

I.D. No. G3618 J
Lovelock Corr. Ctr.
1200 Prison Rd.
Lovelock, NV 89419
(Petitioner In Pro Se)

NO. 80445-COA

IN THE SUPREME COURT OF THE STATE OF NEVADA

FILED

JAN 22 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

FILED

6 Brendan Nasby,

7 Petitioner,

8 vs.

9 The Court Of Appeals Of Nevada,

10 And The 9th Jud Dist Court,

11 Respondents,

12 and

13 State Of Nevada,

14 Real Party In Interest.

Case No.

Related Case Nos:

FEB 06 2020

Sup Ct No. 78744

COA No. 70626

Dist Ct No. A-19-788126-W

And 98C154293-2

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF/DEPUTY CLERK

MOTION TO CONSOLIDATE CASES, WAIVE APPENDIX
REQUIREMENT, AND REFER TO RECORD IN RELATED CASE

COMES NOW, Brendan Nasby, Petitioner In Pro Se, respectfully
filing this motion to consolidate cases, waive appendix requirement, and
refer to record in related case. This motion is made and based on NRAF
as well as the following points and authorities.

Points And Authorities

1) Petitioner is indigent and cannot afford to pay for copies of the re-
cord to supply an appendix with the "Petition For Writ Of Mandamus" filed
See (Application To Proceed In Forma Pauperis)

20-05090

20-02930

1 2) Administrative Regulations for the Nev. Dept. of Corr. only allow an
2 inmate to amass a \$100.⁰⁰ debt towards legal copies, if the inmate is
3 indigent. Once that inmate has reached the \$100.⁰⁰ limit, the prison law lib
4 rary will no longer allow the inmate to make legal copies.

5 3) Petitioner has reached his \$100.⁰⁰ debt limit years ago and has
6 not been able to make legal copies since See - (Motion To Extend Prison Copy
7 work limit, attached to record in Sup Ct. No 78744).

8 4) Petitioner has filed, with this motion, an "Application To Proceed In Forma
9 Pauperis" and a "Petition For Writ Of Mandamus".

10 5) Petitioner's Mandamus petition refers to the record in Dist Ct. Case No
11 "98C154293-2" and Court of Appeals No. 70626". This record was recently
12 supplied to this Court in the currently pending appeal in Sup Ct. Case No
13 78744.

14 6) As both, Petitioner's "Petition For Writ Of Mandamus" herewith, and his
15 "Appellant's Opening Brief" in Sup Ct. No. 78744, contain similar, ~~as~~ identical
16 arguments and both involve an analysis and review applying this Court's Byrd
17 v. State, 116 Nev. 215 (2000); Kazalyn v. State, 108 Nev. 67 (1992); Garner v. State, 116
18 Nev. (2000); Nika v. State, 124 Nev. 1272 (2008); and other similar cases, it
19 may save judicial economy to consolidate Petitioner's "Petition For Writ Of
20 Mandamus" filed herewith and his "Appellant's Opening Brief" in Sup Ct. No. 78744.

21 7) If this Court does not waive the appendix requirement for mandam
22 us petitions and allow Petitioner to move forward with his mandamus petiti
23 on which refers to the record currently before this Court in case # 78744, the
24 Petitioner will have no way to access the mandamus remedy and effectively
25 be denied his 1st & 14th Amendment Rights to access the court and speech
26

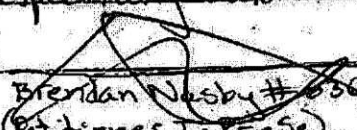
27 CONCLUSION

28 NRAP 1(c) allows the Court to construe the rules to secure the proper

1 and efficient administration of business and affairs of the courts and
2 to promote and facilitate the administration of justice by the courts
3 With that, Petitioner respectfully request: ① This Court waive the app-
4 endix requirement; ② Refer to the record currently before it in Sup.Ct. Case
5 # 78744 as cited in his mandamus petition; and, if permitted, consolidate the
6 review of his "Petition For Writ Of Mandamus" submitted herewith, with the
7 review of his "Appellant's Opening Brief" currently pending in Sup.Ct. Case
8 # 78744.

9 Dated this 13th day of January, 2020.

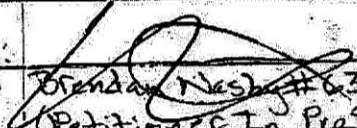
Respectfully Submitted,

By: 
Brendan Nasby # 63618
(Petitioner In Case)

14 VERIFICATION

15 Under penalty of perjury, the undersigned declares that he is the petit-
16 ioner, "Brendan Nasby" named in the foregoing "Motion To Consolidate Cases,
17 Waive Appendix Requirement, And Refer To Record In Related Case" and knows
18 the contents thereof; that the pleading is true of his own knowledge, except
19 as to those matters stated on information and belief, and as to such matters
20 he believes them to be true.

21 Dated this 13th day of January, 2020.

By: 
Brendan Nasby # 63618
(Petitioner In Case)

CERTIFICATE OF SERVICE

I, Brendan Nasby, hereby certify that on this 13th day of January, 2020, I mailed to the Clerk of the Nevada Supreme Court, and caused to be served by the Clerk's Electronic Filing/Service, the foregoing "Motion To Consolidate Cases, Waive Appendix Requirement, And Refer To Record In Related Case" to:

1) Judge Michael P. Gibbons
Court Of Appeals Judge
Supreme Court Building
201 South Carson Street
Suite 300
Carson City, Nevada 89701-4702
(775) 684-1520

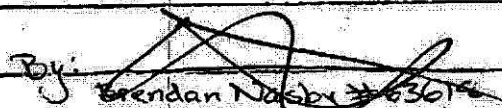
2) Judge Jerome T. Taa
Court Of Appeals Judge
Supreme Court Building
408 E. Clark Avenue
1st Floor
Las Vegas, Nevada 89101
(702) 456-9360

3) Judge William David Kephart
8th Jud. Dist. Ct. Judge
Department 19
206 Lewis Avenue
Las Vegas, Nevada 89155-2311
Tel: (702) 671-4450
Fax: (702) 671-4449

4) Nevada Attorney General
100 N. Carson Street
Carson City, NV 89710-4717

5) Clark County District Attorney
200 Lewis Avenue
Las Vegas, NV 89155-2212

6) Brendan Nasby #63618
Care of LCC Law Library
Levelock Correctional Center
1200 Prison Road
Levelock, Nevada 89419
lcclawlibrary@doc.nv.gov

By: 
Brendan Nasby #63618
(Petitioner In Pro Se)

Affirmation Pursuant To NRS 239B.030

The undersigned does hereby affirm that the preceding "Motion To Consolidate Cases, Waive Appendix Requirement, And Refer To Record In Related Case" does not contain the social security number of any person.

Dated this 13th day of January, 2020.

By: 
Brendan Nasby #63618
(Petitioner In Pro Se)