se motion containing various requests for relief. First, appellant asserts that the clerk of this court erroneously returned the exhibits he submitted in support of his emergency motion to stay sanctions and opening brief. Appellant has resubmitted the appendix and asks that it be filed. As the motion for stay has already been denied, there is no need to file an appendix in support of that motion. And appellant may not file an appendix in support of his opening brief. *See* NRAP 30(i). Accordingly, the request to file the appendix is denied. The clerk shall return the exhibits received on September 25, 2023, unfiled.

Appellant next asks that documents he attempted to file in the district court but that were rejected by the district court clerk be made part of the record. Appellant specifically references a motion for enlargement of time to file a reply to the State's motion to dismiss petition for a writ of habeas corpus/motion to strike motion to dismiss, and petitioner's opposition to the state's motion to dismiss petition for a writ of habeas corpus. It appears these documents are part of the record on appeal that was transmitted to this court on August 21, 2023. Therefore, appellant's request is unnecessary and this court takes no further action on it. The clerk of this court shall provide appellant with a copy of the index of the

record on appeal filed in this court on August 21, 2023. To the extent appellant seeks relief under NRAP 10(c) regarding the record on appeal, that relief must be sought in the district court.

Finally, appellant requests clarification whether this appeal can proceed based on his opening brief filed August 10, 2023, or whether he must file an informal brief for pro se parties on the form provided by the clerk of this court. Appellant need not file an informal brief for pro se parties if he has already filed an opening brief. This appeal may proceed based upon the filed opening brief. Any other relief requested within the motion is denied.

It is so ORDERED.

 Stiglm , C.J.

cc: Sean Rodney Orth
Attorney General/Carson City
Clark County District Attorney
Attorney General/Las Vegas