

IN THE SUPREME COURT OF THE STATE OF NEVADA

DUSTIN BARRAL,

Appellant,

VS.

THE STATE OF NEVADA,

Respondent.

CASE NUMBER: 85706

(District Court Case No.: C269095-1) FILED

JAN 18 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY: CHIEF DEPUTY CLERK

MOTION FOR ENLARGEMENT OF PAGE LIMIT

Comes Now, Appellant, Dustin Barral, in prose, requesting that this honorable court grant his request to enlarge the page limit in the instant case. This request is made upon all papers and pleadings in the case.

According to NRAP 32(a)(7)(D)(i) it states "The court looks with disfavor on motions to exceed the applicable page limit or type-volume limitation, and therefore, permission to exceed the page limit or type-volume limitation will not be routinely granted. A motion to file a brief that exceeds the applicable page limit or type-volume limitation will be granted only upon a showing of diligence and good cause."

REASONS

The Appellant in this case is a pro se litigant. According to NRAP 30(i) the Appellant cannot file an appendix which includes exhibits (NRAP 30(d)). The Appellant has 10 exhibits included in his appeal. While his appeal is only 27 pages and clearly within the page limit of NRAP 32(a)(7)(i), when the Appellant includes his exhibits into the total number of pages (the Appellant does not know if exhibits count toward his total page limit or not) he ends up with total pages. As a pro se litigant "A document filed pro se is to be liberally construed, and a pro se complaint, however inartfully pleaded, must

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JAN 17 2023

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23-01630

1 be held to a less stringent standard than formal pleadings drafted by
2 lawyers." Erickson v. Pardus, 551 US 89, 127 S. Ct. 2197 (2017).

3 CONCLUSION

4 For the above reasons this court should approve/grant this
5 motion and allow the Appellant to exceed the 30 total page limit.

6
7 Dated this 12 day of January, 2023

8
9 

10 Dustin Barral #1108615

11 LCC

12 1200 Prison Rd

13 Lovelock, NV 89419

14 Appellant in Pro Se

15
16 AFFIRMATION PURSUANT TO NRS 239B.030

17 The undersigned does hereby affirm that the preceding Motion For
18 Enhancement of Page Limit does not contain the social security number of
19 any person.

20
21 Dated this 12 day of January, 2023

22
23 

24 Dustin Barral

25 Appellant in Pro Se

CERTIFICATE OF SERVICE

I do hereby affirm that I mailed a true and correct copy of the foregoing Motion For ENLARGEMENT OF PAGE LIMIT to the following addressee(s) on this 12 day of January, 2023, by placing same in the US Mail via prison law library staff:

Clark County Dist. Attorney
200 Lewis Ave
LV, NV 89101

Nevada Attorney General
100 N. Carson St
Carson City, NV 89701

Dated this 12 day of January, 2023.

DBL
Dustin Barral #1108615
LCC
1200 Prison Rd
Lovelock, NV 89419
Appellant in Pro Se