

IN THE SUPREME COURT OF THE STATE OF NEVADA

SIAOSI VANISI,

Appellant,

vs.

WILLIAM GITTERE, Warden
and AARON Ford Attorney
General for the State of Nevada,

Respondent.

Electronically Filed
Sep 26 2019 04:35 p.m.
Elizabeth A. Brown
Clerk of Supreme Court
Supreme Court No. 78209

District Court Case No. 98CR-0516

(Death Penalty Habeas Corpus
Case)

MOTION FOR PERMISSION TO FILE UNDER SEAL

Appellant, Siasosi Vanisi, requests that this Court grant him permission to file under seal with his Appellant's Appendix, a Court Ordered Evaluation dated September 19, 2018, that was originally filed under seal and has not been unsealed.

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This request is made and based on the following points and authorities, and the entire file herein.

DATED this 26th day of September, 2019.

Respectfully submitted,

/s/ *Randolph M. Fiedler*

RANDOLPH M. FIEDLER

Assistant Federal Public Defender

Nevada Bar No. 12577

411 E. Bonneville Ave., Suite 250

Las Vegas, Nevada 89101

702-388-6577

Attorney for Appellant

POINTS AND AUTHORITIES

Siaosi Vanisi requests this Court's permission to file under seal with his Appellant's Appendix, a Court Ordered Evaluation dated September 19, 2018.

This request is made pursuant to Rule 7 of the Nevada Rules for Sealing and Redacting Court records, which provides that sealed records "shall be made available to the Nevada Supreme Court in the event of an appeal." The record referred to here was sealed in the district court, and has not been unsealed. *See* 38AA08076-77.

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For the foregoing reasons, Vanisi respectfully requests that this Court grant his motion and file the Court Ordered Evaluation dated September 19, 2018 under seal.¹

DATED this 26th day of September, 2019.

Respectfully submitted,

/s/ *Randolph M. Fiedler*

RANDOLPH M. FIEDLER

Assistant Federal Public Defender

Nevada State Bar No. 12577

411 E. Bonneville Ave., Suite 250

Las Vegas, Nevada 89101

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Attorney for Appellant

¹ Contemporaneously with the filing of this Motion, a copy of the sealed portions of the appendix, with an accompanying appendix index has been mailed to the Court. *See* NRAP 30(f)(1). Opposing counsel was served those documents via mail. A copy of this motion was included for reference.

CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 26th day of September, 2019, electronic service of the foregoing MOTION FOR PERMISSION TO FILE UNDER SEAL shall be made in accordance with the Master Service List as follows:

Jennifer Noble
Washoe County District Attorney
jnoble@da.washoecounty.us

/s/ Sara Jelinek

An Employee of the Federal Public
Defender, District of Nevada