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1 Code 2230 Bill Hart, #11986 Deputy Alternate Public Defender P.O. Box 11130 3 Reno, NV 89520 Electronically Filed (775)328-3955 May 28 2015 02:18 p.m. 4 Attorney for Jesus Faz, Jr. Tracie K. Lindeman Clerk of Supreme Court 5 IN THE FAMILY DIVISON 6 OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA 7 IN AND FOR THE COUNTY OF WASHOE 8 9 IN THE MATTER OF PARENTAL RIGHTS: 10 as to, 11 Case No. MARIA FAZ FV11-02393 MICHAEL FAZ, and 12 NATHANIEL FAZ 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: 19 Honorable Deborah Schumacher 20 August 11, 2014: Transcript of Proceedings: Bench Trial 21 Honorable Deborah Schumacher August 12, 2014: Transcript of Proceedings: 22 Bench Trial 23 Honorable Deborah Schumacher August 13, 2014: Transcript of Proceedings: 24 Bench Trial 25 Honorable Deborah Schumacher August 14, 2014: Transcript of Proceedings: 26 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.

CONCLUSION

Based upon NRS 12.015 and this Court's previous order waiving fees and costs, the Respondent asks that the cost of transcribing the JAVS recording of the trial dates specified should be borne at public expense and provided to the Nevada Supreme Court. Mr. Faz requests that this Court enter an order requiring the preparation of trial transcripts by the county at county expense.

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AFFIRMATION PURSUANT TO NRS 239B.030

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

DATED March 3, 2015.

JENNIFER J. LUNT Washoe County Alternate Public Defender

BY:/S/BILL HART
BILL HART
Deputy Alternate Public Defender

CERTIFICATE OF SERVICE

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Pursuant to NRCP 5(b), I hereby certify that I am an employee of Washoe County

Alternate Public Defender's Office, over the age of 21 years and not a party to nor interested in

postage fully prepaid, or by interoffice mail, or by court-run delivery, or facsimile where

the within action. I certify that on this date, I will deposit for mailing in the U.S. Mails, with

indicated, or by electronic filing a true and correct copy of the foregoing document to the

following:

Jeff Martin Via E-filing

DATED this ^{3rd} day of March, 2015.

/s/Shannon Hambright SHANNON HAMBRIGHT