

IN THE SUPREME COURT OF THE STATE OF NEVADA

Kevin Sunseri,
Appellant

vs.

The State of Nevada,
Respondent,

) Supreme Court Case No.: 81551
)
) Electronically Filed
) **APPELLANT'S MOTION FOR** 10/09/2020 11:24 a.m.
) **EXTENSION OF TIME TO FILE** Elizabeth A. Brown
) **TRANSCRIPT REQUEST** Clerk of Supreme Court

) **Second Request**
)
)
)
)

COMES NOW, KELSEY BERNSTEIN, ESQ., Retained Counsel, hereby moves this Court for an extension of time within which to file the Transcript Request. This Motion is based on the following memorandum, declaration of counsel and all pleadings and papers on file herein.

DATED this 9 day of October, 2020.

NEVADA DEFENSE GROUP

By: Kelsey Bernstein
Kelsey Bernstein, Esq.
Nevada Bar No.: 13825
Nevada Defense Group
714 S. Fourth Street
Las Vegas, NV 89101
Attorney for Appellant

MEMORANDUM/DECLARATION

Counsel, Kelsey Bernstein, is a duly licensed attorney in the State of Nevada and has been retained to represent Appellant Kevin Sunseri in the instant appeal.

Appellant's Transcript Request is due on September 21, 2020.

Counsel has filed a Motion for Leave to Proceed in Forma Pauperis in the Eighth Judicial District Court to request financial assistance with the production of transcripts.

The District Court granted the Motion for Leave to Proceed in Forma Pauperis via Minute Order on September 15, 2020.

Counsel submitted a proposed Order to the District Court on September 19, 2020 which both grants the Motion for Leave to Proceed in Forma Pauperis and requests transcripts of the proceedings.

The Notice of Entry of Order granting the Motion to Proceed in Forma Pauperis and for Transcript of Proceedings was electronically filed on October 9, 2020.

This is the second written request for an extension of time filed by Appellant in this matter.

No parties in this appeal will suffer prejudice or harm as a result of the requested extension.

I declare under penalty of perjury that the information set forth in this Memorandum is true and correct.

DATED this 9 day of October, 2020.

NEVADA DEFENSE GROUP

By: Kelsey Bernstein
Kelsey Bernstein, Esq.
Nevada Bar No.: 13825
Nevada Defense Group

CERTIFICATE OF SERVICE

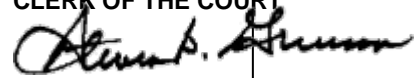
I HEREBY CERTIFY that on the 9 day of October, 2020, I faxed and/or mailed a true and correct copy of the foregoing **MOTION FOR EXTENSION OF TIME**, to the following:

Alex Chen, Esq.
Clark County District Attorney's Office
200 Lewis Avenue
Las Vegas, Nevada 89101

Kelsey Bernstein
Kelsey Bernstein

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EXHIBIT 1



NEO
NEVADA DEFENSE GROUP
Damian Sheets, Esq.
Nevada Bar No. 10755
Kelsey Bernstein, Esq.
Nevada Bar No. 13825
714 S. Fourth Street
Las Vegas, Nevada 89101
Telephone: (702) 988-2600
Facsimile: (702) 988-9500
dsheets@defendingnevada.com
Attorney for Appellant
Kevin Sunseri

**EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA**

State of Nevada,	)	Case No.: C-18-334808-1
Plaintiff	)	Dept. No: XVII
)	
vs.	)	Supreme Court Case No.: 81551
)	
Kevin Sunseri,	)	NOTICE OF ENTRY OF ORDER GRANTING
Defendant/Appellant	)	MOTION TO PROCEED IN FORMA
	)	PAUPERIS AND FOR TRANSCRIPT OF
	)	PROCEEDINGS

PLEASE TAKE NOTICE that an Order Granting Motion to Proceed In Forma Pauperis and for Transcript of Proceedings was entered in the above entitled matter on September 30, 2020, a copy of which is attached hereto and incorporated herein by reference.

DATED this 8 day of October, 2020.

Respectfully submitted,

NEVADA DEFENSE GROUP

By: /s/ Damian Sheets
DAMIAN R. SHEETS, ESQ.
Nevada Bar No. 10755

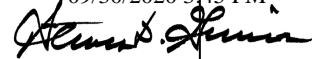
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EXHIBIT 1



CLERK OF THE COURT

**EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA**

State of Nevada,	)	Case No.: C-18-334808-1
Plaintiff	)	Dept. No: XVII
)	
vs.	)	Supreme Court Case No.: 81551
)	
Kevin Sunseri,	)	ORDER GRANTING MOTION TO PROCEED
Defendant/Appellant	)	IN FORMA PAUPERIS AND FOR
	)	TRANSCRIPT OF PROCEEDINGS

This matter having been filed on the 30th day of August, 2020, the Court reviewed in chambers Defendant's Motion to Proceed in Forma Pauperis. The Court having considered the pleadings, papers and documents on file herein, without oral argument and being otherwise fully advised and good cause shown,

THEREFORE, THE COURT HEREBY ORDERS Defendant's Motion to Proceed in Forma Pauperis is **GRANTED**;

THE COURT HEREBY ORDERS the following transcripts be prepared, at government expense, which are necessary for the purpose of Defendant's appeal:

TO:

K. Schmidt, Court Recorder, Eighth Judicial District Court Lower Level
C. Georgilas, Court Recorder, Eighth Judicial District Court Department 17
P. Slattery, Court Recorder, Eighth Judicial District Court

Presiding Judge: Michael P. Villani

Dates Requested:

- September 21, 2018 (Arraignment) (K. Schmidt)
- November 6, 2018 (Sentencing) (C. Georgilas)
- December 11, 2018 (Sentencing) (C. Georgilas)
- April 16, 2019 (Status Check: Mental Health Application) (C. Georgilas)
- May 30, 2019 (Status Check: Mental Health Application) (P. Slattery)
- June 25, 2019 (Status Check: Motion to Withdraw Plea) (C. Georgilas)

- July 18, 2019 (Motion to Withdraw Plea) (C. Georgilas)
- July 25, 2019 (Motion to Withdraw Plea) (C. Georgilas)
- August 23, 2019 (Motion to Withdraw Plea) (C. Georgilas)
- September 3, 2019 (Status Check: Status of Case) (C. Georgilas)
- September 26, 2019 (Status Check: Status of Case) (C. Georgilas)
- October 18, 2019 (Evidentiary Hearing) (C. Georgilas)
- November 20, 2019 (Evidentiary Hearing) (C. Georgilas)
- January 16, 2020 (Status Check: Status of Case) (C. Georgilas)
- June 25, 2020 (Sentencing) (C. Georgilas)
- June 30, 2020 (Sentencing) (C. Georgilas)

Number of copies requested: 1¹

DATED this 29th day of September, 2020.

Dated this 30th day of September, 2020



DISTRICT COURT JUDGE
32B FB5 D1CB A84D
Michael Villani
District Court Judge

Respectfully Submitted By:

/s/ Damian Sheets
Damian Sheets, Esq.
Nevada Bar No. 10755
714 S. Fourth Street
Las Vegas, Nevada 89101

¹ This requests a transcript of only those portions of the district court proceedings that counsel reasonably and in good faith believes are necessary to determine whether appellate issues are present. Voir dire examination of jurors, opening statements and closing arguments of trial counsel, and the reading of jury instructions shall not be transcribed unless specifically requested above.

1 **CSERV**

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3 DISTRICT COURT
CLARK COUNTY, NEVADA

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6 State of Nevada

CASE NO: c-18-334808-1

7 vs

DEPT. NO. Department 17

8 Kevin Sunseri
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10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District
12 Court. The foregoing Order was served via the court's electronic eFile system to all
13 recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 9/30/2020

15 Damian Sheets dsheets@defendingnevada.com

16 Judith Beckman gigi@defendingnevada.com

17 State Nevada motions@clarkcountyda.com

18 State Nevada pdmotions@clarkcountyda.com

19 LAW CLERK Dept06LC@clarkcountycourts.us

20 Law Clerk dept17lc@clarkcountycourts.us
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