

IN THE SUPREME COURT OF THE STATE OF NEVADA

Electronically Filed
Feb 18 2020 06:05 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

THE STATE OF NEVADA,

No. 79792/80008/80009

Petitioner,

v.

THE SECOND JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
WASHOE; AND THE HONORABLE
KATHLEEN DRAKULICH, DISTRICT JUDGE,

Respondents.

MOTION FOR ORDER FOR TRANSMISSION OF SEALED TRANSCRIPT

COMES NOW, the State of Nevada, by and through counsel, and seeks an order from this Court, directing the clerk of the district court to transmit to this Court, under seal, the transcript of proceedings for the sealing hearings that took place in Department 9 on December 4, 2019, at 9:30 a.m. in the matter of Gilbert Joseph Gomez, District Court Case No. CV18-02094, and Stephen Charles Augsberger, District Court Case No. CV19-01480.

At issue in this consolidated writ is the Second Judicial District Court's procedure regarding the resolution of petitions to seal criminal

records. The State has referenced the proceedings in its Reply, and the transcripts are necessary to illustrate that the judges of the Second Judicial District Court vary in their interpretation of prosecutorial obligations. The transcripts are sealed in the district court file and are not accessible to the State for inclusion in a supplemental appendix. Therefore, the State requests that this Court direct the district court clerk to transmit the transcripts to this Court, in a sealed envelope, so that the Court may determine that the representations in the Reply are accurate.

DATED: February 18, 2020.

CHRISTOPHER J. HICKS
DISTRICT ATTORNEY

By: JENNIFER P. NOBLE
Chief Appellate Deputy

CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on February 18, 2020. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

Greg D. Ott, Chief Deputy Attorney General

Peter P. Handy, Deputy Attorney General

/s/ Jennifer P. Noble
JENNIFER P. NOBLE