

IN THE SUPREME COURT OF THE STATE OF NEVADA

Electronically Filed
May 29 2020 01:33 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 TO FILE SUPPLEMENTAL APPENDIX UNDER SEAL

COMES NOW, the State of Nevada, by and through counsel, and moves this Court for an Order to file its Supplemental Appendix under seal pursuant to SRCR Rules 2(6), 3(4)(a), 3(4)(c), and 3(4)(h) and this Court's Order Denying Motions filed March 19, 2020. The Order denied the State's Motion to Transmit Sealed Transcripts without prejudice, and concluded that this Court's review of sealing proceedings transcripts from three district court departments were relevant.

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The State has been able to obtain all but one of the transcripts contemplated by its Motions to Seal.¹ The documents contained in the Third Supplemental Appendix contain the social security numbers and criminal history information of petitioners seeking to seal their criminal records. Social security numbers are protected by state law pursuant to NRS 239B.030 and NRS 603A.040 and criminal history information is generally protected by NRS Chapter 179A. Therefore, the State respectfully requests that this Court order that the Supplemental Appendix be filed under seal. In accordance with this Motion and SRCR Rule 3(2), the State is contemporaneously mailing its Supplemental Appendix in a sealed envelope.

DATED: May 29, 2020.

CHRISTOPHER J. HICKS
DISTRICT ATTORNEY

By: JENNIFER P. NOBLE
Chief Appellate Deputy

¹ The State has renewed its Motion to Transmit the transcript of the December 19, 2019 sealing hearing in the Matter of Mailyn Deposoy Kang, CV19-01896 in Department 10 of the Second Judicial District Court, accompanied by an affidavit regarding the court reporter's refusal, based on instructions from the judge, to provide the transcript to the State.

CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on May 29, 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/ Tatyana Kazantseva
TATYANA KAZANTSEVA