

MICHAEL SOLID,  
  
Petitioner,  
  
vs.  
  
THE EIGHTH JUDICIAL  
DISTRICT COURT,  
  
Respondent,  
  
and  
  
THE STATE OF NEVADA  
Real Party In Interest.

Electronically Filed  
Docket No.: 71089 Sep 06 2016 02:40 p.m.  
Tracie K. Lindeman  
Clerk of Supreme Court  
D.C. Case No. C-13-290260-1

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For NACJ Amicus Curiae

Nevada Attorneys for Criminal Justice (NACJ) hereby requests leave to appear and to submit a brief as amicus curiae in support of petitioner's Petition for Writ of Mandamus or the Alternative, Writ of Prohibition.

1. Interest of Amicus Curiae

Amicus curiae are members of Nevada Attorneys for Criminal Justice (NACJ). NACJ is comprised of both private and public attorneys and is, as the Court knows, a statewide organization comprised of criminal defense attorneys. All attorney members of NACJ conduct jury trials in various counties throughout the state of Nevada, representing defendants accused in criminal cases.

Petitioner's brief was filed by his counsel, the Special Public Defender's Office, who are in that instance public defenders. The issues raised in the instant petition not only impact county employees (public defenders), but also private counsel, who are not county employees, but who are either retained or appointed through Clark County's Office of Appointed Counsel. The issues raised by Petitioner Solid are not exclusive to public defenders, in fact, they impact all defense lawyers in any criminal case throughout the state.

## 2. Desirability of Amicus Curiae Participation

The issues presented by Petitioner Solid are common to all criminal defendants held to answer charges in the state of Nevada. The issues raised are issues impacting not only an accused constitutional right to a fair and impartial jury and a fair trial, but the issues involve matters of public policy and the ethical considerations of counsel. Given the importance of this issue, the Court should consider the interests of as many participants as possible, not just the interests of Petitioner Solid and My Entertainment TV, a private, for profit producer. The proposed petition, concurrently filed herewith, seeks to address issue that impact all participants.

The Court has requested amicus briefing from NACJ on numerous issues that impact defendants generally. This is such an issue. Rule 21(b)(3) of the Nevada Rules of Appellate Procedure explicitly recognizes this Court's discretion to invite the participation of an amicus curiae in a writ proceeding. *See also* NRAP 29(a); Nevada Power Co. v. Haggerty, 115 Nev. 353, 365 n.9, 989 P.2d 870 (1999) (disposing of statutory construction issue of first impression, not raised

or briefed by the parties in the district court on appeal, based on arguments presented by amicus curiae).

For each of the foregoing reasons stated above, amicus curiae NACJ requests that this Court grant leave to file a brief in support of Mr. Solid's petition for extraordinary relief. The proposed petition is filed concurrently herewith.

Respectfully submitted this 2<sup>nd</sup> day of September, 2016.

Law Office of Lisa Rasmussen,

*/s/ Lisa A. Rasmussen*

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LISA A. RASMUSSEN, ESQ.  
Nevada Bar No. 7491  
Counsel for NACJ Amicus Curiae

### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I served a copy of the foregoing, via Direct Email, upon the following persons (and corresponding email addresses) on this 2<sup>nd</sup> day of September, 2016.

**Counsel for Real Party in Interest**

Steve Wolfson, Clark County DA  
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I further Certify that a copy of this Motion will be delivered to the following person, via Hand Delivery, on Tuesday, September 6, 2016:

The Honorable Judge Valerie Adair  
200 Lewis Avenue, 11<sup>th</sup> Floor, Department 21  
Las Vegas, NV 89101

*/s/ Lisa A. Rasmussen*

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Lisa A. Rasmussen, Esq.