

1 **REQT**  
2 GORDON SILVER  
3 DOMINIC P. GENTILE, ESQ.  
4 Nevada Bar No. 1923  
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6 3960 Howard Hughes Pkwy., 9th Floor  
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9 Fax: (702) 369-2666  
10 Attorney for Defendant LUIS A. HIDALGO, JR.

**FILED**

JUL 30 1 03 PM '09

*E. J. Smith*  
CLERK OF THE COURT

**FILED**

JUL 31 2009

DISTRICT COURT  
CLARK COUNTY, NEVADA

THOMAS L. LINDEMAN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

11 STATE OF NEVADA,

12 Plaintiff,

CASE NO. C212667/C241394  
DEPT. XXI

13 vs.

Supreme Court No. 54209

14 LUIS A. HIDALGO, III, #1849634,  
15 LUIS A. HIDALGO, JR., #1579522

16 Defendants.

**REQUEST FOR TRANSCRIPTS OF PROCEEDINGS**

17 TO: JANIE OLSEN, COURT RECORDER:

18 Appellant requests preparation of the original and one copy of the transcripts of the  
19 proceedings before the District Court, as follows:

- 20 1. Hearing on Defendant's Motion for Pretrial Release on Bail with Conditions of  
21 Home Confinement, March 27, 2008, heard before the Honorable Valerie Adair.
- 22 2. Hearing on Decision regarding bail amount, April 1, 2008, before the Honorable  
23 Valerie Adair.
- 24 3. Hearing regarding Defendant's Motion for Court to Allow Presentation of  
25 Evidence to the Jury; Defendant's Motion to Prohibit Argument on Deterrence or to Permit  
26 Evidence of Lack of Deterrence; Motion to prohibit the State of Nevada from Introducing  
27

**RECEIVED**

JUL 31 2009

101371-002/735968.doc

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Attorneys At Law  
Ninth Floor  
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THOMAS L. LINDEMAN  
CLERK OF SUPREME COURT  
DEPUTY CLERK

1 Evidence and Argument Regarding Mitigating Circumstances that Are Not Applicable to Luis  
2 Hidalgo, Jr; Defendant's Motion to Declare as Unconstitutional the Unbridled Discretion of  
3 Prosecution to Seek the Death Penalty; Defendant's Motion for Disclosure of the Existence of  
4 Electronic Surveillance; State's Motion to Conduct Videotaped Testimony of a Cooperating  
5 Witness; Defendant's Motion for Disclosure of Intercepted Communications; Defendant's  
6 Motion to Strike the Death Penalty as Unconstitutional Based on its Allowance of Inherently  
7 Unreliable Evidence; Defendant's Motion to Strike Notice of Intent to Seek Death Penalty;  
8 Defendant's Motion to Strike Death Penalty Based Upon Unconstitutionality; Defendant's  
9 Motion to Strike Notice of Intent to seek Death Based Upon Unconstitutional weighing  
10 Equation; Defendant's Motion to Dismiss Count One of the Indict for Duplicity or, in the  
11 Alternative, for an Election; Defendant's Motion to Bifurcate Penalty Phase Proceedings, April  
12 17, 2008, before the Honorable Valerie Adair.

13 4. Hearing regarding Defendant's Motion for Disclosure of the Existence of  
14 Electronic Surveillance; Defendant's Motion for Disclosure of Intercepted Communications;  
15 State's Motion to Conduct Videotaped Testimony of a Cooperating Witness; Status Check:  
16 Affidavit C. Lalli; Status Check: Trial Setting, May 1, 2008, before the Honorable Valerie  
17 Adair.

18 5. Hearing regarding Defendant's Motion for Disclosure of the Existence of  
19 Electronic Surveillance; Defendant's Motion for Disclosure of Intercepted Communications;  
20 Status Check: Affidavit, June 17, 2008, before the Honorable Valerie Adair.

21 6. Hearing on State's Motion to Consolidate C212667 with C241394, July 22, 2008,  
22 before the Honorable Valerie Adair.

23 7. Hearing on State's Request for Status Check on Motion to Consolidate C241394  
24 with C212667 and Defendants' Motions to Strike the Amended Notice to Seek Death Penalty,  
25 December 19, 2008, before the Honorable Valerie Adair.

26 8. Hearing on State's Motion to Remove Mr. Gentile as Attorney or Request  
27 Waivers After Defendants Have Had True Independent Counsel; State's Request Status Check on  
28 Motion to Consolidate C212667 with C241394; Defendant's Motion for Fair and Adequate Voir

1 Dire, January 16, 2009, before the Honorable Valerie Adair.

2 9. Hearing on State's Motion in Limine to Exclude Testimony of Valerie Fridland,  
3 January 22, 2009, before the Honorable Valerie Adair

4 10. Trial, including jury selection, and verdict, January 27, 2009 to January 30, 2009,  
5 before the Honorable Valerie Adair.

6 11. Trial, including jury selection, and verdict, February 2, 2009 to February 6, 2009,  
7 before the Honorable Valerie Adair.

8 12. Trial, including jury selection, and verdict, February 9, 2009 to February 13,  
9 2009, before the Honorable Valerie Adair.

10 13. Trial, including jury selection, and verdict, February 2, 2009 to February 6, 2009,  
11 before the Honorable Valerie Adair.

12 14. Trial, including jury selection, and verdict, February 17, 2009, before the  
13 Honorable Valerie Adair.

14 15. Defendant's Motion for Judgment of Acquittal or, in the Alternative, a New Trial,  
15 May 1, 2009, before the Honorable Valerie Adair.

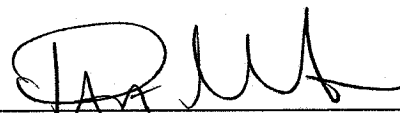
16 16. Status check, sentencing, June 29, 2009, before the Honorable Valerie Adair

17 17. Sentencing of Defendant, June 23, 2009, before the Honorable Valerie Adair.

18 I hereby certified that on this date I ordered these transcripts from the court recorder  
19 named above. Defendant has been declared indigent and the undersigned counsel has been  
20 court-appointed to represent Defendant in the appeal of this matter.

21 Dated this 30<sup>th</sup> day of July, 2009.

22 GORDON SILVER

23  8357  
24 for


25 DOMINIC P. GENTILE  
26 Nevada Bar No. 1923  
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Attorney for LUIS A. HIDALGO JR.

CERTIFICATE OF SERVICE

The undersigned, an employee of Gordon Silver, hereby certifies that on the 30<sup>th</sup> day of July, 2009, she served a copy of the Request for Transcripts of Proceedings, by placing said copy in an envelope, postage fully prepaid, in the U.S. Mail at Las Vegas, Nevada, said envelope addressed to:

Steven S. Owens  
Nevada Bar No. 4352  
Clark County District Attorney  
200 Lewis Ave.  
Las Vegas, Nevada 89155  
Facsimile No.: (702) 477-2957

Janie Olsen  
Court Recorder  
District Court Department 21  
Regional Justice Center  
200 Lewis Avenue  
Las Vegas, NV 89155  
Facsimile No.: (702) 671-4451

  
ADELE L. JOHANSEN, an employee of  
GORDON SILVER