

IN THE SUPREME COURT OF THE STATE OF NEVADA

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RYAN LIPSITZ,
Appellant,
vs.
STATE OF NEVADA,
Respondent.

Case No: 80765
Electronically Filed
Mar 31 2020 10:14 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

DOCKETING STATEMENT

1. Judicial district, county, judge, and district court docket number of lower court proceedings: Eighth Judicial District, County of Clark, Honorable Judge Eric Johnson, District Court Case Number C-16-316678-1.

2. Conviction(s) appealed from: The Defendant was found guilty by jury trial for the following counts: count one – Indecent Exposure (gross misdemeanor, *NRS* 201.220); count 3 – Attempt Sexual Assault (Cat B felony, *NRS* 200.364, 200.366, 193.330); count 4 – Battery with Intent to Commit Sexual Assault (Cat A felony, *NRS* 200.400.4); count 5 – Sexual Assault (Cat A felony, *NRS* 200.364, 200.366); count 6 – Open or Gross Lewdness (Gross Misdemeanor, *NRS* 201.210); and count 8 – Coercion Sexually Motivated (Cat B felony, *NRS* 207.190, 175.547, 207.193).

a. Sentence for each count: Mr. Lipsitz was sentenced as follows: as to count (1) three hundred and sixty-four days in the Clark County Detention Center (CCDC); for count two (2), LIFE with the eligibility for parole after serving a minimum of ten (10) years, concurrent to count one; count three (3) a maximum of ninety-six (96) months with a minimum Parole Eligibility of thirty (30) months, concurrent with count 2; count four (4) LIFE with the eligibility for parole after serving a minimum of two (2) years, concurrent with count 3; count five (5) LIFE with the eligibility for parole after serving a minimum of ten (10) years, consecutive to count 4; count six (6) three hundred and sixty-four days in the Clark County Detention Center (CCDC), concurrent with count five (5); and count eight (8) a maximum of thirty-six (36) months with a minimum parole eligibility of twelve (12) months, concurrent with count 6; with two hundred twenty-nine (229) days credit time served. The aggregate total sentence was LIFE, with a minimum total of two hundred forty (240) months.

After appeal, this sentence was thereafter amended to vacate the judgment for count 2, which modified the minimum term to a term of one hundred and fifty (150) months upon resentencing.

3. Was counsel in district court appointed or retained: Appointed.

4. Attorney filing this docketing statement: Waleed Zaman, Esq.,
Zaman Legal LLC, 2880 South Jones Blvd., Suite #3, Las Vegas, NV 89146,

(702) 359-0157.

5. **Is appellate counsel appointed or retained:** Appointed
6. **Attorneys Representing Respondent:** Aaron Ford, Esq., and Alexander Chen, Esq., of the Office of the Nevada District Attorney.
7. **Nature of disposition:** Judgment after jury verdict.
8. **Does this appeal raise issues concerning any of the following:** Life Sentence.
9. **Expedited Appeals:** Appellant is not in favor of an expedited appeals process.
10. **Pending and prior proceedings in this court:** Previously before this court, Nevada Supreme Court Case no. 70257.
11. **Pending and prior proceedings in other courts:** N/A.
12. **Nature of action:** Mr. Lipsitz was found guilty by jury trial of the aforementioned counts and sentenced on January 30, 2020. An Amended Judgement of conviction was filed by the District Court on February 4, 2020, after this Court entered judgment requiring that the sentence for count two (2) be vacated. Present counsel was then appointed and a notice of Appeal on the Amended Judgement of Conviction was filed by Petitioner on March 5, 2020.

13. Issues on appeal: Whether the district court abused its discretion; Appellant reserves the right to plead such additional issues that are reasonably uncovered after the date of this Docketing Statement.

14. Constitutional Issues: N/A.

15. Assignment to Court of Appeals or retention in the Supreme Court:

Pursuant to *NRAP* 17, this is a direct appeal on a judgment of conviction from a jury verdict for offenses that are category A felonies, and as such, this matter should be retained by the Nevada Supreme Court. *NRAP* 17 (b)(2)(A).

16. Issues of first impression or public interest: N/A.

17. Length of trial: 6 days.

18. Oral argument: Counsel objects to submission of this appeal for disposition without oral argument.

19. Date district court announced decision, sentence, or order appealed from: Sentencing held on January 30, 2020.

20. Date of entry of written judgment or order appealed from: Judgement of Conviction filed on February 4, 2020.

21. Method of service of notice of entry of judgment: Judgement e-filed and served on February 4, 2020.

22. Tolling of time for notice of appeal: NA.

23. Date notice of appeal filed: March 5, 2020.

24. Rule governing the time limit for filing the notice of appeal: *NRAP* 4(b).

25. Specify statute, rule, or other authority that grants this court jurisdiction to review from: *NRS 177.015 (3)*.

VERIFICATION

I certify that the information in this docketing statement is true and complete to the best of my knowledge, information and belief.

Dated this 31st day of March 2020.

/s/Waleed Zaman

Waleed Zaman, Esq.
Nevada Bar No. 13993
On behalf of Appellant, *Ryan Lipsitz*

CERTIFICATE OF SERVICE

I certify that on the 31st day of March 2020, I served a true and correct copy of the foregoing **DOCKETING STATEMENT** through the Supreme Court Electronic Filing system, and also through personal mail, addressed in a sealed and prepaid envelope to the address below:

Ryan Lipsitz #1169942
High Desert State Prison
P.O. Box 650
Indian Springs, Nevada 89070-0208

Dated this 31st day of March 2020.

/s/Jonathan Sitsis

Jonathan Sitsis
An employee of Waleed Zaman, Esq.