

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVID BURNS,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

Electronically Filed
Aug 12 2020 02:43 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

Supreme Court Case No. 80834

MOTION TO TRANSMIT PRESENTENCE INVESTIGATION REPORT

COMES NOW, Appellant David Burns, by and through his counsel,
Jamie Resch, Esq., and files this Motion to Transmit Presentence
Investigation Report. This motion is based on the following memorandum
and all papers and pleadings on file herein.

DATED this 12th day of August, 2020.

RESCH LAW, PLLC d/b/a Conviction
Solutions

By: 

JAMIE J. RESCH

Attorney for Appellant

MEMORANDUM

Pursuant to NRAP 30(b)(6), "if a copy of appellant's presentence investigation report is necessary for the Supreme Court's review in a criminal case and a copy of the report cannot be included in the appendix, appellant shall file a motion with the clerk of the Supreme Court within the time period for filing an opening brief or fast track statement that the court direct the district court clerk to transmit the report to the clerk of the Supreme Court in a sealed envelope."

The presentence report is confidential and should not be made part of the public record pursuant to NRS 176.156. As such, a sealed copy should be transmitted to the Supreme Court by the district court clerk.

Here, the report is necessary because one of Appellant's claims involves errors at the time of sentencing, to include reliance on information found in the presentence report. In order to determine whether the district court's sentence was unreasonable or unconstitutional, it is necessary that this Court have access to said presentence report.

WHEREFORE, Appellant respectfully requests that these documents
be transmitted to this Court.

DATED this 12th day of August, 2020.

RESCH LAW, PLLC d/b/a Conviction
Solutions

By: _____

JAMIE J. RESCH

Attorney for Appellant

CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on August 12, 2020. Electronic service of the foregoing document shall be made in accordance with the master service list as follows:

STEVEN WOLFSON
Clark County District Attorney
Counsel for Respondent

AARON FORD
Nevada Attorney General



An Employee of RESCH LAW,
PLLC, d/b/a Conviction Solutions