

1 **CAL J. POTTER III**
Nevada Bar No. 001988
2 **POTTER LAW OFFICES**
1125 Shadow Lane
3 Las Vegas, Nevada 89102
Telephone (702) 385-1954

4 **ROBERT D. NEWELL**
5 Oregon State Bar No. 79091
6 **DAVIS WRIGHT TREMAINE LLP**
1300 S.W. Fifth Avenue, Suite 2300
Portland, Oregon 97201
7 Telephone (503) 241-2300

8 Attorneys for Petitioner
Dale Edward Flanagan
9

10 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

11 * * *

12 **DALE EDWARD FLANAGAN,**

Case No. 40232

13 **Appellant,**

14 **v.**

15 **THE STATE OF NEVADA, and E.K.**
16 **McDANIEL, Warden, Ely State Prison,**

17 **Respondents.**

FILED

MAY 13 2005

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

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19 **APPELLANT'S RESPONSE TO ORDER DIRECTING**

20 **FILING OF SUPPLEMENTAL POINTS & AUTHORITIES**

21 Just last week, the District Court signed and entered a stipulation entered into by
22 the parties which completed the efforts to reconstruct the District Court record for use in
23 Appellant's appeal from the District Court's denial of Appellant's post-conviction petition for
24 habeas corpus. A copy of that stipulation is attached. Accordingly, because the need for further
25 extension of time to complete the record no longer exists, Appellant respectfully requests that
26 this matter be returned to the Nevada Supreme Court and that a briefing schedule be established.

Page 1-18-2005 **APPELLANT'S RESPONSE TO ORDER RE: SUPP. POINTS & AUTHORITIES**

CLERK OF SUPREME COURT
By _____
DEPUTY CLERK

DAVIS WRIGHT TREMAINE LLP
1300 S.W. Fifth Avenue • Suite 2300
Portland, Oregon 97201 • (503) 241-2300

PDX 1272068v1 50062-81680
Portland

05-19368

1 If the Court desires more on this issue, Appellant will provide whatever the Court requires.

2 DATED this 12th day of May, 2005.

3 **DAVIS WRIGHT TREMAINE LLP**

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5 _____
6 **ROBERT D. NEWELL**

7 Oregon State Bar No. 79091
8 1300 SW Fifth Avenue, Suite 2300
9 Portland, Oregon 97201
10 503-241-2300


11 **POTTER LAW OFFICES**

12 **CAL J. POTTER, III, ESQ.**

13 Nevada Bar No. 001988
14 11125 Shadow Lane
15 Las Vegas, Nevada 89102
16 Attorney for Plaintiff/Appellant
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Steven S. Owens
Deputy District Attorney
Clark County District Attorney's Office
200 South Third Street, 7th Floor
Las Vegas, Nevada 89155


Linda M. Coffey
Employee of Davis Wright Tremaine LLP