

1 Code 2230
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Electronically Filed
May 28 2015 02:18 p.m.
Tracie K. Lindeman
Clerk of Supreme Court

5
6 IN THE FAMILY DIVISION
7 OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
8 IN AND FOR THE COUNTY OF WASHOE

9 IN THE MATTER OF PARENTAL RIGHTS:

10 as to,

11 MARIA FAZ
MICHAEL FAZ, and
12 NATHANIEL FAZ

Case No. FV11-02393

Dept. No. 2

13 Minor Children.
14 _____ /

15 **MOTION FOR TRANSCRIPTS AT PUBLIC EXPENSE**

16 Respondent, JESUS FAZ JR., by and through his counsel on appeal, moves for an Order
17 granting Respondent three transcripts of the following hearings at County expense for preparation
18 of his appeal:
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20 Honorable Deborah Schumacher
August 11, 2014: Transcript of Proceedings:
Bench Trial

21 Honorable Deborah Schumacher
22 August 12, 2014: Transcript of Proceedings:
Bench Trial

23 Honorable Deborah Schumacher
24 August 13, 2014: Transcript of Proceedings:
Bench Trial

25 Honorable Deborah Schumacher
26 August 14, 2014: Transcript of Proceedings:
Bench Trial

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FACTS

Notice of Appeal was filed on October 16, 2014, in the Second Judicial District Court of the State of Nevada.

Respondent had been represented by the Michael Roth, esq. at trial, and the Alternate Public Defender has been appointed to handle the pending appeal, Supreme Court case no. 67063. Defendant cannot pay for the transcript due to indigency. On February 23, 2015, the Nevada Supreme Court entered it's order directing the Alternate Public Defender's office to file and serve the transcript request form pursuant to NRAP9(a). Based on the fact that the Second Judicial District Family division uses a recording device known as the Jefferson Audio Video Systems (JAVS), no reporter is available to request such a transcript according to NRAP 9(a)(3)(c) which necessitates this motion.

A written transcript is necessary for the proper review of this case and for the production of briefs in addition to the Nevada Supreme Court needing a transcript to review. Respondent requires the transcripts to explore and develop the following potential issues on appeal: To determine whether error occurred at when terminating his rights.

LEGAL ARGUMENT

NRS 12.015(3) reads as follows:

If the person is required to have proceedings reported or recorded, or if the court determines that the reporting, recording or transcription of proceedings would be helpful to the adjudication or appellate review of the case, the court shall order that the reporting, recording or transcription be performed at the expense of the county in which the action is pending but at a reduced rate as set by the county.

Respondent Jesus Faz, Jr. was granted his request to waive all fees and costs necessary to proceed with the current action on December 23, 2014 pursuant to NRS 12.015.

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Jeff Martin
Via E-filing

/s/Shannon Hambricht
SHANNON HAMBRIGHT