

JASON RICHARD LOFTHOUSE,)
)
Appellant,)
)
vs.)
)
THE STATE OF NEVADA,)
)
Respondent.)
_____)

Electronically Filed
Sep 20 2018 10:03 a.m.
Elizabeth A. Brown
Clerk of Supreme Court
Case No. 70587

NRAP 31(e) states:

1

for filing on the ground that it was filed less than 10 days before oral argument.

NRAP 31(e) allows Lofthouse to directly file supplemental authorities without first seeking permission from the court under NRAP 27.

Lofthouse files this notice of supplemental authorities to direct the Court's attention to Tex. Penal Code § 21.12 entitled "Improper Relationship Between Educator and Student," and Toledo v. State, 519 S.W.3d 273, (Ct. App. Tx. 2017) where the Texas appellate court acknowledged Tex. Penal Code § 21.12 -- which is substantially similar to NRS 201.540 -- only criminalizes improper sexual **relationships** between educators and students and does not criminalize each individual sexual act occurring within a student-educator relationship. Lofthouse would like to supplement his Opening Brief at p. 40-45 and his Reply Brief at p. 15-16 with the aforementioned persuasive authorities.

DATED this 18th day of September, 2018

PHILIP J. KOHN
CLARK COUNTY PUBLIC DEFENDER

By /s/ William M. Waters
WILLIAM M. WATERS, #9456
Deputy Public Defender
309 So. Third Street, Suite #226
Las Vegas, Nevada 89155-2610
(702) 455-4685

CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 20 day of September, 2018. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

ADAM LAXALT
STEVEN S. OWENS

WILLIAM M. WATERS
HOWARD S. BROOKS

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

JASON RICHARD LOFTHOUSE
NDOC No: 1159974
High Desert State Prison
P. O. Box 650
Indian Springs, NV 89070

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