

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL J. ZELLIS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 57668

FILED

SEP 15 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY: *H. Anderson*
DEPUTY CLERK

ORDER OF AFFIRMANCE

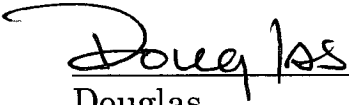
This is a proper person appeal from an order of the district court denying a motion for new trial.¹ Eighth Judicial District Court, Clark County; Jackie Glass, Judge.

In his motion filed on December 11, 2010, appellant alleged that numerous errors were made at trial. These claims were improper as the motion was filed more than seven days after the verdict and the claims were not based on newly discovered evidence. See NRS 176.515. To the extent that appellant attempted to raise claims of new evidence, appellant failed to demonstrate that the evidence was newly discovered because appellant had knowledge prior to trial regarding the status of the hacksaw

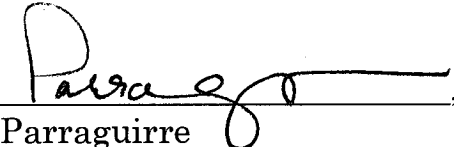
¹This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

and received the police reports in discovery. Therefore, the district court did not err in denying the motion. Accordingly, we

ORDER the judgment of the district court AFFIRMED.²


_____, J.
Douglas


_____, J.
Hardesty


_____, J.
Parraguirre

cc: Eighth Judicial District Court, Dept. 5
Michael J. Zellis
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

²We have reviewed all documents that appellant has submitted in proper person to the clerk of this court in this matter, and we conclude that no relief based upon those submissions is warranted. To the extent that appellant has attempted to present claims or facts in those submissions which were not previously presented in the proceedings below, we have declined to consider them in the first instance.