

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 Appellant seeks an order from this Court directing the clerk of the district
3 court to transmit to this Court under seal, Appellant Leal’s Presentence
4 Investigation Report (“PSI”) filed July 14, 2017, under District Court Case
5 No. C-17-322664-2
6

7 Pursuant to NRS 176.156.5 on disclosure of a PSI report in a public record:
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9 Except for the disclosures required by subsections 1 to 4, inclusive, a report
10 of a presentence investigation or general investigation and the sources of
11 information for such a report are confidential and must not be made a part of
12 any public record.
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14 The Appellant has utilized the PSI in its Opening Brief for the purposes of
15 addressing the facts of Appellant’s case, his comparable criminal history to
16 codefendant and to address the merits of Appellant’s arguments. Therefore,
17 Appellant requests this Court direct the district court clerk to transmit the PSI
18 to this Court, in a sealed envelope, so that this Court may confirm that the
19 references in the Opening Brief are accurate.
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22 Dated this 23rd Day of September 2021.
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26 Respectfully Submitted,

27 /s/ Diane C. Lowe
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7 **CERTIFICATE OF SERVICE**

8 I hereby certify and affirm that this document was filed electronically with
9 the Nevada Supreme Court on the 23rd day of September 2021. Electronic
10 Service of the foregoing document shall be made in accordance with the
11 Master Service List as follows:
12

13
14 Aaron D. Ford
15 Nevada Attorney General

16 Alexander G. Chen
17 Clark County District Attorney

18
19 /s/ Diane C. Lowe
20 DIANE C. LOWE, ESQ.
21 LOWE LAW, LLC
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