

1 IN THE SUPREME COURT OF THE STATE OF NEVADA

2  
3 DARWYN ROSS YOWELL,

4 Appellant,

5 v.

6 THE STATE OF NEVADA,

7 Respondent.  
8

NO. 83577

Electronically Filed  
Jan 27 2022 02:07 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

9 MOTION TO TRANSMIT ORIGINAL EXHIBIT PURSUANT TO NRAP  
10 10(b)(2) and 30(d)

11 COME NOW, DARWYN ROSS YOWELL, The Appellant, by and  
12 through his attorney, MATTHEW PENNELL, and hereby moves for an  
13 Order directing the Fourth Judicial District Court Clerk to transmit the  
14 Original Plaintiff's Exhibit 3 – DVD Williams body camera at NNRH in  
15 this case for review by this Court. Appellant believes review of this Exhibit  
16 by this Court is relevant because part of Appellant's appeal is the unlawful  
17 admission of the Exhibit. Appellant also believes it is necessary for the  
18 Court to review the original Exhibit, because the Exhibit's contents were not  
19 transcribed and the jury viewed the admitted Exhibit.  
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24 //

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27  
28  
29 Elko County  
Public Defender

1 DATED this 27<sup>th</sup> day of January, 2022.

2  
3 MATTHEW PENNELL  
4 Elko County Public Defender  
5 569 Court Street (Physical address)  
6 571 Idaho Street (Mailing address)  
7 Elko, NV 89801  
8 (775) 738-2521

9 By: /s/ Matthew Pennell  
10 Elko County Public Defender  
11 NV Bar number 13298  
12  
13  
14

15 CERTIFICATE OF ELECTRONIC FILING

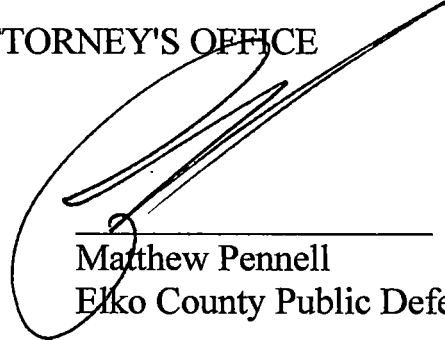
16  
17 I hereby certify, pursuant to the provisions of NRCP 25(c)(1)(D),  
18 that I am an employee of the Elko County Public Defender's Office, and  
19 that on the 27<sup>th</sup> day of January, 2022, I electronically filed a copy of the  
20 foregoing MOTION TO TRANSMIT MARKED EXHIBIT, and the  
21 following parties have consented to receive electronic filings in this matter:  
22  
23

24 CLERK OF THE SUPREME COURT  
25 Supreme Court Building  
26 201 S Carson Street  
27 Carson City, NV 89701-4702

28 OFFICE OF THE ATTORNEY GENERAL  
29 100 N. Carson Street  
30 Carson City, NV 89701-4717

Elko County  
Public Defender

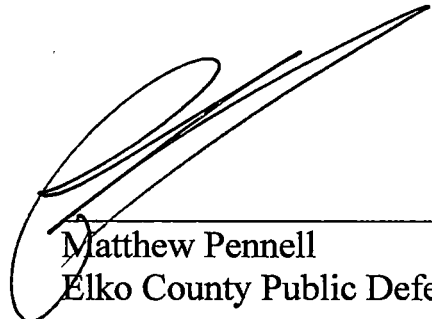
1  
2 TYLER INGRAM  
3 Elko County District Attorney  
4 CHAD B. THOMPSON  
5 Deputy District Attorney  
6 ELKO COUNTY DISTRICT ATTORNEY'S OFFICE  
7 540 Court Street  
8 Elko NV 89801

  
Matthew Pennell  
Elko County Public Defender

10 CERTIFICATE OF MAILING

11  
12 I hereby certify, pursuant to the provisions of NRCP 25(c)(1)(B),  
13 that I am an employee of the Elko County Public Defender's Office, and  
14 that on the 27<sup>th</sup> day of January, 2022, I mailed, postage prepaid, a copy  
15 of the foregoing MOTION TO TRANSMIT MARKED EXHIBIT to the  
16 following:  
17  
18

19 Darwyn Ross Yowell #1249369  
20 SDCC  
21 PO Box 208  
22 Indian Springs NV 89070

23  
24   
25 Matthew Pennell  
26 Elko County Public Defender  
27  
28