

JESS Y. MATSUDA, ESQ.  
Nevada Bar No. 10929  
**MATSUDA & ASSOCIATES, LTD.**  
228 South 4th Street, Third Floor  
Las Vegas, NV 89101  
Tel. (702) 383-0506  
Counsel for Appellant

Electronically Filed  
Mar 09 2020 04:21 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

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

DEVOHN MARKS,

Appellant,

Docket No.

80469

*vs.*

THE STATE OF NEVADA,

Respondent.

**NOTICE OF CASE  
APPEAL STATEMENT**

Appellant Devohn Marks, through counsel Jess Matsuda, hereby submits this notice of filing of a Case Appeal Statement in Eighth Judicial District Court case number C-18-337017-2 dated March 4, 2020. A copy of that document is attached.

DATED this March 9, 2020.

/s/ Jess Matsuda

JESS Y. MATSUDA, ESQ.  
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Tel. (702) 383-0506  
Counsel for Appellant

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that I am a person competent to serve papers, that I am  
3 not a party to the above-entitled action, and that on March 9, 2020, I served  
4 the foregoing document via the Nevada Supreme Court's eFlex system on the  
5 counsel and/or parties as listed below:  
6

7	<b>Name</b>	<b>Address</b>
8	Steven B. Wolfson, Esq.	200 Lewis Ave.
9	Steven S. Owens, Esq.	Las Vegas, NV 89155
	Clark County District Attorney's Office	
10	Aaron D. Ford, Esq.	100 N. Carson St.
11	Nevada Attorney General's Office	Carson City, NV 89701

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15 /s/ Jess Matsuda  
16 JESS Y. MATSUDA, ESQ.  
17 Nevada Bar No. 10929  
18 **MATSUDA & ASSOCIATES, LTD.**  
19 228 South 4th Street, Third Floor  
20 Las Vegas, NV 89101  
21 Tel. (702) 383-0506  
22 Counsel for Appellant  
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27 **AFFIRMATION**

Pursuant to NRS 239B.030, this document contains no social security numbers.

28 /s/ Jess Matsuda

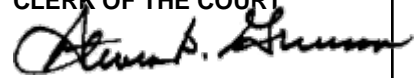
Jess Y. Matsuda, Esq.

03-09-20

Date

Exhibit A

Exhibit A



**ASTA**

JESS Y. MATSUDA, ESQ.  
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228 South 4th Street, Third Floor  
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Tel. (702) 383-0506  
Fax. (702) 382-6903  
jess@jesslaw.com  
Attorney for Devohn Marks

**IN THE EIGHTH JUDICIAL DISTRICT COURT**

**CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,

Plaintiff,

Case No.  
Dep't No.

C-18-337017-2  
V

vs.

DEVOHN MARKS, #2798254,

Defendant.

**CASE APPEAL STATEMENT**

- 1) Name of appellant filing this case appeal statement:** Devohn Marks
- 2) Identify the judge issuing the decision, judgment, or order appealed from:**  
Carolyn Ellsworth, Department V, Eighth Judicial District Court
- 3) Identify each appellant and the name and address of counsel for each appellant:** Appellant Devohn Marks; Counsel Jess Y. Matsuda, 228 S. 4th St., Third Floor, Las Vegas, NV 89101
- 4) Identify each respondent and the name and address of appellate counsel for each:** Respondent State of Nevada, Counsel Steven B. Wolfson, Esq., Clark County District Attorney, 200 Lewis Ave., Las Vegas, NV 89155; Aaron D. Ford, Esq., Nevada State Attorney General, 100 N. Carson St., Carson City, NV 89701
- 5) Indicate whether any attorney identified above in response to question 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):** No

- 1 **6) Indicate whether appellant was represented by appointed or retained**  
2 **counsel in the district court:** Appointed
- 3 **7) Indicate whether appellant is represented by appointed or retained counsel**  
4 **on appeal:** Appointed
- 5 **8) Indicate whether appellant was granted leave to proceed in forma pauperis,**  
6 **and the date of entry of the district court order granting such leave:** Indigency  
7 determination and appointment of counsel granted 1/28/2019.
- 8 **9) Indicate the date the proceedings commenced in the district court (e.g., date**  
9 **complaint, indictment, information, or petition was filed):** 1/11/2019.
- 10 **10) Provide a brief description of the nature of the action and result in the**  
11 **district court, including the type of judgment or order being appealed and**  
12 **the relief granted by the district court:** Judgment of conviction following jury trial  
13 on charges of: conspiracy to commit burglary; burglary while in possession of a deadly  
14 weapon; conspiracy to commit robbery; robbery with use of a deadly weapon, victim 60  
15 years of age or older; robbery with use of a deadly weapon; robbery with use of a deadly  
16 weapon; battery with use of a deadly weapon, victim 60 years of age or older; and battery  
17 with use of a deadly weapon.
- 18 **11) Indicate whether the case has previously been the subject of an appeal to or**  
19 **original writ proceeding in the Supreme Court and, if so, the caption and**  
20 **Supreme Court docket number of the prior proceeding:** No
- 21 **12) Indicate whether this appeal involves child custody or visitation:** No  
22 ///  
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1 **13) If this is a civil case, indicate whether this appeal involves the possibility of**  
2 **settlement: N/A**

3  
4 DATED this 4 of March, 2020.

5 /s/ Jess Matsuda

6 JESS Y. MATSUDA, ESQ.

7 Nevada Bar No. 10929

8 **MATSUDA & ASSOCIATES, LTD.**

9 228 South 4th Street, Third Floor

10 Las Vegas, NV 89101

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13 jess@jesslaw.com

14 Attorney for Devohn Marks

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**CERTIFICATE OF SERVICE**

I hereby certify that I am a person competent to serve papers, that I am not a party to the above-entitled action, and that on March 4, 2020, I served the foregoing document on:

Steven B. Wolfson, Esq.	200 Lewis Avenue
Steven S. Owens, Esq.	Las Vegas, NV 89155
Clark County District Attorney's Office	Via e-mail: motions@clarkcountynvda.com

DATED this 4 of March, 2020.

/s/ Jess Matsuda  
JESS Y. MATSUDA, ESQ.  
Nevada Bar No. 10929  
**MATSUDA & ASSOCIATES, LTD.**  
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jess@jesslaw.com  
Attorney for Devohn Marks

**AFFIRMATION**

Pursuant to NRS 239B.030, this document contains no social security numbers.

<u>/s/ Jess Matsuda</u>	<u>03-04-20</u>
Jess Y. Matsuda, Esq.	Date