

IN THE SUPREME COURT OF THE STATE OF NEVADA

PAOLA M. ARMENI, JONAH J. HORWITZ,
and DEBORAH A CZUBA,

Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
COUNTY OF CLARK, STATE OF
NEVADA, THE HONORABLE MICHAEL
P. VILLANI, DISTRICT COURT JUDGE,

Respondents,

And

TIMOTHY FILSON, Warden,
ADAM PUAL LAXALT, Attorney General
for the State of Nevada, and
THE STATE OF NEVADA,

Real Party in Interest.

Electronically Filed
Feb 13 2018 10:00 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

CASE NO: 73462

D.C. NO: 81C053867

NOTICE OF SUPPLEMENTAL AUTHORITIES

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IN THE SUPREME COURT OF THE STATE OF NEVADA

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NOTICE OF SUPPLEMENTAL AUTHORITIES

Comes now the State of Nevada, by STEVEN WOLFSON, District Attorney,
through his Chief Deputy, JONATHAN VANBOSKERCK and moves this Court to
file the instant Notice of Supplemental Authorities pursuant to Rule 31(e) of the
Nevada Rules of Appellate Procedure (NRAP).

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DATED this 12th day of February, 2018.

Respectfully submitted,

STEVEN WOLFSON
District Attorney

By /s/ Jonathan VanBoskerck
JONATHAN VANBOSKERCK
Chief Deputy District Attorney
Attorney for Respondent
Office of the District Attorney

**POINTS AND AUTHORITIES IN SUPPORT OF NOTICE OF
SUPPLEMENTAL AUTHORITIES**

Respondent supplements argument VI, at pages 33-34, 42 of the Answer to Petition for Writ of Mandamus filed on December 21, 2017, with the following authority: Moore v. State, Supreme Court of Nevada Case Number 66652, filed February 9, 2018, p. 3, 6-9 (finding that the Federal Public Defender was not forthright in intentionally withholding information in an attempt to force the district court into holding an evidentiary hearing).¹

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¹ Citation to the unpublished opinion in Moore as persuasive authority is permissible. NRAP 36(c)(3) (“A party may cite for its persuasive value, if any, an unpublished disposition issued by this court on or after January 1, 2016.”); MB America Inc. v. Alaska Pacific Leasing Company, 123 Nev. __, __, footnote 1, 367 P.3d 1286, 1292, footnote 1 (2016) (allowing citation to unpublished orders, entered on or after January 1, 2016, for their persuasive value).

CONCLUSION

Respondent respectfully requests that this deny extraordinary relief in this matter and allow the lower court's \$250.00 sanction to stand.

Dated this 12th day of February, 2018.

Respectfully submitted,

STEVEN B. WOLFSON
Clark County District Attorney
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BY */s/ Jonathan VanBoskerck*

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CERTIFICATE OF SERVICE

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

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

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JV//ed