

CRAIG TIFFEE,  
Appellant,  
vs.  
EIGHTH JUDICIAL DISTRICT  
COURT,  
Respondent,

Electronically Filed  
Dec 02 2019 09:19 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

TCM LAW GROUP  
THOMAS C. MICHAELIDES, ESQ  
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LAS VEGAS, NV 89128  
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## CASE APPEAL STATEMENT

CRAIG TIFFEE, by and through his attorney, Thomas C. Michaelides, Esq., of TCM Law, hereby files his Case Appeal Statement.

1 . Name of Appellant filing this case appeal statement: CRAIG TIFFEE

2 . Identify the Judge issuing the decision, judgment, or order appealed from: The Honorable Cristina D. Silva, District Court Judge.

3 . Identify each appellant and name and address of counsel for each appellant: CRAIG TIFFEE is the only appellant and is represented on appeal by Thomas C. Michaelides, Esq., TCM Law, 2620 Regatta Drive #219, Las Vegas, NV 89128. (702) 462-6161

4 . Identify each Respondent and name and address of appellate counsel, if known, for each respondent (if the name of respondent's counsel is unknown, indicate as much and provide the name and address of respondent's trial counsel: Respondent State of Nevada, Glen O'Brien, Esq., and Steven B. Wolfson Esq., Clark County District Attorney's Office— Appellant's counsel believes the same attorneys will represent respondent on appeal.

5 . Indicate whether any attorney identified above in response to questions 3 or 4 is not licensed to practice law in Nevada and, if so, whether the district court granted that attorney permission to appear under SCR 42

(attach a copy of any district court order granting such permission): All  
counsel are licensed to practice law in Nevada.

6 . Indicate whether appellant was represented by appointed or retained  
counsel in the district court: Was represented by retained counsel.

7 . Indicate whether appellant is represented by appointed or retained  
counsel on appeal: Represented by retained counsel

8 . Indicate whether appellant was granted leave to proceed in forma  
pauperis and the date of entry of the district court order granting  
appellant permission: Appellant did not request to proceed in forma  
pauperis and therefore there is no order.

9 . Indicate the date the proceeding commenced in district court: The  
Petition was filed on June 13, 2019.

10 . Provide a brief description of the nature of the Action and result in  
the district court, including the type of judgment or order being appealed  
and the relief granted by the district court: Petitioner, Craig Tiffie had  
done everything required to warrant having his record sealed for his  
felony conviction. He successfully completed probation and therefore  
could withdraw his plea to the higher felony and enter a plea to a felony  
that did not require that he register as a sex offender. His Petition to seal  
his record was denied.

1           However, given the new statutory scheme enacted in 2017 that, among  
2 other things, changed the burden of proof onto the state to prove that a  
3 defendant should not have his record sealed if they had met all the stated  
4 requirements. Petitioner believes that the Court, with all due respect, failed  
5 to consider the changes in the records sealing law in rendering its decision.  
6 The State failed to offer any relevant evidence to prove that Petitioner  
7 should not have his record sealed given that he met all the requirements  
8 necessary.  
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11           In addition, the State relied on the nature of the charge that Petitioner  
12 could withdraw his plea from as opposed to the lower charge that was and is  
13 still on his record. It is our contention that the Nevada Legislature already  
14 considered the nature of the specific charge that a defendant is seeking to  
15 seal as a result of specifically listing the felonies that can and can't be sealed  
16 after all the requirements are successfully completed. As such, in order to  
17 show that a Petitioner should not have his record sealed, the State must point  
18 to other factors in arguing a case should not be sealed.  
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23 11 .   Indicate whether the case was previously the subject of an appeal to or  
24 original writ proceeding in the Supreme Court and, if so, the caption and  
25 Supreme Court docket number of the prior proceeding. N/A  
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1 12. Indicate whether this appeal involves child custody or visitation.

2 Does not involve child custody or visitation.

3 13. If this is a civil case, indicate whether this involves the possibility of  
4 settlement: Settlement is worth pursuing.  
5

6 DATED: December 2, 2019

7 /s/ Thomas C. Michaelides  
8 THOMAS C. MICHAELIDES, ESQ.  
9 Nevada Bar No. 5425  
10 TCM LAW FIRM  
11 2620 Regatta Drive #219  
12 Las Vegas, NV 89128  
13 (702) 462-6161  
14 Attorney for CRAIG TIFFEE  
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## CERTIFICATE OF MAILING

I hereby certify that on the 2nd day of December 2019, I served the foregoing Case Appeal Statement on all interested parties by placing a true and correct copy thereof in a sealed envelope with first class postage thereon and depositing same in the United States Mail at Las Vegas, Nevada addressed as follows:

Glen O'Brien, Esq.,  
Steven B. Wolfson Esq.,  
Clark County District Attorney  
200 Lewis Ave  
Las Vegas, NV 89155



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An Employee of TCM LAW