

IN THE UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

STATE OF NEVADA,	)	
	)	
Petitioner,	)	
	)	
v.	)	Case No. 05-1350
	)	
UNITED STATES NUCLEAR	)	
REGULATORY COMMISSION,	)	
	)	
Respondent.	)	

**STATEMENT REGARDING USE OF DEFERRED APPENDIX**

Pursuant to the order entered by the Court on September 8, 2005, counsel for Petitioner, the State of Nevada, respectfully advises the Court that the parties will utilize a deferred appendix under F.R.A.P. 30 (c).

Respectfully submitted,

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Dated: October 6, 2005

**CERTIFICATE OF SERVICE**

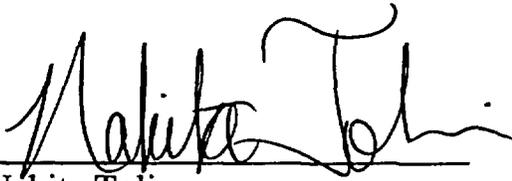
I hereby certify that a true and correct copy of the foregoing Statement Regarding Use of Deferred Appendix was served this 16<sup>th</sup> day of October, 2005 via U.S. First Class Mail, on the following individuals:

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