

IN THE SUPREME COURT OF THE STATE OF NEVADA

GIBRAN RICHARDO
FIGUEROA-BELTRAN,

Appellant,

vs.

UNITED STATES OF AMERICA,

Respondent.

Supreme Court Case No. 76038

Ninth Circuit Court of Appeals
Case No. 16-10388

FILED

MAY 20 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *J. Hedrick*
DEPUTY CLERK

Notice of Appearance of Counsel and Affidavit of Counsel

Assistant United States Attorney Nancy M. Olson will serve as lead

counsel for Respondent, the United States. Counsel's address is:

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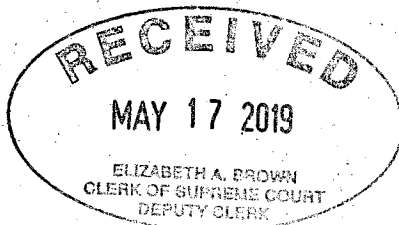
Dated: May 15, 2019

Respectfully submitted,

Nicholas A. Trutanich
United States Attorney

Elizabeth O. White
Appellate Chief

Nancy M. Olson
Nancy M. Olson
Assistant United States Attorney



Affidavit of Counsel

1. I am an Assistant United States Attorney in the Appellate Division of the U.S. Attorney's Office for the District of Nevada, with my primary office in Las Vegas, Nevada.

2. I represent the United States in federal criminal cases before the U.S. District Court for the District of Nevada and the U.S. Court of Appeals for the Ninth Circuit. I practice in these federal courts under my California Bar License No. 260303.

3. I am primary Government counsel in *United States v. Figueroa-Beltran*, Ninth Circuit case number 16-10388. After the Ninth Circuit heard oral argument in this case, it certified to the Nevada Supreme Court three questions pertaining to Nevada state law. *See United States v. Figueroa-Beltran*, 892 F. 3d 997 (9th Cir. 2018).

4. On July 18, 2018, this Court filed an order accepting the certified questions and ordering briefing addressing the certified questions (Docket Event 18-27455).

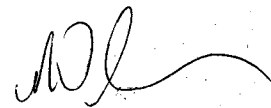
5. Appellant requested a stay during the pendency of a certiorari petition to the U.S. Supreme Court, which this Court granted; this Court recently lifted the stay after that petition was denied (Docket Event 19-16537).

Appellant then filed the opening brief on May 15, 2019 (Docket Event 19-21490). The Government's answering brief is due on June 14, 2019.

6. Undersigned counsel files this affidavit alongside her notice of appearance pursuant to Nevada Supreme Court Rule 43 governing appearance of attorneys employed by or representing the United States Government.

7. Undersigned counsel makes her appearance in this case in performance of her duties as a representative of the United States Government.

8. The United States has a direct interest in this matter because it arises out of a federal criminal appeal that has been certified to this Court. Therefore, under Rule 43, counsel "shall be permitted by the courts of this state to appear on behalf of the United States Government and to represent the interests thereof in any litigation in which the United States Government is interested."



Nancy M. Olson
Assistant United States Attorney

CERTIFICATE OF SERVICE

I certify that on May 15, 2019, I emailed a copy of this document to counsel in accordance with the Master Service List as follows:

Cristen C. Thayer
Assistant Federal Public Defender
Cristen.Thayer@fd.org



Nancy M. Olson
Assistant United States Attorney