

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

TONY LEE HOBSON,  
Appellant,

v.

THE STATE OF NEVADA,  
Respondent.

Electronically Filed  
Jan 12 2018 02:54 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

CASE NO: 71419

**NOTICE OF SUPPLEMENTAL AUTHORITIES**

COMES NOW the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through his Deputy, RYAN J. MACDONALD, and submits this Notice of Supplemental Authorities in advance of oral argument.

This notice is based on the following memorandum, declaration, and all papers and pleadings on file herein.

Dated this 12<sup>th</sup> day of January, 2018.

Respectfully submitted,

STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565

BY /s/ Ryan J. MacDonald  
RYAN J. MACDONALD  
Deputy District Attorney  
Nevada Bar # 012615  
Office of the Clark County District Attorney

## **NOTICE OF SUPPLEMENTAL AUTHORITIES**

This Court will consider supplemental authorities submitted before oral argument. NRAP 31(e); *Carter v. State*, 129 Nev. \_\_\_, \_\_\_ n.1, 299 P.3d 367, \_\_\_ n.1 (2013). The State accordingly supplements its answering brief, §II, with the following authority:

- *United States v. Gooch*, 665 F.3d 1318, 1331 (D.C. Cir. 2012) (concluding it “inappropriate” to consider *Batson* challenge proffered for first time on appeal).
- *Snyder v. Louisiana*, 552 U.S. 472, 489, 128 S. Ct. 1203, 1214 (2008) (same: “We have no business overturning a conviction . . . based on arguments not presented to the courts below.”).
- *Cf. Van Valkenberg v. State*, 95 Nev. 317, 594 P.2d 707 (1979) (refusing to consider error on appeal related to jury instruction to which defense acquiesced below).

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Dated this 12<sup>th</sup> day of January, 2018.

Respectfully submitted,

STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565

BY */s/ Ryan J. MacDonald*

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**CERTIFICATE OF SERVICE**

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on January 12, 2018. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

ADAM PAUL LAXALT  
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BY /s/ J. Garcia  
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RJM//jg