

IN THE SUPREME COURT OF THE STATE OF NEVADA

Electronically Filed
Dec 30 2016 04:03 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

No. 71920

DANIEL JAMES RODRIGUEZ,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

REQUEST FOR TRANSCRIPT PROCEEDINGS

Pursuant to NRAP 9(a)(3)(A), and Form 3, the Appellant, through undersigned counsel, files this document.

TO: Sunshine Litigation Services

Appellant, requests preparation of a transcript of the following proceedings before the district court, all of which were reported by Sunshine Litigation Services:

– August 8, 2016, trial (excluding jury selection)

– August 9, 2016, trial (District Court Case Summary indicates that the August 9 post-verdict hearing on the Defendant's custody status was filed on September 9, 2016; please provide that transcript if it has not been filed)

– November 9, 2016, sentencing

This notice requests a transcript of only those portions of the district court proceedings which counsel reasonably and in good faith believes are necessary to determine whether appellate issues are present.

The above proceedings were before Department 6 of the Second Judicial District Court, Hon. Lynne Simons, presiding.

The case was transferred on the day of trial from Department 15 of that Court,

1 Hon. David Hardy, presiding. Necessary transcripts of proceedings before Department
2 15 have already been prepared and filed with the District Court.

3 I recognize that I must serve a copy of this form on the above named reporter
4 and opposing counsel, and that the court reporter must comply with the provisions of
5 NRAP 9(c). One copy of each transcript was requested.

6 I hereby certify that on the 30th day of December, 2016, I ordered the transcripts
7 listed above from the court reporter named above; the request contained the following
8 statement concerning payment of the required deposit: "Based on his indigency, the
9 Defendant is simultaneously filing a motion for the county to pay the necessary costs
10 for preparation of the transcripts; the reporter can contact defense counsel if a deposit
11 is nonetheless required prior to the Court's decision on that motion, NRAP
12 9(a)(3)(B)."

13 Attached is a file-stamped copy of the transcript request form filed in District
14 Court.

15 DATED: December 30, 2016.
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18 /s/ Martin H. Wiener
19 MARTIN H. WIENER
20 Attorney for Defendant
21 NBN 2115
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CERTIFICATE OF SERVICE

I hereby certify that I am an employee of the Law Office of Martin H. Wiener, and that on December 30, 2016, I electronically filed the foregoing with the Clerk of the Court by using the ECF system which served the following parties electronically:

Matt Lee, Esq., for State of Nevada

Paul Young, Esq., for State of Nevada

And served via E-mail to:

Sunshine Litigation Services
linda@litigationservices.com

/s/ Barbara Oltman

3868
MARTIN H. WIENER, ESQ.
NBN 2115
316 South Arlington Avenue
Reno, Nevada 89501
(775) 322-4008
ATTORNEY FOR DEFENDANT

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

THE STATE OF NEVADA,
Plaintiff,

vs.

Case No. CR16-0567

DANIEL JAMES RODRIGUEZ,
Defendant.

Dept. No. 6

REQUEST FOR TRANSCRIPTS

TO: Sunshine Litigation Services

Defendant DANIEL JAMES RODRIGUEZ, requests preparation of a transcript of the following proceedings before the district court, all of which were reported by Sunshine Litigation Services:

– August 8, 2016, trial (excluding jury selection)

– August 9, 2016, trial (District Court Case Summary indicates that the August 9 post-verdict hearing on the Defendant's custody status was filed on September 9, 2016; please provide that transcript if it has not been filed)

– November 9, 2016, sentencing

This notice requests a transcript of only those portions of the district court proceedings which counsel reasonably and in good faith believes are necessary to determine whether appellate issues are present.

The above proceedings were before Department 6 of this Court, Hon. Lynne

1 Simons, presiding.

2 The case was transferred on the day of trial from Department 15 of this Court,
3 Hon. David Hardy, presiding. Necessary transcripts of proceedings before Department
4 15 have already been prepared and filed with the District Court.

5 I recognize that I must serve a copy of this form on the above named reporter
6 and opposing counsel, and that the court reporter must comply with the provisions of
7 NRAP 9(c).

8 Based on his indigency, the Defendant is simultaneously filing a motion for the
9 county to pay the necessary costs for preparation of the transcripts; the reporter can
10 contact defense counsel if a deposit is nonetheless required prior to the Court's
11 decision on that motion, NRAP 9(a)(3)(B).

12 **AFFIRMATION**

13 Pursuant to NRS 239B.030

14 The undersigned does hereby affirm that this document does not contain the
15 "personal information" of any person, as defined in NRS 603A.040.

16 DATED: December 30, 2016.

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18 /s/ Martin H. Wiener
19 MARTIN H. WIENER
20 Attorney for Defendant
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Matt Lee, Esq., for State of Nevada
Paul Young, Esq., for State of Nevada

Sunshine Litigation Services
linda@litigation-services.com

/s/ Barbara Oltman