

Electronically Filed
Aug 20 2018 10:24 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

1 **NOAS**
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7 *Attorneys for Petitioner*

8
9 **DISTRICT COURT**
10 **CLARK COUNTY, NEVADA**

11 In the Matter of the Application of
EDWARD TARROBAGO FINLEY

CASE NO.: A-18-771524-S

DEPT. NO.: XXII

13 Social Security #: XXX-XX-4995
14 DOB: 08/26/1981

NOTICE OF APPEAL

15 For an Order to Seal Records
16
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21 **NOTICE OF APPEAL**

22 Notice is hereby given that Petitioner EDWARD TARROBAGO FINLEY("Petitioner")
23 hereby appeals to the Supreme Court of Nevada from the Order Re: Petition to Seal Records dated
24 July 19, 2018, which was entered on July 19, 2018.

25 A copy of said Order is attached as Exhibit 1.

26 Dated this 13 day of August, 2018.

27 ///

28 ///



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CERTIFICATE OF SERVICE

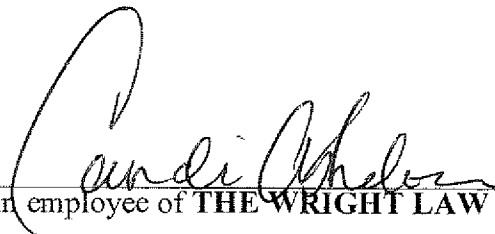
I hereby certify that the foregoing NOTICE OF APPEAL was submitted electronically for filing and/or service with the Eighth Judicial District Court on the 13th day of August, 2018. Electronic service of the foregoing document shall be made in accordance with the E-Service List as follows:¹

Marc M. Schifalacqua, Esq. Marc.Schifalacqua@cityofhenderson.com

I further certify that I served a copy of this document by mailing a true and correct copy, thereof, postage prepaid, addressed to:

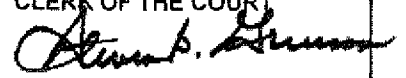
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North Las Vegas City Attorney
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An employee of THE WRIGHT LAW GROUP, P.C.

¹ Pursuant to EDCR 8.05(a), each party who submits an E-Filed document through the E-Filing System consents to electronic service in accordance with NRCP 5(b)(2)(D).

EXHIBIT 1



1 **ORDR**

2 **DISTRICT COURT**

3 **CLARK COUNTY, NEVADA**

4
5 **In the Matter of Application of EDWARD**
6 **TARROBAGO FINLEY,**

Case No. A-18-771524-S
Dept. No. XXII

7 **Social Security #: XXX-XX-4995**

8 **DOB: 08/26/1981**

9 **For an Order to Seal Records.**

10 **ORDER RE: PETITION TO SEAL RECORDS**

11 These matters concerning:

- 12 1. Petitioner EDWARD TARROBAGO FINLEY'S Petition to Seal Records filed
13 March 21, 2018;
- 14 2. CITY OF HENDERSON'S Motion to Oppose Petitioner's Request to Seal Records
15 filed June 13, 2018; and
- 16 3. STATE OF NEVADA'S Opposition to Petition to Seal Records filed July 2, 2018,
17 all came on for hearing on the 19th day of July 2018 at the hour of 9:00 a.m. before Department
18 XXII of the Eighth Judicial District Court, in and for Clark County, Nevada, with JUDGE SUSAN
19 H. JOHNSON presiding; Petitioner EDWARD TARRABAGO FINLEY personally attended, and
20 appeared by and through his attorney, CHRISTOPHER B. PHILLIPS, ESQ. of THE WRIGHT
21 LAW GROUP; CITY OF HENDERSON appeared by and through its attorney, MARC M.
22 SCHIFALACQUA, ESQ., Senior Assistant City Attorney; and STATE OF NEVADA appeared by
23 and through its attorney, BRUCE NELSON, ESQ., Deputy City Attorney. Having reviewed the
24 papers and pleadings on file herein, heard oral arguments of the lawyers and taken this matter under
25 advisement, this Court makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT AND PROCEDURAL HISTORY

1
2 1. EDWARD TARRABAGO FINLEY petitions this Court to seal certain criminal
3 records, which include, but are not limited to the following:

- 4 a. Date of Arrest: 02/09/2005
5 Arresting Agency: Las Vegas Metropolitan Police Department (LVMPD)
6 Citation/Charge: Probation Violation, Kidnap, Warrant BW 1-3407161B
7 Case No.: Does Not Appear on NV Dept. of Public Safety
8 Criminal History; No additional information available
9 On LVMPD Records Check
10 Final Disposition: No Disposition Record on LVMPD Records Check
11
12 b. Date of Arrest: 12/27/2004
13 Arresting Agency: LVMPD
14 Citation/Charge: Assault with a Deadly Weapon
15 Case No.: Does Not Appear on NV Dept. of Public Safety
16 Criminal History; no additional information available
17 On LVMPD Records Check
18 Final Disposition: No Disposition Record on LVMPD Records Check
19
20 c. Date of Arrest: 12/27/2004
21 Arresting Agency: LVMPD
22 Citation/Charge: Kidnap 2nd Degree
23 Case No.: Does Not Appear on NV Dept. of Public Safety
24 Criminal History; No additional information available
25 on LVMPD Records Check
26 Final Disposition: No Disposition Record on LVMPD Records Check
27
28 d. Date of Arrest: 09/02/2004
Arresting Agency: LVMPD
Citation/Charge: Assault with Deadly Weapon, DKT-04F15288X
Case No.: Does Not Appear on NV Dept. of Public Safety
Criminal History; No case number provided on
LVMPD Records Check
Final Disposition: LVMPD Records Check indicates 12M-48M
NSP/SS/4Y Probation¹

23 ...
24 ...
25
26 ¹According to the Judgment of Conviction filed December 14, 2004 in State v. Finley, Case No. C204855 in
27 Department XVI of the Eighth Judicial District Court, in and for Clark County, Nevada, MR. FINLEY pled guilty to
28 committing the crimes set forth in d., e. and f. The sentences were suspended and MR. FINLEY received probation for
an indefinite period not to exceed four (4) years. See Exhibit 2 attached to CITY OF HENDERSON'S motion.
According to this Court's record, MR. FINLEY was honorably discharged from probation on or about December 31,
2007.

- 1 e. Date of Arrest: 08/30/2004
2 Arresting Agency: LVMPD
3 Citation/Charge: Kidnap 1st Degree, NRS 200.310
4 Case No.: Not Available on NV Dept. of Public Safety Criminal
5 History
6 Final Disposition: LVMPD Records Check indicates 12M-48M
7 NSP/SS/4Y Probation
- 8 f. Date of Arrest: 08/30/2004
9 Arresting Agency: LVMPD
10 Citation/Charge: Battery/Domestic Violence with one (1) prior,
11 NRS 200.4812A
12 Case No.: Not Available on NV Dept. of Public Safety Criminal
13 History
14 Final Disposition: LVMPD Records Check indicates 6M CCDC/SS/2Y
15 Probation concurrent with CT1 & CT2 (see e. and f.)
- 16 g. Date of Arrest: 07/25/2004
17 Arresting Agency: LVMPD
18 Citation/Charge: Battery Domestic Violence, NRS 200.485²
19 Case No.: 04M17355X
20 Final Disposition: Guilty-Credit for time served 2 days; 48 hours
21 Community service, \$340.00 fine
- 22 h. Date of Arrest: 05/28/2003
23 Arresting Agency: Henderson Police Department
24 Citation/Charge: Battery/Domestic Violence, NRS 200.485
25 Case No.: Not Available on NV Dept. of Public Safety Criminal
26 History³
27 Final Disposition: No Disposition on Record

28 See Petition to Seal Records filed March 21, 2018, pp. 1-6.

2. CITY OF HENDERSON opposes the Petition to Seal Records upon the basis MR. FINLEY was convicted of committing the crime of "Battery Constituting Domestic Violence," in violation of NRS 200.485 on or about 2003, and then, just one year later, in 2004, he was convicted of committing two Category B Felonies (i.e. Count 1 – Second Degree Kidnapping, and Count 2 –

²MR. FINLEY only identified "NRS 485" in his Petition; presumably, such is a typographical error in the omission of the full statute.

³The case number is Henderson Municipal Court 03CR00496—"Battery Constituting Domestic Violence." While MR. FINLEY indicates "No Disposition on Record" within his Petition, CITY OF HENDERSON notes Petitioner was convicted of committing "Battery Constituting Domestic Violence" in the Henderson Municipal Court on or about 2003. See CITY OF HENDERSON'S Motion to Oppose Petitioner's Request to Seal Records filed June 13, 2018, p.3.

1 Assault with a Deadly Weapon) and a misdemeanor, Battery Constituting Domestic Violence, in
2 violation of NRS 200.310, 200.320, 200.471, 200.481, 200.485 and 33.018. In CITY OF
3 HENDERSON'S view, NRS 179.245 does not permit a sealing of criminal cases dealing with
4 battery constituting domestic violence where the defendant is charged or convicted of any offense,
5 other than minor traffic infractions, within seven (7) years from the date of release from actual
6 custody or when the person is no longer under a suspended sentence, whichever occurs later.
7 STATE OF NEVADA opposes as Petitioner did not provide several documents within his petition,
8 and consequently, it was unable to determine whether it would stipulate to the sealing of the
9 records.⁴ Petitioner FINLEY disagrees with CITY OF HENDERSON'S construction or
10 interpretation of NRS 179.245; in his view, the intent of NRS 179.245 is to allow a sealing of
11 defendant's criminal records if he remains trouble free for the prescribed waiting period following
12 his most recent arrest. In this case, there is no question MR. FINLEY has been "trouble-free" for a
13 period of approximately thirteen (13) years or since his 2005 arrest for probation violation.
14
15

16 CONCLUSIONS OF LAW

17 1. There is no question the construction of a statute is a question of law. Beazer Homes
18 Nevada, Inc. v. District Court, 120 Nev. 575, 579 97 P.3d 1132 (2004). Words in a statute will be
19 given their plain meaning unless such an approach would violate the spirit of the act. Berkson v.
20 LePome, 126 Nev.492, 497, 245 P.3d 560, 563 (2010), *citing* Y & S Railway v. White Pine County,
21 125 Nev. 233, 239, 211 P.3d 879, 882 (2009). Notably, "[t]he preeminent canon of statutory
22 interpretation requires [this Court] to 'presume that [the] legislature says in a statute what it means
23 and it means in a statute what it says there.'" Building Energetix Corporation v. EHE, LP, 129 Nev.
24 78, 83, 294 P.3d 1228, 1232 (2013), *quoting* BedRoc Limited, LLC v. United States, 541 U.S. 176,
25
26

27
28 ⁴As the parties' focus was upon the crimes involving domestic violence in 2003 and 2004, this Court limits its decision as it relates to Petitioner's request to seal those criminal records.

1 183, 124 S.Ct. 1587, 158 L.Ed.2d 338 (2004), *in turn*, quoting Connecticut National Bank v.
2 Germain, 503 U.S. 249, 253-254, 112 S.Ct. 1146, 117 L.Ed.2d 117 391 (1992). Further, a statute
3 will be construed in order to give meaning to its entirety, and this Court “will read each sentence,
4 phrase, and word to render it meaningful within the context of the purpose of the legislation.”
5 Berkson, 126 Nev. at 497, 245 P.3d at 563-564, quoting Harris Associates v. Clark County School
6 District, 119 Nev. 638, 642, 81 P.3d 532, 534 (2003), *in turn*, quoting Coast Hotels v. State Labor
7 Commission, 117 Nev. 835, 841, 34 P.3d 546, 550 (2001).

9 2. A statute is ambiguous if it is capable of being understood in two or more senses by
10 reasonably well-informed persons. D.R. Horton, Inc. v. District Court, 123 Nev. 468, 476, 168 P.3d
11 731 (2007), citing McKay v. Board of Supervisors, 103 Nev. 644, 648, 730 P.2d 438, 441 (1986).
12 When construing an ambiguous statute, “[t]he meaning of the words used [in the statute] may be
13 determined by examining the context and the spirit of the law or the causes which induced the
14 legislature to enact it.” *Id.*, 123 Nev. at 476, quoting McKay, 102 Nev. 650-651, 730 P.2d at 443.
15 Moreover, this Court reads legislative enactments as a whole in order to understand the Nevada
16 Legislature’s intent. *Id.*, 123 Nev. at 476-477, citing Diamond v. Swick, 117 Nev. 671, 676, 28 P.3d
17 1087, 1090 (1991). However, “no part of a statute [may] be rendered meaningless and its language
18 ‘should not be read to produce absurd or unreasonable results.’” *Id.*, quoting Harris Associates, 119
19 Nev. at 642, 81 P.3d at 534, *in turn* quoting Glover v. Concerned Citizens for Fuji Park, 118 Nev.
20 488, 492, 50 P.3d 546, 548 (2002), *overruled in part on other grounds by* Garvin v. District Court,
21 118 Nev. 749, 59 P.3d 1180 (2002).

22 3. With the aforementioned in mind, this Court turns to the particular statute at hand,
23 NRS 179.245, which states in salient part:

24 1. Except as otherwise provided in subsection 5 and NRS 176A.265, 176A.295,
25 179.259, NRS 453.3365 and 458.330, a person may petition the court in which the person
26 was convicted for the sealing of all records relating to a conviction of:
27
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1 (a) A category A or B felony after 15 years from the date of release from
2 actual custody or discharge from parole or probation, whichever occurs later;

3 ...
4 (e) A violation of NRS 422.540 to 422.570, inclusive, other than a felony,
5 a violation of NRS 484C.110 or 484C.120 other than a felony, or a battery which
6 constitutes domestic violence pursuant to NRS 33.018 other than a felony, after 7
7 years from the date of release from actual custody or from the date when the person is
8 no longer under a suspended sentence, whichever occurs later; ...

9
10 4. If, after the hearing, the court finds that, in the period prescribed in subsection
11 1, the petitioner has not been charged with any offense for which the charges are pending or
12 convicted of any offense, except for minor moving or standing traffic violations, the court
13 may order sealed all records of the conviction which are in the custody of any agency of
14 criminal justice or any public or private agency, company, official or other custodian of
15 records in the State of Nevada,

16 4. In their arguments, the parties have advanced two different interpretations of the NRS
17 179.245. As noted above, MR. FINLEY proposes the statute allows a sealing of defendant's
18 criminal records if he remains trouble free for the prescribed waiting period following his most
19 recent arrest which occurred in 2005. CITY OF HENDERSON argues NRS 179.245 does not
20 permit a sealing of criminal cases dealing with battery constituting domestic violence where the
21 defendant is charged or convicted of any offense, other than minor traffic violations, within seven
22 (7) years from the date of release from actual custody or when the person is no longer under a
23 suspended sentence, whichever occurs later.

24 5. In this Court's view, NRS 179.245 is not ambiguous, and must be construed as
25 written. NRS 179.245(4) specifically states this Court "may," or has the discretion to grant or deny
26 a petition filed pursuant to NRS 179.245 if it finds the petitioner has been arrested for nothing
27 greater than minor traffic violations "in" the prescribed times set forth in NRS 179.245(1) following
28 the particular convictions identified in subsections (a) through (f). In this case, MR. FINLEY was
charged or arrested for committing "Battery Constituting Domestic Violence," a non-felony, in
violation of NRS 33.018 on May 28, 2003. Ultimately, he was convicted of committing such
offense in the Henderson Municipal Court. In order for him to be eligible to have his 2003 arrest

1 and conviction sealed, MR. FINLEY could not have been charged or convicted of *any* offense,
2 except for minor moving or standing traffic violations within the seven (7) years following the his
3 release from custody or when he is no longer under a suspended sentence. *See* NRS 179.245(1)(e)
4 and 179.245(4). As set forth in his Petition, MR. FINLEY was arrested in or about July and August
5 2004 for committing the crimes of second degree kidnapping, assault with a deadly weapon and
6 battery constituting domestic violence. Ultimately, he was convicted of those crimes, to wit: Second
7 Degree Kidnapping, Assault with a Deadly Weapon (both Category B felonies) and Battery
8 Constituting Domestic Violence (Misdemeanor) in violation of NRS 200.310, 200.320, 200.471,
9 200.481, 200.485 and 33.018 in December 2004. Furthermore, MR. FINLEY was arrested for
10 committing a violation of his probation in 2005. Such offenses fell within the seven (7) year period
11 prescribed by NRS 179.245(1)(e). Accordingly, as he committed offenses within seven (7) years
12 following his release from custody, MR. FINLEY failed to invoke this Court's discretionary power
13 under NRS 179.245(4) to seal his criminal records relating to the 2003 conviction for Battery
14 Constituting Domestic Violence. This Court, therefore, grants CITY OF HENDERSON'S motion,
15 and denies MR. FINLEY'S Petition to Seal Records as it applies to the 2003 conviction.

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18 6. Notwithstanding the aforementioned, for two reasons, this Court also has no
19 discretionary power under NRS 179.245(4) to seal MR. FINLEY'S criminal records relating to the
20 category B felonies for which he was convicted and received probation in December 2004. *First*, as
21 noted above, in 2005, MR. FINLEY was arrested for committing a violation of his probation,
22 although such was thereafter reinstated. As he was arrested for such offense within fifteen (15)
23 years, or the period prescribed by NRS 179.245(1)(a), MR. FINLEY is no longer eligible to seek a
24 sealing of his records. *Second*, MR. FINLEY did not receive a discharge from probation until
25 December 2007, whereby, in any event, he would not be eligible to seek a sealing of such criminal
26 records until December 2022. Likewise, for the same reasons it has no discretion to seal the 2003
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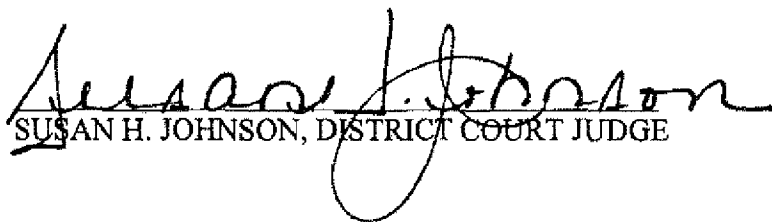
1 charge and conviction for Battery Constituting Domestic Violence (misdemeanor), this Court will
2 not entertain a sealing of the 2004 misdemeanor conviction.

3 Accordingly, based upon the foregoing Findings of Fact and Conclusions of Law,

4 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** CITY OF HENDERSON'S
5 Motion to Oppose Petitioner's Request to Seal Records filed June 13, 2018 is granted;

6 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** Petitioner EDWARD
7 TARROBAGO FINLEY'S Petition to Seal Records filed March 21, 2018 is denied as it applies to
8 the charge, Battery Constituting Domestic Violence, a misdemeanor, for which Defendant was
9 convicted in the Henderson Municipal Court in 2003, and the two Category B felonies and Battery
10 Constituting Domestic Violence, a misdemeanor, for which Defendant was convicted by Department
11 XVI of the Eighth Judicial District Court, in and for Clark County, Nevada in 2004.
12

13 DATED this 19th day of July 2018.
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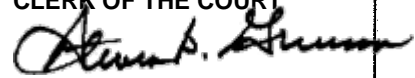
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17 SUSAN H. JOHNSON, DISTRICT COURT JUDGE
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SUSAN H. JOHNSON
DISTRICT JUDGE
DEPARTMENT XXII



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7 *Attorneys for Petitioner*

8 **DISTRICT COURT**

9 **CLARK COUNTY, NEVADA**

10 In the Matter of the Application of
11 EDWARD TARROBAGO FINLEY

CASE NO.: A-18-771524-S

DEPT. NO.: XXII

12 Social Security #: XXX-XX-4995
13 DOB: 08/26/1981

CASE APPEAL STATEMENT

14 For an Order to Seal Records
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20 **CASE APPEAL STATEMENT**

- 21 1. **Name of the appellants filing this Case Appeal Statement:**
22 EDWARD TARROBAGO FINLEY.
23 2. **Identify the Judge issuing the decision, judgment or order appealed from:**
24 DISTRICT COURT JUDGE SUSAN H. JOHNSON, DEPARTMENT XXII.
25 3. **Identify all parties to the proceedings in the district court:**
26 EDWARD TARROBAGO FINLEY
27 CITY OF HENDERSON, NEVADA, by and through Senior Assistant City Attorney Marc
28 M. Schifalacqua, Esq.





STATE OF NEVADA, by and through Deputy District Attorney Bruce Nelson, Esq.

4. **Identify all parties involved in this appeal:**

EDWARD TARROBAGO FINLEY, Appellant;

CITY OF HENDERSON, Respondent.

STATE OF NEVADA, Respondent.

5. **Set forth the names, law firms, addresses and telephone numbers of all counsel on appeal and identify the party/parties whom they represent:**

JOHN HENRY WRIGHT, ESQ.

Nevada Bar No. 6182

CHRISTOPHER B. PHILLIPS, ESQ.

Nevada Bar No. 14600

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OFFICE OF THE DISTRICT ATTORNEY

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State of Nevada

MARC M. SCHIFALACQUA, ESQ.

Nevada Bar No. 10435

CITY OF HENDERSON, NEVADA

243 Water St., MSC 711

Henderson, NV 89009

(702) 267-1370

City of Henderson

6. **Appellant was represented by retained counsel, John Henry Wright, Esq. and Christopher B. Phillips, Esq. of THE WRIGHT LAW GROUP, P.C. in the District Court.**


7. **The City of Henderson was represented by Senior Assistant City Attorney Marc M. Schifalacqua, Esq. in the Clark County District Court. The State of Nevada was represented by Bruce Nelson, Esq. in the Clark County District Court .**



8. Appellant has not sought and has not been granted leave to proceed in forma pauperis.
9. Proceedings were commenced in the District Court with the filing of EDWARD TARROBAGO FINLEY's Petition to Seal Records on March 21, 2018.
10. **Nature of the Action:** Appeal from Order Denying Petition to Seal Criminal Records. Appellant EDWARD TARROBAGO FINLEY appeals from the District Court's Order Re: Petition to Seal Records, which was entered on July 19, 2018.
11. There have been no previous appeals.
12. This appeal does not involve child custody or visitation.
13. This appeal does not involve the possibility of settlement.

Dated this 13 day of August, 2018.

THE WRIGHT LAW GROUP, P.C.


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CHRISTOPHER B. PHILLIPS, ESQ.
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Telephone: (702) 405-0001
Facsimile: (702) 405-8485
Attorneys for Petitioner

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that the foregoing CASE APPEAL STATEMENT was submitted
3 electronically for filing and/or service with the District Court on the 13th day of August, 2018.
4 Electronic service of the foregoing document shall be made in accordance with the E-Service List
5 as follows:¹

6 Marc M. Schifalacqua, Esq. Marc.Schifalacqua@cityofhenderson.com

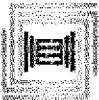
7
8 I further certify that I served a copy of this document by Electronic mail a true and correct
9 copy, addressed to:

10 Office of the District Attorney
11 200 Lewis Avenue
12 Las Vegas, NV 89101

13 North Las Vegas City Attorney
14 2250 N. Las Vegas Blvd.
15 North Las Vegas, NV 89030

16
17 
18 An employee of THE WRIGHT LAW GROUP, P.C.
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¹ Pursuant to EDCR 8.05(a), each party who submits an E-Filed document through the E-Filing System consents to electronic service in accordance with NRCP 5(b)(2)(D).

DEPARTMENT 22
CASE SUMMARY
CASE NO. A-18-771524-S

**In the Matter of the Petition of
Edward Tarrobago Finley**

§
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§

Location: **Department 22**
Judicial Officer: **Johnson, Susan**
Filed on: **03/21/2018**
Cross-Reference Case Number: **A771524**

CASE INFORMATION

Case Type: **Petition to Seal Records**

Case Flags: **Appealed to Supreme Court**

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number	A-18-771524-S
Court	Department 22
Date Assigned	03/21/2018
Judicial Officer	Johnson, Susan

PARTY INFORMATION

Petitioner

Finley, Edward Tarrobago

Lead Attorneys

Wright, John H.
Retained
702-405-0001(W)

DATE

EVENTS & ORDERS OF THE COURT

INDEX

03/21/2018



Petition to Seal Records (New Case)
Filed by: Petitioner Finley, Edward Tarrobago
Petition to Seal Records

03/21/2018



Initial Appearance Fee Disclosure
Filed By: Petitioner Finley, Edward Tarrobago
Initial Appearance Fee Disclosure

06/13/2018



Motion
Filed By: Other City of Henderson
Notice of Motion and Motion to Oppose Petitioner's Request to Seal Records

06/26/2018



Opposition to Motion
Filed By: Petitioner Finley, Edward Tarrobago
Opposition to Motion to Oppose Petitioner's Request to Seal Records

07/02/2018



Opposition
Filed By: Petitioner Finley, Edward Tarrobago
State's Opposition to Petition to Seal Records

07/09/2018






Response
Filed by: Petitioner Finley, Edward Tarrobago
Response to State's Opposition to Petition to Seal Records

07/19/2018



Opposition (9:00 AM) (Judicial Officer: Johnson, Susan)
City of Henderson's Motion to Oppose Petitioner's Request to Seal Records

DEPARTMENT 22
CASE SUMMARY
CASE NO. A-18-771524-S

07/19/2018	 Order <i>Order re: Petition to Seal Records</i>	
08/13/2018	 Notice of Appeal Filed By: Petitioner Finley, Edward Tarrobago <i>Notice of Appeal</i>	
08/13/2018	 Case Appeal Statement Filed By: Petitioner Finley, Edward Tarrobago <i>Case Appeal Statement</i>	

DATE

FINANCIAL INFORMATION

Petitioner Finley, Edward Tarrobago
Total Charges
Total Payments and Credits
Balance Due as of 8/17/2018

294.00
294.00
0.00

DISTRICT COURT CIVIL COVER SHEET

Clark County, Nevada

Case No. _____
(Assigned by Clerk's Office)**I. Party Information** (provide both home and mailing addresses if different)

Plaintiff(s) (name/address/phone): In the Matter of the Application of EDWARD TARROBAGO FINLEY	Defendant(s) (name/address/phone):
Social Security # XXX-XX-4995	
DOB: 08/26/1981	
Attorney (name/address/phone): JOHN HENRY WRIGHT, ESQ. CHRISTOPHER B. PHILLIPS, ESQ.	Attorney (name/address/phone): JOHN HENRY WRIGHT, ESQ.
2340 Paseo Del Prado, Suite D-305	
Las Vegas, Nevada 89102	

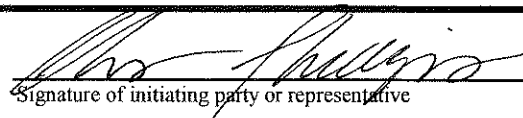
II. Nature of Controversy (please select the one most applicable filing type below)**Civil Case Filing Types**

Real Property Landlord/Tenant <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant Title to Property <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Other Title to Property Other Real Property <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property	Negligence <input type="checkbox"/> Auto <input type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence Malpractice <input type="checkbox"/> Medical/Dental <input type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice	Torts Other Torts <input type="checkbox"/> Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Employment Tort <input type="checkbox"/> Insurance Tort <input type="checkbox"/> Other Tort
Probate Probate (select case type and estate value) <input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside <input type="checkbox"/> Trust/Conservatorship <input type="checkbox"/> Other Probate Estate Value <input type="checkbox"/> Over \$200,000 <input type="checkbox"/> Between \$100,000 and \$200,000 <input type="checkbox"/> Under \$100,000 or Unknown <input type="checkbox"/> Under \$2,500	Construction Defect & Contract Construction Defect <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect Contract Case <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Building and Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Collection of Accounts <input type="checkbox"/> Employment Contract <input type="checkbox"/> Other Contract	Judicial Review/Appeal Judicial Review <input type="checkbox"/> Foreclosure Mediation Case <input checked="" type="checkbox"/> Petition to Seal Records <input type="checkbox"/> Mental Competency Nevada State Agency Appeal <input type="checkbox"/> Department of Motor Vehicle <input type="checkbox"/> Worker's Compensation <input type="checkbox"/> Other Nevada State Agency Appeal Other <input type="checkbox"/> Appeal from Lower Court <input type="checkbox"/> Other Judicial Review/Appeal
Civil Writ Civil Writ <input type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrant <input type="checkbox"/> Writ of Prohibition <input type="checkbox"/> Other Civil Writ		Other Civil Filing Other Civil Filing <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Other Civil Matters

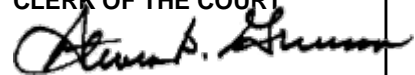
Business Court filings should be filed using the Business Court civil coversheet.

March 20, 2018

Date


 Signature of initiating party or representative

See other side for family-related case filings.



1 **ORDR**

2 **DISTRICT COURT**

3 **CLARK COUNTY, NEVADA**

4
5 **In the Matter of Application of EDWARD**
6 **TARROBAGO FINLEY,**

Case No. A-18-771524-S
Dept. No. XXII

7 **Social Security #: XXX-XX-4995**

8 **DOB: 08/26/1981**

9 **For an Order to Seal Records.**

10 **ORDER RE: PETITION TO SEAL RECORDS**

11 These matters concerning:

- 12 1. Petitioner EDWARD TARROBAGO FINLEY'S Petition to Seal Records filed
13 March 21, 2018;
- 14 2. CITY OF HENDERSON'S Motion to Oppose Petitioner's Request to Seal Records
15 filed June 13, 2018; and
- 16 3. STATE OF NEVADA'S Opposition to Petition to Seal Records filed July 2, 2018,
17 all came on for hearing on the 19th day of July 2018 at the hour of 9:00 a.m. before Department
18 XXII of the Eighth Judicial District Court, in and for Clark County, Nevada, with JUDGE SUSAN
19 H. JOHNSON presiding; Petitioner EDWARD TARRABAGO FINLEY personally attended, and
20 appeared by and through his attorney, CHRISTOPHER B. PHILLIPS, ESQ. of THE WRIGHT
21 LAW GROUP; CITY OF HENDERSON appeared by and through its attorney, MARC M.
22 SCHIFALACQUA, ESQ., Senior Assistant City Attorney; and STATE OF NEVADA appeared by
23 and through its attorney, BRUCE NELSON, ESQ., Deputy City Attorney. Having reviewed the
24 papers and pleadings on file herein, heard oral arguments of the lawyers and taken this matter under
25 advisement, this Court makes the following Findings of Fact and Conclusions of Law:
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FINDINGS OF FACT AND PROCEDURAL HISTORY

1
2 1. EDWARD TARRABAGO FINLEY petitions this Court to seal certain criminal
3 records, which include, but are not limited to the following:

- 4 a. Date of Arrest: 02/09/2005
5 Arresting Agency: Las Vegas Metropolitan Police Department (LVMPD)
6 Citation/Charge: Probation Violation, Kidnap, Warrant BW 1-3407161B
7 Case No.: Does Not Appear on NV Dept. of Public Safety
8 Criminal History; No additional information available
9 On LVMPD Records Check
10 Final Disposition: No Disposition Record on LVMPD Records Check
- 11 b. Date of Arrest: 12/27/2004
12 Arresting Agency: LVMPD
13 Citation/Charge: Assault with a Deadly Weapon
14 Case No.: Does Not Appear on NV Dept. of Public Safety
15 Criminal History; no additional information available
16 On LVMPD Records Check
17 Final Disposition: No Disposition Record on LVMPD Records Check
- 18 c. Date of Arrest: 12/27/2004
19 Arresting Agency: LVMPD
20 Citation/Charge: Kidnap 2nd Degree
21 Case No.: Does Not Appear on NV Dept. of Public Safety
22 Criminal History; No additional information available
23 on LVMPD Records Check
24 Final Disposition: No Disposition Record on LVMPD Records Check
- 25 d. Date of Arrest: 09/02/2004
26 Arresting Agency: LVMPD
27 Citation/Charge: Assault with Deadly Weapon, DKT-04F15288X
28 Case No.: Does Not Appear on NV Dept. of Public Safety
Criminal History; No case number provided on
LVMPD Records Check
Final Disposition: LVMPD Records Check indicates 12M-48M
NSP/SS/4Y Probation¹

23 ...
24 ...
25
26 ¹According to the Judgment of Conviction filed December 14, 2004 in State v. Finley, Case No. C204855 in
27 Department XVI of the Eighth Judicial District Court, in and for Clark County, Nevada, MR. FINLEY pled guilty to
28 committing the crimes set forth in d., e. and f. The sentences were suspended and MR. FINLEY received probation for
an indefinite period not to exceed four (4) years. See Exhibit 2 attached to CITY OF HENDERSON'S motion.
According to this Court's record, MR. FINLEY was honorably discharged from probation on or about December 31,
2007.

- e. Date of Arrest: 08/30/2004
Arresting Agency: LVMPD
Citation/Charge: Kidnap 1st Degree, NRS 200.310
Case No.: Not Available on NV Dept. of Public Safety Criminal History
Final Disposition: LVMPD Records Check indicates 12M-48M NSP/SS/4Y Probation
- f. Date of Arrest: 08/30/2004
Arresting Agency: LVMPD
Citation/Charge: Battery/Domestic Violence with one (1) prior, NRS 200.4812A
Case No.: Not Available on NV Dept. of Public Safety Criminal History
Final Disposition: LVMPD Records Check indicates 6M CCDC/SS/2Y Probation concurrent with CT1 & CT2 (see e. and f.)
- g. Date of Arrest: 07/25/2004
Arresting Agency: LVMPD
Citation/Charge: Battery Domestic Violence, NRS 200.485²
Case No.: 04M17355X
Final Disposition: Guilty-Credit for time served 2 days; 48 hours Community service, \$340.00 fine
- h. Date of Arrest: 05/28/2003
Arresting Agency: Henderson Police Department
Citation/Charge: Battery/Domestic Violence, NRS 200.485
Case No.: Not Available on NV Dept. of Public Safety Criminal History³
Final Disposition: No Disposition on Record

See Petition to Seal Records filed March 21, 2018, pp. 1-6.

2. CITY OF HENDERSON opposes the Petition to Seal Records upon the basis MR. FINLEY was convicted of committing the crime of “Battery Constituting Domestic Violence,” in violation of NRS 200.485 on or about 2003, and then, just one year later, in 2004, he was convicted of committing two Category B Felonies (i.e. Count 1 – Second Degree Kidnapping, and Count 2 –

²MR. FINLEY only identified “NRS 485” in his Petition; presumably, such is a typographical error in the omission of the full statute.

³The case number is Henderson Municipal Court 03CR00496—“Battery Constituting Domestic Violence.” While MR. FINLEY indicates “No Disposition on Record” within his Petition, CITY OF HENDERSON notes Petitioner was convicted of committing “Battery Constituting Domestic Violence” in the Henderson Municipal Court on or about 2003. See CITY OF HENDERSON’S Motion to Oppose Petitioner’s Request to Seal Records filed June 13, 2018, p.3.

1 Assault with a Deadly Weapon) and a misdemeanor, Battery Constituting Domestic Violence, in
2 violation of NRS 200.310, 200.320, 200.471, 200.481, 200.485 and 33.018. In CITY OF
3 HENDERSON'S view, NRS 179.245 does not permit a sealing of criminal cases dealing with
4 battery constituting domestic violence where the defendant is charged or convicted of any offense,
5 other than minor traffic infractions, within seven (7) years from the date of release from actual
6 custody or when the person is no longer under a suspended sentence, whichever occurs later.
7
8 STATE OF NEVADA opposes as Petitioner did not provide several documents within his petition,
9 and consequently, it was unable to determine whether it would stipulate to the sealing of the
10 records.⁴ Petitioner FINLEY disagrees with CITY OF HENDERSON'S construction or
11 interpretation of NRS 179.245; in his view, the intent of NRS 179.245 is to allow a sealing of
12 defendant's criminal records if he remains trouble free for the prescribed waiting period following
13 his most recent arrest. In this case, there is no question MR. FINLEY has been "trouble-free" for a
14 period of approximately thirteen (13) years or since his 2005 arrest for probation violation.
15

16 CONCLUSIONS OF LAW

17 1. There is no question the construction of a statute is a question of law. Beazer Homes
18 Nevada, Inc. v. District Court, 120 Nev. 575, 579 97 P.3d 1132 (2004). Words in a statute will be
19 given their plain meaning unless such an approach would violate the spirit of the act. Berkson v.
20 LePome, 126 Nev.492, 497, 245 P.3d 560, 563 (2010), *citing* V & S Railway v. White Pine County,
21 125 Nev. 233, 239, 211 P.3d 879, 882 (2009). Notably, "[t]he preeminent canon of statutory
22 interpretation requires [this Court] to 'presume that [the] legislature says in a statute what it means
23 and it means in a statute what it says there.'" Building Energetix Corporation v. EHE. LP, 129 Nev.
24 78, 83, 294 P.3d 1228, 1232 (2013), *quoting* BedRoc Limited, LLC v. United States, 541 U.S. 176,
25
26

27
28 ⁴As the parties' focus was upon the crimes involving domestic violence in 2003 and 2004, this Court limits its decision as it relates to Petitioner's request to seal those criminal records.

1 183, 124 S.Ct. 1587, 158 L.Ed.2d 338 (2004), *in turn, quoting Connecticut National Bank v.*
2 *Germain*, 503 U.S. 249, 253-254, 112 S.Ct. 1146, 117 L.Ed.2d 117 391 (1992). Further, a statute
3 will be construed in order to give meaning to its entirety, and this Court “‘will read each sentence,
4 phrase, and word to render it meaningful within the context of the purpose of the legislation.’”
5 *Berkson*, 126 Nev. at 497, 245 P.3d at 563-564, *quoting Harris Associates v. Clark County School*
6 *District*, 119 Nev. 638, 642, 81 P.3d 532, 534 (2003), *in turn, quoting Coast Hotels v. State Labor*
7 *Commission*, 117 Nev. 835, 841, 34 P.3d 546, 550 (2001).

9 2. A statute is ambiguous if it is capable of being understood in two or more senses by
10 reasonably well-informed persons. *D.R. Horton, Inc. v. District Court*, 123 Nev. 468, 476, 168 P.3d
11 731 (2007), *citing McKay v. Board of Supervisors*, 103 Nev. 644, 648, 730 P.2d 438, 441 (1986).
12 When construing an ambiguous statute, “[t]he meaning of the words used [in the statute] may be
13 determined by examining the context and the spirit of the law or the causes which induced the
14 legislature to enact it.” *Id.*, 123 Nev. at 476, *quoting McKay*, 102 Nev. 650-651, 730 P.2d at 443.
15 Moreover, this Court reads legislative enactments as a whole in order to understand the Nevada
16 Legislature’s intent. *Id.*, 123 Nev. at 476-477, *citing Diamond v. Swick*, 117 Nev. 671, 676, 28 P.3d
17 1087, 1090 (1991). However, “no part of a statute [may] be rendered meaningless and its language
18 ‘should not be read to produce absurd or unreasonable results.’” *Id.*, *quoting Harris Associates*, 119
19 Nev. at 642, 81 P.3d at 534, *in turn quoting Glover v. Concerned Citizens for Fuji Park*, 118 Nev.
20 488, 492, 50 P.3d 546, 548 (2002), *overruled in part on other grounds by Garvin v. District Court*,
21 118 Nev. 749, 59 P.3d 1180 (2002).

24 3. With the aforementioned in mind, this Court turns to the particular statute at hand,
25 NRS 179.245, which states in salient part:

26 1. Except as otherwise provided in subsection 5 and NRS 176A.265, 176A.295,
27 179.259, NRS 453.3365 and 458.330, a person may petition the court in which the person
28 was convicted for the sealing of all records relating to a conviction of:

1 (a) A category A or B felony after 15 years from the date of release from
2 actual custody or discharge from parole or probation, whichever occurs later;

3 (e) A violation of NRS 422.540 to 422.570, inclusive, other than a felony,
4 a violation of NRS 484C.110 or 484C.120 other than a felony, or a battery which
5 constitutes domestic violence pursuant to NRS 33.018 other than a felony, after 7
6 years from the date of release from actual custody or from the date when the person is
7 no longer under a suspended sentence, whichever occurs later; ...

8 4. If, after the hearing, the court finds that, in the period prescribed in subsection
9 1, the petitioner has not been charged with any offense for which the charges are pending or
10 convicted of any offense, except for minor moving or standing traffic violations, the court
11 may order sealed all records of the conviction which are in the custody of any agency of
12 criminal justice or any public or private agency, company, official or other custodian of
13 records in the State of Nevada,

14 4. In their arguments, the parties have advanced two different interpretations of the NRS
15 179.245. As noted above, MR. FINLEY proposes the statute allows a sealing of defendant's
16 criminal records if he remains trouble free for the prescribed waiting period following his most
17 recent arrest which occurred in 2005. CITY OF HENDERSON argues NRS 179.245 does not
18 permit a sealing of criminal cases dealing with battery constituting domestic violence where the
19 defendant is charged or convicted of any offense, other than minor traffic violations, within seven
20 (7) years from the date of release from actual custody or when the person is no longer under a
21 suspended sentence, whichever occurs later.

22 5. In this Court's view, NRS 179.245 is not ambiguous, and must be construed as
23 written. NRS 179.245(4) specifically states this Court "may," or has the discretion to grant or deny
24 a petition filed pursuant to NRS 179.245 if it finds the petitioner has been arrested for nothing
25 greater than minor traffic violations "in" the prescribed times set forth in NRS 179.245(1) following
26 the particular convictions identified in subsections (a) through (f). In this case, MR. FINLEY was
27 charged or arrested for committing "Battery Constituting Domestic Violence," a non-felony, in
28 violation of NRS 33.018 on May 28, 2003. Ultimately, he was convicted of committing such
offense in the Henderson Municipal Court. In order for him to be eligible to have his 2003 arrest

1 and conviction sealed, MR. FINLEY could not have been charged or convicted of *any* offense,
2 except for minor moving or standing traffic violations within the seven (7) years following the his
3 release from custody or when he is no longer under a suspended sentence. *See* NRS 179.245(1)(e)
4 and 179.245(4). As set forth in his Petition, MR. FINLEY was arrested in or about July and August
5 2004 for committing the crimes of second degree kidnapping, assault with a deadly weapon and
6 battery constituting domestic violence. Ultimately, he was convicted of those crimes, to wit: Second
7 Degree Kidnapping, Assault with a Deadly Weapon (both Category B felonies) and Battery
8 Constituting Domestic Violence (Misdemeanor) in violation of NRS 200.310, 200.320, 200.471,
9 200.481, 200.485 and 33.018 in December 2004. Furthermore, MR. FINLEY was arrested for
10 committing a violation of his probation in 2005. Such offenses fell within the seven (7) year period
11 prescribed by NRS 179.245(1)(e). Accordingly, as he committed offenses within seven (7) years
12 following his release from custody, MR. FINLEY failed to invoke this Court's discretionary power
13 under NRS 179.245(4) to seal his criminal records relating to the 2003 conviction for Battery
14 Constituting Domestic Violence. This Court, therefore, grants CITY OF HENDERSON'S motion,
15 and denies MR. FINLEY'S Petition to Seal Records as it applies to the 2003 conviction.
16

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18 6. Notwithstanding the aforementioned, for two reasons, this Court also has no
19 discretionary power under NRS 179.245(4) to seal MR. FINLEY'S criminal records relating to the
20 category B felonies for which he was convicted and received probation in December 2004. *First*, as
21 noted above, in 2005, MR. FINLEY was arrested for committing a violation of his probation,
22 although such was thereafter reinstated. As he was arrested for such offense within fifteen (15)
23 years, or the period prescribed by NRS 179.245(1)(a), MR. FINLEY is no longer eligible to seek a
24 sealing of his records. *Second*, MR. FINLEY did not receive a discharge from probation until
25 December 2007, whereby, in any event, he would not be eligible to seek a sealing of such criminal
26 records until December 2022. Likewise, for the same reasons it has no discretion to seal the 2003
27
28


1 charge and conviction for Battery Constituting Domestic Violence (misdemeanor), this Court will
2 not entertain a sealing of the 2004 misdemeanor conviction.

3 Accordingly, based upon the foregoing Findings of Fact and Conclusions of Law,

4 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** CITY OF HENDERSON'S
5 Motion to Oppose Petitioner's Request to Seal Records filed June 13, 2018 is granted;

6 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** Petitioner EDWARD
7 TARROBAGO FINLEY'S Petition to Seal Records filed March 21, 2018 is denied as it applies to
8 the charge, Battery Constituting Domestic Violence, a misdemeanor, for which Defendant was
9 convicted in the Henderson Municipal Court in 2003, and the two Category B felonies and Battery
10 Constituting Domestic Violence, a misdemeanor, for which Defendant was convicted by Department
11 XVI of the Eighth Judicial District Court, in and for Clark County, Nevada in 2004.
12

13 DATED this 19th day of July 2018.
14

15 
16 SUSAN H. JOHNSON, DISTRICT COURT JUDGE
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1 CERTIFICATE OF SERVICE

2 I hereby certify that, on the 19th day of July 2018, I electronically served (E-served), placed
3 within the attorneys' folders located on the first floor of the Regional Justice Center or mailed a true
4 and correct copy of the foregoing to the following counsel of record and first-class postage was fully
5 prepaid thereon:
6

7 JOHN HENRY WRIGHT, ESQ.
8 CHRISTOPHER B. PHILLIPS, ESQ.
9 THE WRIGHT LAW GROUP, P.C.
10 2340 Paseo Del Prado, Suite D-305
Las Vegas, Nevada 89102
Chris@wrightlawgroupnv.com

11 MICHAEL OH, ESQ., INTERIM HENDERSON CITY ATTORNEY
12 MARC M. SCHIFALACQUA, ESQ., SENIOR ASST. CITY ATTORNEY
13 243 Water Street, MSC 711
Henderson, Nevada 89009-5050

14 STEVEN B. WOLFSON, ESQ., CLARK COUNTY DISTRICT ATTORNEY
15 BRUCE NELSON, ESQ., DEPUTY DISTRICT ATTORNEY
16 200 Lewis Avenue
Las Vegas, Nevada 89155-2212

17
18 Laura Banks
Laura Banks, Judicial Executive Assistant
19
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26
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28

A-18-771524-S In the Matter of the Petition of
Edward Tarrobago Finley

July 19, 2018 09:00 AM City of Henderson's Motion to Oppose Petitioner's Request to
Seal Records

HEARD BY: Johnson, Susan COURTROOM: RJC Courtroom 15D

COURT CLERK: Cromer, Keri

RECORDER: Ramirez, Norma

REPORTER:

PARTIES PRESENT:

Christopher B. Phillips Attorney for Petitioner

Edward Tarrobago Finley Petitioner

Marc M. Schifalacqua Attorney for Other

JOURNAL ENTRIES

Bruce Nelson, Esq., present for the State of Nevada. Arguments by counsel regarding whether or not records should be sealed based on Petitioner's criminal charges, and whether or not the Court had statutory authority to make a ruling. Court advised it wanted to review applicable case law and ORDERED, matter taken UNDER ADVISEMENT.



EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE
NOTICE OF DEFICIENCY
ON APPEAL TO NEVADA SUPREME COURT

JOHN HENRY WRIGHT
2340 PASEO DEL PRADO, SUITE D-305
LAS VEGAS, NV 89102

DATE: August 17, 2018
CASE: A-18-771524-S

RE CASE: In the Matter of the Petition of EDWARD TARROBAGO FINLEY

NOTICE OF APPEAL FILED: August 13, 2018

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

PLEASE NOTE: DOCUMENTS **NOT TRANSMITTED HAVE BEEN MARKED:**

- ☒ \$250 – Supreme Court Filing Fee (Make Check Payable to the Supreme Court)**
 - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- ☐ \$24 – District Court Filing Fee (Make Check Payable to the District Court)**
- ☒ \$500 – Cost Bond on Appeal (Make Check Payable to the District Court)**
 - NRAP 7: Bond For Costs On Appeal in Civil Cases
- ☐ Case Appeal Statement
 - NRAP 3 (a)(1), Form 2
- ☐ Order
- ☒ Notice of Entry of Order

NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. The district court clerk shall apprise appellant of the deficiencies in writing, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (e) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

Please refer to Rule 3 for an explanation of any possible deficiencies.

*****Per District Court Administrative Order 2012-01, in regards to civil litigants, "...all Orders to Appear in Forma Pauperis expire one year from the date of issuance." You must reapply for in Forma Pauperis status.***

Certification of Copy

State of Nevada }
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT
DOCKET ENTRIES; CIVIL COVER SHEET; ORDER RE: PETITION TO SEAL RECORDS;
DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

In the Matter of the Petition of EDWARD
TARROBAGO FINLEY,

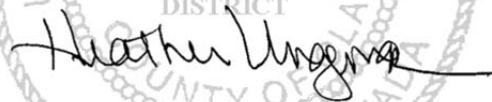
Case No: A-18-771524-S

Dept No: XXII

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 17 day of August 2018.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk

