

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

BRIAN KERRY O'KEEFE,
Petitioner,
vs.
RENEE BAKER, WARDEN; AND THE
STATE OF NEVADA,
Respondents.

No. 74588

FILED

MAR 14 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DENYING PETITION

This original petition for a writ of habeas corpus seeks an order declaring that Brian Kerry O'Keefe's conviction became final on October 15, 2013, upon the denial of certiorari review by the United States Supreme Court. O'Keefe requests this court to amend the remittitur date for his direct appeal to October 15, 2013, and allow him to reopen his time-barred state postconviction petition for a writ of habeas corpus.¹

We conclude our intervention by extraordinary writ is not warranted. Initially, we note "[a]n application for an original writ of habeas corpus should be made to the appropriate district court." NRAP 22. Moreover, O'Keefe does not demonstrate he is being illegally imprisoned or restrained of his liberty. See NRS 34.360. Therefore, we

ORDER the petition DENIED.

Silver, C.J.
Silver

Tao, J.
Tao

Gibbons, J.
Gibbons

¹We have considered all documents filed by O'Keefe in this matter.

cc: Brian Kerry O'Keefe
Attorney General/Carson City