

1 CASE NO. 77294

2
3 Electronically Filed
4 Mar 29 2019 12:40 p.m.
5 Elizabeth A. Brown
6 Clerk of Supreme Court

7
8 IN THE NEVADA SUPREME COURT

9 THE STATE OF NEVADA,

10 Plaintiff,

CERTIFICATE OF SERVICE

11 vs.

12 TENNILLE RAE WHITAKER,

13 Defendant.

14
15 I hereby certify, pursuant to the provisions of NRCP 5(b), that I am an employee
16 of the Elko County District Attorney's Office, and that on the 29th day of March,
17 2019, I served the foregoing Respondent's Answering Brief, by delivering, mailing or
18 by facsimile transmission or causing to be delivered, mailed or transmitted by facsimile
19 transmission, a copy of said document to the following:
20
21

22 By facsimile transmission:

23 BYRON BERGERON
24 ATTORNEY AT LAW
25 432 COURT ST.
26 RENO, NV 89501
27 VIA: 775-786-5573

28 ///

1 Pursuant to the provisions of NRS 178.589¹, a true and correct copy of this pleading
2 was transmitted by facsimile to Defendant's Counsel of Record.

3 Proof of the transmission of which is attached to the original of this pleading filed with
4 the Court.
5
6
7

8 Dated this 29th day of March, 2019
9

10
11 By: 
12 ERIKA WEBER
13 CASEWORKER
14
15
16

17 ¹ NRS 178.589 provides that:

18 1. Except when personal service of a person is ordered by the court or required by specific statute, a person who is
19 represented by an attorney may be lawfully served with any motion, notice or other legal document by means of a facsimile
20 machine if:

21 (a) The document is transmitted to the office of the attorney representing the person; and

22 (b) The facsimile machine is operational and is maintained by the attorney representing the person or the employer of
23 that attorney.

24 2. In addition to any other document required by the court, a person who uses a facsimile machine pursuant to subsection
25 1 to serve any motion, notice or other legal document that is required to be filed with the court shall attach to or include with
26 the original document filed with the court a copy of the confirmation report or other comparable evidence of the transmittal
27 of the legal document.

28 3. Service of any motion, notice or other legal document by facsimile machine after 5 p.m. on the day that the document is
transmitted shall be deemed delivered on the next judicial day. The time of transmittal set forth in this subsection is
determined according to the time at the location of the recipient of the legal document.

4. Service of any motion, notice or other legal document by facsimile machine as authorized by this section is
supplemental to and does not affect the validity of any other manner of service authorized by law.

5. As used in this section:

(a) "Facsimile machine" means a device that sends or receives a reproduction or facsimile of a document or
photograph which is transmitted electronically or telephonically by telecommunications lines.

(b) "Person" includes, without limitation, a government, governmental agency or political subdivision of a government.

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March 29, 2019

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REGARDING: STATE OF NEVADA vs. TENNILLE RAE WHITAKER
COURT CASE #: 77294
DA #: AP-18-02845

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FROM ATTORNEY: CHAD B. THOMPSON

FROM/BY OPERATOR: ERIKA WEBER

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COMMENTS:

Please see the attached Respondent's Answering Brief

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Abbreviations:

HS: Host send
HR: Host receive
WS: Waiting send

PL: Polled local
PR: Polled remote
MS: Mailbox save

MP: Mailbox print
RP: Report
FF: Fax Forward

CP: Completed
FA: Fail
TU: Terminated by user

TS: Terminated by system
G3: Group 3
EC: Error Correct