SUPREME COURT OF THE STATE OF NEVADA

MICHAEL LUIS COTA) DOCKET NOS Electronically Filed) 77414 Jun 04 2019 01:31 p.	m.
Appellant,) 77415 Elizabeth A. Brown Clerk of Supreme Cou	
VS.)	
STATE OF NEVADA,)	
Respondent.		

MOTION TO TRANSMIT SEALED DOCUMENTS

Appellant Michael Cota, by and through his counsel John Malone, hereby moves pursuant to NRAP 30(d) for an order directing the Ninth Judicial District Court Clerk to transmit to this court documents filed under seal in the district court. Prior to sentencing, the State filed a sentencing memorandum, to which it attached Mr. Cota's entire juvenile record, without a court order or any effort to secure protections or confidentiality. Defense counsel objected, filed under seal a motion to strike the exhibits, and the state subsequently filed a motion to seal the memorandum in its entirety. The district court granted to motions to seal. The memorandum and motion to strike are therefore part of the record of the proceedings, but the only file-stamped copies believed to exist are the sealed copies possessed by the clerk of the district court. As a result, the neither the

1	sentencing memorandum nor the motion to strike could be included in the
2	appendix. NRAP 10(b)(2), SRCR 7.
3	Mr. Cota hereby requests that this court order the clerk of the district court to
4	transmit the motion to strike and the motion to seal the sentencing memorandum
5	and the sealed sentencing memorandum to this court.
6	DATED this 4 th day of June, 2019.
7	By: <u>s/ John E. Malone</u> John E. Malone
8	State Bar No. 5706 209 N. Pratt Ave.
9	Carson City, Nevada 89701 jmalonelaw@gmail.com
10	Attorney for Appellant
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CERTIFICATE OF SERVICE

2	I hereby certify that this document was filed electronically with the Nevada
3	Supreme Court on the 4 th day of June, 2019. Electronic Service of the foregoing
4	document shall be made in accordance with the Master Service List as follows:
5	Douglas County District Attorney's Office PO Box 218
6	Minden, NV 89423
7	Attorney General's Office 100 N. Carson St.
8	Carson City, NV 89701
9	DATED this 4 th day of June, 2019.
10	•
11	SIGNED: /s/ Kelly Atkinson Employee of the Law Office of John Malone
12	Employee of the Law Office of John Malone
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