MICHAEL LUIS COTA Appellant, vs. STATE OF NEVADA, Respondent.

SUPREME COURT OF THE STATE OF NEVADA

DOCKET NOS Flectronically Filed 77414 Jun 27 2019 03:50 p.m. 77415 Elizabeth A. Brown Clerk of Supreme Court

MOTION TO SEAL A PORTION OF THE APPENDIX

Appellant Michael Cota, by and through his counsel John Malone, hereby requests that this court seal pages 20 through 188 of the Appendix pursuant to SCRC 7. Pages 20-188 consist of the State's sentencing memorandum with exhibits that was filed in the district court before it was sealed.

Prior to sentencing, the State filed a sentencing memorandum, to which it attached Mr. Cota's juvenile record. Defense counsel objected, filed under seal a motion to strike the exhibits, and the State filed a motion to seal the memorandum in its entirety. The district court granted to motion to seal.

Along with the opening brief, Mr. Cota has filed a motion for the district court clerk to transmit the sealed documents pursuant to SCRC 7, but the

1

1

2

3

4

5

6

1	unsealed sentencing memorandum is part of the open district court record and is
2	included in the appendix complied by appellant. Appellant requests that the pages
3	containing the memo be sealed in this court as well.
4	DATED this 27 th day of June, 2019.
5	By: <u>s/ John E. Malone</u> John E. Malone
6	State Bar No. 5706 209 N. Pratt Ave.
7	Carson City, Nevada 89701 jmalonelaw@gmail.com
8	Attorney for Appellant
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	2

1	CERTIFICATE OF SERVICE	
2	I hereby certify that this document was filed electronically with the Nevada	
3	Supreme Court on the 27 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	
6	PO Box 218 Minden, NV 89423	
7	Attorney General's Office	
8	100 N. Carson St. Carson City, NV 89701	
9	$\mathbf{D} \mathbf{A} \mathbf{T} \mathbf{P} \mathbf{D} \mathbf{A}^{\dagger} = 27^{\dagger} \mathbf{h} 1_{1} = 2010$	
10	DATED this 27 th day of June, 2019.	
11	SIGNED: /s/ Kelly Atkinson	
12	Employee of the Law Office of John Malone	
13		
14		
15		
16		
17		
18		
19		
20	3	
	5	
		i i