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3 IN THE SUPREME COURT OF THE STATE OF NEVADA

Electronically Filed  
Apr 15 2022 01:58 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

4 ANTHONY CHRIS ROBERT

5 MARTINEZ,

6 Appellant,

CASE NO. 83754

7 vs.

8 THE STATE OF NEVADA,


9 Respondent.

10 **MOTION TO TRANSMIT ORIGINAL EXHIBITS 103 AND 106**

11 COMES NOW, Respondent, State of Nevada, by and through its attorneys,  
12 TYLER J. INGRAM, District Attorney for the County of Elko, and submits this  
13 Motion to Transmit Original Exhibits 103 and 106 requesting that this Court  
14 order the Court Clerk for the Fourth Judicial District Court to transmit the same  
15 to the Supreme Court of Nevada.

16 Dated this 15 day of April, 2022.

17 TYLER J. INGRAM  
18 ELKO COUNTY DISTRICT ATTORNEY

19 By:   
20 TYLER J. INGRAM  
District Attorney  
State Bar No. 11819

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Martinez filed an appeal arguing, among other points, that there was insufficient evidence to show that he intended to kill Officer Pantelakis. One of the arguments made by Martinez to that point is that it is difficult to tell who fired first. The State, in its Reply Brief, cited to the dashboard camera footage which was admitted at trial as Exhibit 103. As argued in the Reply Brief, the State points out that it is clear from the footage that Martinez immediately exited his vehicle and began firing at Officer Pantelakis. Therefore, the exhibit is relevant to at least one issue on appeal. That footage is not capable of being reproduced in the appendix because it is contained on a thumb drive or compact disc.

1 shots from the video) from the strip club and it was introduced into evidence as  
2 Exhibit 106. The contents of those videos and still shots corroborate the witness  
3 testimony and contradict any claim that the uncollected evidence was material.  
4 See, *Daniels v. State*, 114 Nev. 261 (1998). Along the same lines, Martinez  
5 argued that there was insufficient evidence to show that the kidnapping was not  
6 incidental to the other charged related felonies. Therefore, the exhibit is relevant  
7 to at least one issue on appeal. That footage is not capable of being reproduced  
8 in the appendix because it is contained on a thumb drive or compact disc.

9 Exhibits 103 and 106 are cited to in the Reply Brief, are relevant to the  
10 issue(s) on appeal and are incapable of being reproduced in an electronically filed  
11 appendix (to the best of the State's knowledge). The State is respectfully  
12 requesting that this Court order the Court Clerk for the Fourth Judicial District  
13 Court to transmit the same to the Supreme Court of Nevada.

