

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

16 In this capital habeas corpus action, the petitioner, Avram Vineto Nika, filed a second
17 amended petition for writ of habeas corpus on August 3, 2015 (ECF No. 73). Respondents are due
18 to respond to Nika's second amended petition by October 5, 2015. *See* Order entered June 18, 2015
19 (ECF No. 68).

20 Also on August 3, 2015, the government of the Republic of Serbia (“Serbia”) filed a motion
21 (ECF No. 69), requesting leave of court to file, as amicus curiae, a brief in support of Nika, as well
22 as the proposed amicus brief itself and four attached exhibits (ECF No. 72). Respondents did not
23 respond to Serbia’s motion.

24 A federal district court has discretion to accept an amicus brief from a non-party regarding an
25 issue with ramifications beyond the parties directly involved, or from a non-party that can offer
26 “unique information or perspective that can help the court beyond the help that the lawyers for the

1 parties are able to provide.” *Cobell v. Norton*, 246 F.Supp.2d 59, 62 (D.D.C.2003) (quoting *Ryan v.*
2 *Commodity Futures Trading Comm’n*, 125 F.3d 1062, 1064 (7th Cir.1997)); *see also NGV Gaming,*
3 *Ltd. v. Upstream Point Molate, LLC*, 355 F.Supp.2d 1061, 1067-69 (N.D.Cal.2005).

4 The court finds that there is good cause to allow the filing of Serbia’s amicus brief and
5 supporting exhibits. The court will grant Serbia leave of court for that filing.

6 Any further filing by Serbia as amicus curiae must be pursuant to a *sua sponte* invitation by
7 the court, or with leave of court granted upon a motion. Any motion by Serbia for leave of court to
8 file a further brief as amicus curiae must be filed in such time so as not to delay the progress of this
9 case, and must include, as an attachment, a copy of the proposed brief.

10 In view of this order granting Serbia leave of court to file a brief as amicus curiae, the court
11 will *sua sponte* extend the time for respondents to respond to Nika’s second amended habeas
12 petition.

13 **IT IS THEREFORE ORDERED** that the motion for leave to file brief of the Republic of
14 Serbia as amicus curiae in support of petitioner is **GRANTED**. As the amicus brief has already been
15 filed, the clerk of the court need take no further action in this regard.

16 **IT IS FURTHER ORDERED** that the time for respondents to respond to the petitioner’s
17 second amended habeas petition shall be extended to and including **November 13, 2015**.

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19 Dated September 10, 2015.

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UNITED STATES DISTRICT JUDGE
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