

1 **Code 1350**

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5 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
6 **IN AND FOR THE COUNTY OF WASHOE**

7
8 **STATE OF NEVADA ,**

Case No. CR11-1718B

9 **Plaintiff,**

Dept. No. 4

10 **vs.**

11 **ERNESTO MANUEL GONZALEZ,**

12 **Defendant.**

13 **/**

14 **CERTIFICATE OF CLERK AND TRANSMITTAL**

15 I certify that I am an employee of the Second Judicial District Court of the State of
16 Nevada, County of Washoe. On the 24th day of February, 2014, I electronically filed to the
17 Supreme Court the Order filed January 24, 2014

18 The Order is transmitted pursuant to the Supreme Court's Order Granting Motion to
19 Withdraw as Counsel and Remanding for Appointment of Counsel.

20 I further certify that the transmitted record is a copy of the original pleadings on file
21 with the Second Judicial District Court.

22 Dated this 24th day of February, 2014.

23
24 **JOEY ORDUNA HASTINGS**
CLERK OF THE COURT

25
26 By /s/Annie Smith
27 Annie Smith
28 Deputy Clerk

1 **CODE**

4 Electronically Filed
5 Feb 24 2014 02:44 p.m.
6 Tracie K. Lindeman
7 Clerk of Supreme Court

8
9 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
10 **IN AND FOR THE COUNTY OF WASHOE**

11 **STATE OF NEVADA,**

12 **Plaintiff,**

Case No. CR11-1718B

13 **vs.**

Dept. No. 4

14 **ERNESTO MANUEL GONZALEZ,**

15 **Defendant.**

16 **ORDER**

17 On October 3, 2013, after having been found guilty by a Jury of Conspiracy To
18 Engage In An Affray, a violation of NRS 199.480 and NRS 203.050, a gross misdemeanor,
19 as charged in Count I; Challenge to Fight Resulting In Death With The Use Of A Deadly
20 Weapon With Gang Enhancement, a violation of NRS 200.450, NRS 200.010, NRS
21 200.030, NRS 193.165, NRS 199.480, NRS 195.020 and NRS 193.168, a felony, as
22 charged in Count II; Carrying A Concealed Weapon, a violation of NRS 202.350, a felony,
23 as charged in Count III; Discharging a Firearm In A Structure, a violation of NRS 202.287,
24 a felony, as charged in Count IV; Murder Of The Second Degree With The Use Of A
25 Deadly Weapon With Gang Enhancement, a violation of NRS 200.010, NRS 200.030,
26 NRS 193.165 and NRS 193.168, a felony, as charged in Count V; Murder Of The First
27 Degree With The Use Of A Deadly Weapon With A Gang Enhancement, a violation of
28 NRS 200.010, NRS 200.030, NRS 193.165 and NRS 193.168, a felony, as charged in
Count VI; and Conspiracy To Commit Murder, a violation of NRS 199.480, NRS 200.010
and NRS 200.030, a felony, as charged in Count VII, the above-named Defendant,

1 Ernesto Manuel Gonzalez, was sentenced to terms of imprisonment in the Nevada
2 Department of Corrections by this Court. On October 15, 2013, the Defendant, by and
3 through counsel of record, David Houston, Esq., filed a Notice of Appeal to the Nevada
4 Supreme Court. On January 13, 2014, the Nevada Supreme Court entered an Order
5 granting Motion to Withdraw as counsel and directing this Court to appoint appellate
6 counsel for the Defendant if defendant is deemed indigent.

7 The Court finds that prior to the Defendant retaining Mr. Houston and Mr. Lyon as
8 counsel of record, the Defendant was found indigent and the Washoe County Public
9 Defender's Office was appointed to represent him. Further, the Court finds that after Mr.
10 Houston and Mr. Lyon were retained to represent the defendant, the Court granted the
11 Defendant's Motion for Authorization of Defense Services at Public Expense due to his
12 continued indigency. The Court further finds that the Defendant has remained in custody at
13 either the Washoe County Jail or the Nevada Department of Corrections since his arrest in
14 this matter and thus remains indigent. Further, NRS 7.115 requires the Court to appoint
15 the Washoe County Public Defender to represent indigent defendants in the County.

16 Therefore, with good cause appearing and in the interests of justice,

17 IT IS HEREBY ORDERED that the Washoe County Public Defender's Office is
18 appointed to represented the above named Defendant for purposes of appeal to the
19 Nevada Supreme Court.

20 IT IS HEREBY FURTHER ORDERED that the Clerk of the Second Judicial District
21 Court transmit a copy of this Order to the Clerk of the Nevada Supreme Court and serve a
22 copy of the Order Of Remand on the Washoe County Public Defender's Office.

23 Dated this 23 day of January, 2014.

24
25 Connie I. Steinheimer
26 DISTRICT JUDGE
27
28

CERTIFICATE OF SERVICE

I certify that I am an employee of the SECOND JUDICIAL DISTRICT COURT of the STATE OF NEVADA, COUNTY OF WASHOE; that on the 24th day of January, 2013, I filed the attached document with the Clerk of the Court.

I further certify that I transmitted a true and correct copy of the foregoing document by the method(s) noted below:

 Personal delivery to the following: [NONE]

 X **I electronically filed with the Clerk of the Court, using the ECF which sends an immediate notice of the electronic filing to the following registered e-filers for their review of the document in the ECF system:**

Terrence McCarthy, Esq.
Chief Deputy District Attorney

Kenneth Lyon, Esq.
Attorney at Law

David Houston, Esq.
Attorney at Law

Jeremy Bosler, Esq.
Public Defender

John Petty, Esq.
Chief Deputy Public Defender

 Deposited in the Washoe County mailing system in a sealed envelope for postage and mailing with the United States Postal Service in Reno, Nevada: [NONE]

 Placing a true copy thereof in a sealed envelope for service via:

 Reno/Carson Messenger Service – **[NONE]**

 Federal Express or other overnight delivery service **[NONE]**

 Inter-Office Mail **[NONE]**

DATED this 24th day of January, 2013.

