

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 This Honorable Court has directed Respondent to Answer the Petition
3
4 for discretionary review. Mr. Quisano encourages review of the intermediate
5 appellate court's published opinion. Respondent is confident that the High Court
6 will recognize that the Clark County District Attorney's Office maintained an
7 open-file policy during the pendency of this case. Moreover, whether or not the
8 prosecution's file was open or closed, Quisano was entitled to production of the
9 affidavit signed by the only witness that testified at the sentencing proceeding.
10 Respondent would have approached the sentencing with a completely different
11 strategy if prior disclosure took place. Quisano maintains a reasonable belief that
12 the outcome of the sentencing hearing would have been different absent the
13 discovery violation. Respondent respectfully requests that the Supreme Court
14 remand the matter to sentence Quisano anew.
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19 DATED this 27th day of April, 2016.

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21 PHILIP J. KOHN
22 CLARK COUNTY PUBLIC DEFENDER

23 By /s/ Norman J. Reed
24 NORMAN J. REED, #3795
25 Deputy Public Defender
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1 **CERTIFICATE OF SERVICE**

2 I hereby certify that this document was filed electronically with the
3 Nevada Supreme Court on the 27th day of April, 2016. Electronic Service of the
4 foregoing document shall be made in accordance with the Master Service List as
5 follows:

6 ADAM LAXALT
7 STEVEN S. OWENS

NORMAN J. REED
NANCY L. LEMCKE
HOWARD S. BROOKS

8
9 I further certify that I served a copy of this document by mailing a
10 true and correct copy thereof, postage pre-paid, addressed to:

11 JONATHAN QUISANO
12 NDOC No. 1128389
13 c/o High Desert State Prison
14 P.O. Box 650
Indian Springs, NV 89018

15 BY /s/ Carrie M. Connolly
16 Employee, Clark County Public
17 Defender's Office
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