

IN THE SUPREME COURT OF THE STATE OF NEVADA

Docket No.:

CHARLES ROCHA

Appellant,

v.

THE STATE OF NEVADA  
DEPARTMENT OF HEALTH AND  
HUMAN SERVICES, DIVISION OF  
PUBLIC AND BEHAVIORAL HEALTH,

Respondent.

Case No.: 82485

District Court Case No. A-19-804299-1

Electronically Filed  
Aug 11 2021 05:09 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

**MOTION TO DIRECT DISTRICT COURT CLERK TO TRANSMIT THE**  
**ORIGINAL EXHIBIT "5" VIDEO FROM THE APPEALS HEARING**  
**PURSUANT TO NRAP 30(d)**

This appeal is from an order granting judicial review which reversed a Hearing Officer's decision to reinstate terminated Forensic Specialist Charles Rocha. The underlying termination involved an attack upon the Rocha by an inmate/patient at Stein Hospital which is the Southern Nevada facility where criminal defendants are detained when they have been deemed psychiatrically incapable of standing trial.

The attack, and what Charles Roca contends was his legitimate use of force in self-defense, was caught on video (without audio) and played at Rocha's appeal

hearing before the Hearing Officer. It was designated as Exhibit "5" at the appeals hearing. Appellant believes that the video would be of assistance to this Court in deciding the case and requests that this Court direct the District Court Clerk to transmit the video, Exhibit "5" from the Appeals hearing, to the Supreme Court. If for some reason the Department of Administration did not file the video with the District Court, then the order to the District Court should direct the District Court to order the Department of Administration to provide Exhibit "5" so that the District Court may transmit it to this Court.

DATED this 11<sup>th</sup> day of August 2021.

LAW OFFICE OF DANIEL MARKS



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DANIEL MARKS, ESQ.

Nevada State Bar No. 002003

ADAM LEVINE, ESQ.

Nevada State Bar No. 004673

610 South Ninth Street

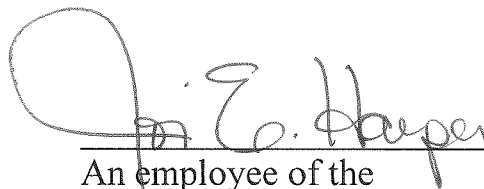
Las Vegas, Nevada 89101

*Attorneys for Appellant*

**CERTIFICATE OF SERVICE BY ELECTRONIC MEANS**

I hereby certify that I am an employee of the Law Office of Daniel Marks and that on the 11<sup>th</sup> day of August 2021, I did serve the above and forgoing MOTION TO DIRECT DISTRICT COURT CLERK TO TRANSMIT THE ORIGINAL EXHIBIT "5" VIDEO FROM THE APPEALS HEARING PURSUANT TO NRAP 30(d), by way of Notice of Electronic Filing provided by the court mandated E-Flex filing service, at the following:

Aaron Ford, Sr. Attorney General  
Susanne M. Sliwa, Esq.  
Deputy Attorney General  
Office of the Attorney General  
555 E. Washington Avenue, Suite 3900  
Las Vegas, Nevada 89101  
Tel: (702) 486-3375  
Email: [ssliwa@ag.nv.gov](mailto:ssliwa@ag.nv.gov)  
*Attorneys for State of Nevada, Division of  
Public and Behavioral Health*

A handwritten signature in dark ink, appearing to read "J. E. Harper", is written over a horizontal line.

An employee of the  
LAW OFFICE OF DANIEL MARKS