IN THE SUPREME COURT OF THE STATE OF NEVADA

ROBERT YBARRA, JR.,
Appellant,
vs.
JEREMY BEAN, WARDEN,
Respondent.

No. 89824

ORDER REGARDING MOTIONS

The following proposed amici have filed motions for leave to file an amicus brief in support of appellant: (1) American Civil Liberties Union of Nevada (ACLUNV) and American Civil Liberties Union (ACLU); (2) American Association on Intellectual and Developmental Disabilities; (3) the Clark County Public Defenders Office, Clark County Special Public Defenders Office, Nevada State Public Defender, Washoe County Alternate Public Defender, Washoe County Public Defender, and Elko County Public Defender (collectively, CCPD); and (4) Professors Eve Hannan and Addie Rolnick of the William S. Boyd School of Law. Because the proposed briefs are accompanied by proof of consent of the parties, the motions for leave to file them are unnecessary and are denied. *See* NRAP 29(a). The briefs of these amici curiae have been filed along with those filed by Nevada Attorneys for Criminal Justice and the American Bar Association.

CCPD has filed a motion to file an amici brief that exceeds the type-volume limit. The proposed amici brief, however, does not exceed the type-volume limit. *See* NRAP 29(d) (allowing an amicus brief to be one-half the length allowed for a party's brief); NRAP 32(a)(7)(B)(i) (permitting an opening or answering brief of 37,000 words in a capital case). The filed

amici brief, which contains 10,307 words, does not exceed the type-volume limit for an amici brief in a capital case. Accordingly, the motion is denied as moot.

Christopher M. Peterson, on behalf of amici ACLU and ACLUNV, has filed motions to associate Megan D. Byrne, Brian W. Stull, Zoe A. Brennan-Krohn, and Julie A. Murray, as counsel of record pursuant to SCR 42. Attached to the motions to associate are verified applications, certificates of good standing, and SCR 42 statements. The State Bar's SCR 42 statements indicate that Ms. Byrne, Mr. Stull, and Ms. Brennan-Krohn have not previously applied to appear in Nevada courts within the last three years. The State Bar's SCR 42 statement for Ms. Murray indicates that she applied to appear in Nevada, and was admitted, on November 2, 2023. *See* SCR 42(6) (repeated appearances by any person or firm pursuant to Rule 42 shall be cause for denial of a motion to associate, with more than five appearances in a 3-year period deemed excessive use of the rule). Cause appearing, the motions are granted. Megan D. Byrne, Brian W. Stull, Zoe A. Brennan-Krohn, and Julie A. Murray shall be permitted to appear on behalf of amici ACLU and ACLUNV in this appeal. Nevada attorney Christopher M. Peterson shall be responsible for all matters presented by Ms. Byrne, Mr. Stull, Ms. Brennan-Krohn, and Ms. Murray in this matter. *See* SCR 42(14) (providing that an active Nevada bar member who is attorney of record shall be present at all matters in open court); NRAP 25(a)(5) (requiring that all documents submitted to the supreme court for filing by a represented party shall include the original signature of at least one attorney of record who is an active member of the State Bar of Nevada).

It is so ORDERED.

_____, C.J.

cc: Federal Public Defender/Las Vegas
Attorney General/Carson City
White Pine County District Attorney
American Civil Liberties Union of Nevada/Las Vegas
Clark County Public Defender
McLetchie Law
ZT Law Group