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IN THE SUPREME COURT OF THE STATE OF NEVADA

\* \* \* \* \*

JASON MCCARTY

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

S.C. CASE NO. 58101

Electronically Filed  
May 02 2012 02:10 p.m.  
Tracie K. Lindeman  
Clerk of Supreme Court

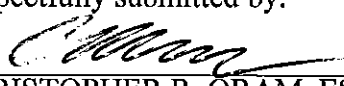
**MOTION TO TRANSMIT EXHIBITS**

COMES NOW, Christopher R. Oram, Esq., attorney for Appellant, JASON MCCARTY, and moves this Court for an Order directing the Eighth Judicial District Court Clerk to transmit to the Nevada Supreme Court for consideration in the above captioned appeal Exhibits 208, 213-214, 219-221, 223, 229, 236, 247-248, and 251-252, which are photographs mentioned in Mr. McCarty's Opening Brief. Mr. McCarty contends that the district court abused its discretion in admitting this evidence over his objection. The Court cannot make a determination concerning whether the district court abused its discretion without viewing the photographs.

This motion is made and based on the declaration of Christopher R. Oram, Esq., attached hereto.

DATED this 2 day of May, 2012.

Respectfully submitted by:

  
CHRISTOPHER R. ORAM, ESQ.  
Nevada Bar No. 004349  
520 S. Fourth Street, 2nd Floor  
Las Vegas, Nevada 89101  
(702) 384-5563

Attorney for Appellant  
JASON MCCARTY

1                                    **DECLARATION OF CHRISTOPHER R. ORAM, ESQ.**

2            Christopher R. Oram, Esq., makes the following declarations:

3            I am counsel representing Mr. McCarty on his capital direct appeal in the instant case. I  
4 was also the trial attorney in this case.

5            I am requesting that this Court order the clerk of the district court to forward Exhibits  
6 208, 213-214, 219-221, 223, 229, 236, 247-248, and 251-252 , which are photographs admitted  
7 during trial. It is Mr. McCarty's contention that the district court abused its discretion in admitting  
8 this evidence over his objection. This Court cannot make a determination concerning whether the  
9 district court abused its discretion without viewing the photographs.

10           I declare under penalty under perjury that the foregoing is true and correct. (NRS 53.045).

11           DATED this 2 day of May, 2012.

12                                    Respectfully submitted by:

13                                    

14                                    CHRISTOPHER R. ORAM, ESQ.  
15                                    Nevada Bar #004349  
16                                    520 S. Fourth Street, 2nd Floor  
17                                    Las Vegas, Nevada, 89101

18                                    Attorney for Appellant  
19                                    JASON MCCARTY  
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**CERTIFICATE OF SERVICE**

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on May 2, 2012. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

CATHERINE CORTEZ-MASTO  
Nevada Attorney General

STEVE OWENS  
Chief Deputy District Attorney

CHRISTOPHER R. ORAM, ESQ.

BY:

/s/ Jessie Vargas

An Employee of Christopher R. Oram, Esq.