



**EIGHTH JUDICIAL DISTRICT COURT
CLERK OF THE COURT**

REGIONAL JUSTICE CENTER
200 LEWIS AVENUE, 3rd FL.
LAS VEGAS, NEVADA 89155-1160
(702) 671-4554

Steven D. Grierson
Clerk of the Court

No. 82931

FILED

AUG 10 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

Electronically Filed
Aug 06 2021 09:28 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

Anntoinette Naumec-Miller
Court Division Administrator

August 6, 2021

Elizabeth A. Brown
Clerk of the Court
201 South Carson Street, Suite 201
Carson City, Nevada 89701-4702

RE: STATE OF NEVADA vs. GENARO RICHARD PERRY

S.C. CASE: 83278—

D.C. CASE: C-14-298879-1

Dear Ms. Brown:

In response to the e-mail dated August 6, 2021, enclosed is a certified copy of the Order Denying Defendant's Motion Requesting Order Directing the Las Vegas Metropolitan Police Department to Conduct Genetic Marker and Latent Fingerprint Analysis of Evidence Impounded at Crime Scene filed April 16, 2021 in the above referenced case. If you have any questions regarding this matter, please do not hesitate to contact me at (702) 671-0512.

Sincerely,
STEVEN D. GRIERSON, CLERK OF THE COURT

Heather Ungermann, Deputy Clerk

23260

Heather L. Smith
CLERK OF THE COURT

ORDR

STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
KAREN MISHLER
Chief Deputy District Attorney
Nevada Bar #013730
200 Lewis Avenue
Las Vegas, NV 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

GENARO RICHARD PERRY,
#1456173

Defendant.

CASE NO: C-14-298879-1

DEPT NO: VI

**ORDER DENYING DEFENDANT'S MOTION REQUESTING ORDER
DIRECTING THE LAS VEGAS METROPOLITAN POLICE DEPARTMENT
TO CONDUCT GENETIC MARKER AND LATENT FINGERPRINT ANALYSIS
OF EVIDENCE IMPOUNDED AT CRIME SCENE**

DATE OF HEARING: February 17, 2021

TIME OF HEARING: 11:00 A.M.

THIS MATTER having come on for hearing before the above entitled Court on the 17th day of February, 2021, the Defendant not being present, represented by JEAN SCHWARTZER, ESQ., the Plaintiff being represented by STEVEN B. WOLFSON, District Attorney, through KAREN MISHLER, Chief Deputy District Attorney, and the Court having heard the arguments of counsel, based on the pleadings, and good cause appearing therefore, the Court hereby RULES as follows:

The instant Motion was made pursuant to NRS 176.0918. The Court has waived the requirement contained in NRS 176.0918(3) that a petition filed pursuant to this statute must contain a declaration under penalty of perjury.

1 As to the Defendant's request for fingerprint analysis, NRS 176.0918 does not
2 authorize a court to order testing or analysis of latent fingerprints. No other statute or legal
3 basis was offered to support the request for latent fingerprint analysis.

4 Furthermore, even if the victim's fingerprints were found on the knife, this would not
5 be exculpatory, because the victim testified at trial that she owned the knife and had used it
6 the evening before.

7 Accordingly, the request for an order directing the Las Vegas Metropolitan Police
8 Department to conduct latent fingerprint analysis of the evidence impounded in this case is
9 denied.

10 As to the request for genetic marker analysis, the Court finds that if such testing were
11 conducted, and the results anticipated by Defendant were obtained, such results would not
12 rise to a reasonable possibility that the Defendant would not have been prosecuted or
13 convicted. See NRS 176.0918(3)(b).

14 Even if the blood on the knife and the blood samples matched Defendant's genetic
15 markers, at most it would show that Defendant left his blood at the scene. Such results would
16 not exculpate him of guilt as to the crimes for which he was convicted.

17 Accordingly, the request for an order directing the Las Vegas Metropolitan Police
18 Department to conduct genetic marker analysis of the evidence impounded in this case is
19 denied.

20 Dated this 16th day of April, 2021

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22

23 STEVEN B. WOLFSON
24 Clark County District Attorney
Nevada Bar #001565

25 DEB D87 89BA ACD2
26 Jacqueline M. Bluth
27 District Court Judge

August 6, 2021



28 BY /s/ Karen Mishler
KAREN MISHLER
Chief Deputy District Attorney
Nevada Bar #013730

jg/DVU

CERTIFIED COPY
ELECTRONIC SEAL (NRS 1.190(3))

1 CSERV

2 DISTRICT COURT
3 CLARK COUNTY, NEVADA
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6 State of Nevada

CASE NO: C-14-298879-1

7 vs

DEPT. NO. Department 6

8 Genaro Perry
9

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: 4/16/2021

15 Clark County District Attorney's Office .

PDMotions@clarkcountyda.com

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