

IN THE SUPREME COURT OF THE STATE OF NEVADA

DALE EDWARD FLANAGAN,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 40232

**FILED**

JUL 27 2005

ORDER DENYING MOTION

CLERK OF THE SUPREME COURT  
J. R. RIVERA  
CLERK

This is an appeal from an order of the district court denying a post-conviction petition for a writ of habeas corpus in a capital murder case. Appellant has moved this court for permission to file a 126-page opening brief. Having reviewed appellant's motion and the opening brief submitted provisionally with the motion, this court has concluded that a brief of no more than 80 pages will provide appellant an ample and fair opportunity to fully brief the matters at issue in this appeal. See Hernandez v. State, 117 Nev. 463, 24 P.3d 767 (2001). Therefore, appellant's motion to file the 126-page brief is hereby denied. The clerk of this court shall return the proposed opening brief to appellant's counsel unfiled. Appellant shall have 30 days from the date of this order within which to file and serve a revised brief of no more than 80 pages. The State shall have 30 days thereafter within which to file and serve an answering brief of no more than 80 pages. Appellant shall file and serve a reply brief of no more than 30 pages within 30 days of service of the State's brief.

It is so ORDERED.

Becker, C.J.

cc: Davis Wright Tremaine LLP  
Potter Law Offices  
Attorney General Brian Sandoval/Carson City  
Clark County District Attorney David J. Roger