1	IN THE SUPREME COURT OF THE STATE OF NEVADA
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4	ANTHONY CASTANEDA ) No. 64515 Electronically Filed
5	Appellant, Jun 03 2014 08:44 a.m. Tracie K. Lindeman
6	Clerk of Supreme Court
7	V. )
8	THE STATE OF NEVADA,
9	Respondent.
10	)
11	MOTION REQUESTING TRANSMITTAL OF AN EXHIBIT
12	PURSUANT TO NRAP 30(d)
13	COMES NOW Appellant, ANTHONY CASTANEDA, by and through his
14 15	attorney, AUDREY M. CONWAY, Deputy Public Defender, and pursuant to Nevada
16	Rules of Appellate Procedure 30 (d) and 10 (b)(1), requests this Court to direct the
17	District Court to send the following exhibit to the Court for consideration in evaluating
18	
19	the issues on appeal: State Exhibit 79: Audio Exhibit.
20	This Motion is based upon the following Memorandum and all papers and
21	pleadings on file herein.
22	DATED this 2 <sup>nd</sup> day of June, 2014.
23	
24	PHILIP J. KOHN CLARK COUNTY PUBLIC DEFENDER
25	
26	By <u>/s/ Audrey M. Conway</u>
27	AUDREY M. CONWAY, #5612 Deputy Public Defender
28	309 So. Third Street, Suite #226
	Las Vegas, Nevada 89155-2610 (702) 455-4685
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ļ	Docket 64515 Document 2014-17904

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1	MEMORANDUM OF POINTS AND AUTHORITIES
2	Rule 30(d) of the Nevada Rules of Appellate Procedure allows an appellant
3	to include copies of relevant and necessary exhibits in the appendix. However, if an
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5	exhibit is not able to be reproduced, a party may:
6	file a motion requesting the Supreme Court to direct the district court clerk to transmit the original exhibits.
7 8	The Supreme Court will not permit the transmittal of original
° 9	exhibits except upon a showing that the exhibits are relevant to the issues raised on appeal, and that the Supreme Court's
10	review of the original exhibits is necessary to the determination of the issue.
11	NRAP 30(d).
12	
13	Appellant asks that this Court direct the District Court Clerk's office to
14	transmit to this Court District Court the following exhibit: State Exhibit 79: Audio
15	Exhibit. This evidence is particularly crucial to the evaluation of Issues II and IV in the
16 17	Opening Brief. The transmission of the evidence in this format is necessary as a
18	transcription of this recording was not introduced to the lower court record.
19	Respectfully submitted,
20	PHILIP J. KOHN
21	CLARK COUNTY PUBLIC DEFENDER
22	
23	By <u>/s/ Audrey M. Conway</u>
24	AUDREY M. CONWAY, #5611
25 26	Deputy Public Defender 309 So. Third Street, Suite #226
26 27	Las Vegas, Nevada 89155-2610 (702) 455-4685
27	(702) 455-4065
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1	CERTIFICATE OF SERVICE
2	I hereby certify that this document was filed electronically with the Nevada
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4	Supreme Court on the 2 <sup>nd</sup> day of June, 2014. Electronic Service of the foregoing
5	document shall be made in accordance with the Master Service List as follows:
6	CATHERINE CORTEZ MASTO AUDREY M. CONWAY
7	STEVEN S. OWENS HOWARD S. BROOKS
8	I further certify that I served a copy of this document by mailing a true and
9	correct copy thereof, postage pre-paid, addressed to: ANTHONY CASTANEDA, 37
10	East. Harmon #H-305, Las Vegas, NV 89169.
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12	BY /s/ Carrie M. Connolly
13 14	Employee, Clark County Public Defender's Office
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