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Electronically Filed
Mar 15 2016 11:52 a.m.
Tracie K. Lindeman
Clerk of Supreme Court

6 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

7 **OFFICE OF THE CLERK**

8 * * * * *

9 MATTHEW FUGATE,

10 Appellant,

Case No.: 69925

11 vs.

12 STATE OF NEVADA,

13 Respondent.
14 _____ /

15 **CASE APPEAL STATEMENT**

- 16
- 17 1. Appellant is Mathew Fugate;
 - 18 2. Judgment of conviction and sentence appealed from entered by the Hon. Elliot Sattler,
19 Department 10 of the Second Judicial District Court;
 - 20 3. Parties to the proceedings in the District are Appellant Mathew Fugate and Respondent
21 State of Nevada;
 - 22 4. Parties to this appeal are the same as those denoted in #3 above;
 - 23 5. Counsel on appeal:
 - 24 a. State of Nevada: Christopher Hicks, District Attorney, Washoe County; 1 South Sierra
25 St., Reno, Nevada , 89520; 775-328-3220;
 - 26 b. Appellant: John Ohlson, 6140 Plumas St., Ste. 200, Reno, Nevada, 89519, 775 322-
27 3223;*
 - 28

- 1 6. Appellant was represented by appointed counsel in the District Court;*
- 2 7. No counsel has been either retained or appointed for Appellant on appeal;*
- 3 8. Appellant is an indigent with appointed counsel in the District Court, but has not applied
- 4 for, nor been allowed to proceed in forma pauperis;¹
- 5 9. Indictment was filed in this case on January 28, 2015;
- 6
- 7 10. This is a criminal action resulting in a judgment of guilt by virtue of jury verdict;
- 8
- 9 11. This case has not previously been the subject of an appeal or original writ.

10
11 **AFFIRMATION**
12 **Pursuant to NRS 239B.030**

13 The undersigned does hereby affirm that the preceding document does not contain the
14 social security number of any person.

15 DATED this 15th day of March, 2016.

16 By: /s/ John Ohlson
17 John Ohlson, Esq.
18 6140 Plumas St., Suite 200
19 Reno, NV 89519
20 Telephone: (775) 322-3223

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27 *¹ Counsel herein has filed a motion to be relieved as counsel on appeal, and for the appointment
28 of appellate counsel. Counsel has never been appointed to represent Appellant on appeal. Appellant's indigency was determined in proceedings in District court.

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CERTIFICATE OF SERVICE

Pursuant to NRCP 5 (b), I hereby certify that on the date set forth below, I served a true copy of the foregoing **CASE APPEAL STATEMENT** on the party(ies) identified below by:

- Placing an original or true copy thereof in a sealed envelope, postage prepaid for collection and mailing in the United States Mail at Reno, Nevada
- Hand Delivery
- E-mail to:
- Federal Express or other overnight delivery
- Reno Carson Messenger Service
- Certified Mail, Return receipt requested
- Electronically, using Nevada Supreme Court's ECF system

addressed to:
Terrence McCarthy
Washoe County District Attorney's Office

Dated this 15th day of March, 2016.

/s/ Robert M. May
Robert M. May