

IN THE NEVADA SUPREME COURT

---

**Henry Biderman Aparicio,**

Appellant,

v.

**The State of Nevada**

Respondents.

Electronically Filed  
Aug 20 2021 03:50 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

---

**Motion for Amicus Curiae Nevada Attorneys for  
Criminal Justice to Participate in Oral Argument**

---

Rene L. Valladares  
Federal Public Defender,  
District of Nevada  
Randolph M Fiedler  
Nevada State Bar No. 12577  
411 E. Bonneville Ave., Ste. 250  
Las Vegas, Nevada 89101  
(702) 388-6577  
[Randolph.Fiedler@fd.org](mailto:Randolph.Fiedler@fd.org)

Charles R. Goodwin  
Nevada Bar No. 14879  
Goodwin Law Group, PLLC  
3100 W. Charleston Blvd  
Las Vegas, Nevada 89102  
(702) 472 9594  
[charles@goodwinlawgroup.net](mailto:charles@goodwinlawgroup.net)

Counsel for NACJ Amicus Curiae

---

Amicus Curiae Nevada Attorneys for Criminal Justice (“NACJ”) by and through its counsel, Charles R. Goodwin, Esq., hereby move for permission to participate in oral argument.

Pursuant to Nevada Rule of Appellate Procedure 29(h), “[a]n amicus may file a motion to participate in oral argument, but the court will grant such motions only for extraordinary reasons.”

There are extraordinary reasons in this case that this Court itself recognizes. Several organizations were invited to participate in amicus briefing to provide insight regarding a district court’s ability to review letters received prior to, or at the time of, the sentencing hearing. The decision in this case has the potential to change the sentencing hearings in Nevada. It will directly impact both criminal defense attorneys and how they prepare sentencings as well as the lives of victims and those who are being sentenced in our State’s courts.

Nevada Attorneys for Criminal Justice (NACJ) is uniquely positioned to represent a variety of perspectives from the defense bar. NACJ is comprised of attorneys in both public defense and the private bar. The issue of who may speak and what evidence is admissible at

sentencing hearings affects defendants represented by the entire defense bar; NACJ's collective experience encompasses these many perspectives. These perspectives will assist this Court when deciding this issue.

Thus, NACJ respectfully requests that this Court grant leave for NACJ to participate in oral argument for this case.

Respectfully submitted this 20<sup>th</sup> day of August 2021.

/s/ Charles R. Goodwin  
Charles R. Goodwin  
Nevada Bar No. 14879  
Goodwin Law Group, PLLC  
3100 W. Charleston Blvd  
Las Vegas, Nevada 89102  
(702) 472 9594  
[charles@goodwinlawgroup.net](mailto:charles@goodwinlawgroup.net)

## CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on August 20<sup>th</sup>, 2021. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

AARON D. FORD  
Nevada Attorney General

ALEXANDER G. CHEN  
Chief Deputy District Attorney

STEVEN B. WOLFSON  
Clark County District Attorney

DAMIAN SHEETS, ESQ.  
KELSEY BERNSTEIN, ESQ.  
Counsel for Appellant

DEBORAH L. WESTBROOK  
Clark County Public Defender

JOHN L. ARRASCADA  
JOHN REESE PETTY  
KENDRA G. BERTSCHY  
Washoe County Public Defender

/s/Charles R Goodwin  
An Employee of the  
Goodwin Law Group, PLLC