

IN THE SUPREME COURT OF THE STATE OF NEVADA

ARNOLD ANDERSON,
Appellant,

v.

THE STATE OF NEVADA,
Respondent.

Electronically Filed
May 23 2018 01:08 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

CASE NO: 74076

MOTION TO TRANSMIT PRESENTENCE INVESTIGATION REPORT

COMES NOW the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through his Deputy, CHARLES W. THOMAN, and submits this Motion to Transmit Presentence Investigation Report.

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

Dated this 23rd day of May, 2018.

Respectfully submitted,

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

BY */s/ Charles W. Thoman*

CHARLES W. THOMAN
Deputy District Attorney
Nevada Bar #012649
Office of the Clark County District Attorney

MEMORANDUM OF POINTS AND AUTHORITIES

The State, in its Respondent's Answering Brief, relies upon the Presentence Investigation Report ("PSI") prepared by the Division of Parole and Probation to establish the facts of the underlying crime.

Pursuant to NRAP 30(b)(6), "if a copy of appellant's presentence investigation report is necessary for the Supreme Court's review in a criminal case and a copy of the report cannot be included in the appendix, appellant shall file a motion with the clerk of the Supreme Court within the time period for filing an opening brief or fast track statement that the court direct the district court clerk to transmit the report to the clerk of the Supreme Court in a sealed envelope."

Pursuant to NRAP 30(d), copies of relevant and necessary exhibits are to be included in the appendix as far as practicable, but if they are incapable of being reproduced in the appendix a party may file a motion to direct the district court clerk to transmit the original exhibit. Generally, the presentence investigation report is confidential and are not to be made part of the public record pursuant to NRS 176.156.

Transmission of the PSI is necessary and relevant to explain, in part, the facts and circumstances of the underlying crime, as they were not included in the Appellant's Appendix.

WHEREFORE, the State respectfully requests that this document be transmitted to this Court.

Dated this 23rd day of May, 2018.

Respectfully submitted,

STEVEN B. WOLFSON

Clark County District Attorney

BY */s/ Charles W. Thoman*

CHARLES W. THOMAN

Deputy District Attorney

Nevada Bar #012649

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CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on 23rd day of May, 2018. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

ADAM PAUL LAXALT
Nevada Attorney General

SANDRA L. STEWART, ESQ.
Counsel for Appellant

CHARLES W. THOMAN
Deputy District Attorney

BY /s/ J. Garcia
Employee,
Clark County District Attorney's Office

CWT/Mariya Malkova/jg