

IN THE SUPREME COURT OF THE STATE OF NEVADA

THE STATE OF NEVADA.

Appellant,

vs.

JEREMY WESSON.

Respondent.

JEREMY DEVON WESSON,

Appellant,

vs.

THE STATE OF NEVADA,

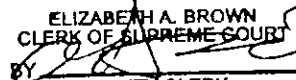
Respondent.

✓ No. 89975

No. 89996

FILED

JUN 27 2025

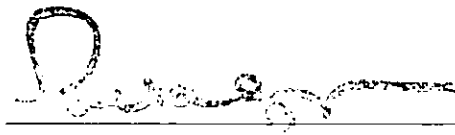
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

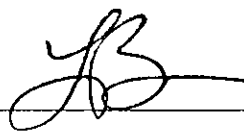
ORDER

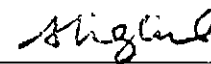
Docket No. 89975 is the State's appeal from a district court order granting a postconviction petition for a writ of habeas corpus and concluding that Jeremy Wesson was unlawfully deprived of the right to a direct appeal from a judgment of conviction and sentence. Docket No. 89996 is Wesson's untimely direct appeal from the judgment of conviction, as allowed under NRAP 4(c). *See* NRAP 4(c)(3). This court previously issued an order denying a request to consolidate these appeals and permitting the State to file a motion to suspend briefing in Docket No. 89996. Upon further review of the record in these matters, it appears that rather than filing an appeal challenging the district court's order granting the postconviction habeas petition, the State should have proceeded pursuant to NRAP 4(c)(4) which allows for a challenge to the grant of an appeal-deprivation claim through the filing of a motion to dismiss following the docketing of the direct appeal.

Accordingly, the appeal in Docket No. 89975 is improper, and that appeal is dismissed.¹ The State shall have 30 days from the date of this order to file a motion to dismiss, in Docket No. 89996, following the procedure set forth in NRAP 4(c)(4). Wesson's motion to suspend briefing and requests for a streamlined extension of time to file an opening brief in Docket No. 89996 are denied as moot.

It is so ORDERED.

 J.
Parraguirre

 J.
Bell

 J.
Stiglich

cc: Hon. Nadia Krall, District Judge
Attorney General/Carson City
Clark County District Attorney
Law Office of Amanda Pellizzari, LLC
Eighth District Court Clerk

¹Given this dismissal, the State's motion to transmit the presentence investigation report is denied as moot.