

1 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

2
3
4 **KAMESHA JOANN COOPER,**

5 **Appellant,**

6 **vs.**

7 **THE STATE OF NEVADA,**

8 **Respondent.**

Electronically Filed
Case No. 17-01
Oct 20 2017 12:56 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

9 _____/

10 **NOTICE OF CLARIFICATION REGARDING JOINT**
11 **NOTICE OF SUPPLEMENAL AUTHORITY AND MOTION**
12 **TO STRIKE**

13 Appellant, KAMESHA JOANN COOPER, through her counsel of record,
14 KARIN L. KRIEZENBECK, Nevada State Public Defender, and SALLY
15 DESOTO, Chief Appellant Deputy, hereby submit this Notice of Clarification
16 Regarding the Joint Notice of Supplemental Authority and Motion to Strike.
17

18 This motion is made pursuant to NRAP 26 and 27 and is based on the
19 following Affidavit of Counsel.
20

21 DATED this 20th day of October, 2017.

22 KARIN L. KRIEZENBECK
23 Nevada State Public Defender

24
25 /S/ SALLY DESOTO
26 Chief Appellate Deputy
27 Nevada State Public Defender
28 511 E. Robinson Street
 Carson City, NV 89701
 (775) 684-1080

1
2 **AFFIDAVIT OF COUNSEL**

3 STATE OF NEVADA)

4 : ss

5 CARSON CITY)

6 SALLY DESOTO, being first duly sworn on oath, deposes and says
7 as follows:

8 1. I am the chief appellate deputy with the Nevada State Public
9 Defender, appointed counsel for the appellant.

10 2. On October 19, 2017, the Chief District Attorney, Kristin Luis,
11 contacted this office and stated that she had located a case that she believed to be
12 on point to Appellant's case, that she would be submitting it as Supplemental
13 Authority, and asked whether this office was willing to join. This counsel
14 tentatively agreed, based on the document to be submitted.
15

16 3. After reviewing the document, this counsel stated that although
17 in agreement with the submission of the document, she could not agree to the case
18 analysis located on pp. 3:16 though 5:12. Ms. Luis stated that she would file the
19 submission without appellate defense counsel's joinder.
20

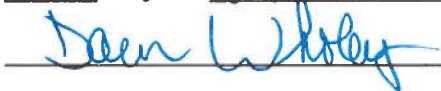
21 4. Nevertheless, the document was filed as a joinder with appellate
22 defense counsel's signature. This counsel does not object to the submission of
23 supplemental authority, but must clarify that she did not agree to the case analysis
24 on pp. 3:16 through 5:12. Given the additional authority, counsel must conduct
25
26
27
28

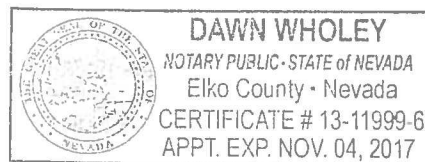
1 research and assess her position before agreeing to any case analysis. As such,
2 counsel requests that her signature be stricken.
3
4

5 DATED this 20th day of October, 2017.

6
7
8 
SALLY DESOTO

9 Subscribed and Sworn (or affirmed) to
10 by SALLY DESOTO before me this
11 20th day of October, 2016.

12 
13 _____
14 Notary Public



CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 20th day of October, 2017. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

ADAM PAUL LAXALT ESQ
ATTORNEY GENERAL
100 N CARSON ST
CARSON CITY NV 89701

JASON D WOODBURY ESQ
DISTRICT ATTORNEY
885 E MUSSER ST SUITE 2030C
CARSON CITY NV 89701

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

KAMESHA JOANN COOPER
897 E. MUSSTER ST.
CARSON CITY, NV 89701

DATED this 20th day of October, 2017.

SIGNED: /s/ Dawn Wholey
Employee of Nevada State Public Defender