

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

SEAN MCKENDRICK,

Appellant,

v.

THE STATE OF NEVADA,

Respondent.

Electronically Filed  
Mar 17 2020 02:18 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

CASE NO: 79372

**MOTION TO TRANSMIT PRESENTENCE INVESTIGATION REPORT**

COMES NOW the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through his Chief Deputy, JOHN NIMAN, and submits this Motion to Transmit Presentence Investigation Report.

This motion is based on the following memorandum, declaration of counsel and all papers and pleadings on file herein.

Dated this 17th day of March, 2020.

Respectfully submitted,

STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565

BY /s/ John Niman  
JOHN NIMAN  
Deputy District Attorney  
Nevada Bar #014408  
Office of the Clark County District Attorney

## **MEMORANDUM OF POINTS AND AUTHORITIES**

The State seeks an order from this Court directing the clerk of the district court to transmit to this Court, under seal, Appellant's Presentence Investigation Report ("PSI") under District Court Case No. C-19-338224-1.

The State has utilized the PSI in its Opposition to Appellant's Direct Appeal. The PSI was used to cite to the relevant facts surrounding the underlying offense, the subsequent investigation, and Appellant's criminal history. Given that Appellant did not proceed to trial in the underlying case, the PSI is the most thorough source of information regarding these facts. Therefore, the State requests this Court direct the district court clerk to transmit the PSI to this Court, in a sealed envelope, so that this Court may confirm that the references in the Answering Brief are accurate.

Dated this 17<sup>th</sup> day of March, 2020.

Respectfully submitted,

STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565

BY */s/ John Niman*

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## **CERTIFICATE OF SERVICE**

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on March 17, 2020. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

AARON D. FORD  
Nevada Attorney General

KARA M. SIMMONS  
Deputy Public Defender

JOHN NIMAN  
Deputy District Attorney

BY /s/ E. Davis  
Clark County District Attorney's Office

JN/Maggie Christiansen/ed