

Case No. 83796

Supreme Court of Nevada

Donte Johnson,

Appellant,

vs.

State of Nevada, *et al.*,

Appellee.

Electronically Filed  
May 27 2022 07:05 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

Death Penalty Case

**MOTION FOR PERMISSION TO FILE UNDER SEAL**

Appellant, Donte Johnson, requests that this Court grant him permission to file under seal with his Appellant's Appendix, a Transcript of a Video Deposition of Charla Severs dated October 6, 1999, that was originally filed under seal and has not been unsealed.

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This request is made and based on the following points and authorities, and the entire file herein.

Dated this 27th day of May, 2022.

Respectfully submitted,

/s/ *Randolph M. Fiedler*  
Randolph M. Fiedler  
Assistant Federal Public Defender  
Nevada Bar No. 12577  
411 E. Bonneville Ave., Suite 250  
Las Vegas, Nevada 89101  
702-388-6577  
Attorney for Appellant

## POINTS AND AUTHORITIES

Donte Johnson requests this Court's permission to file under seal with his Appellant's Appendix, a Transcript of the Video Deposition of Charla Severs dated October 6, 1999.

This request is made pursuant to Rule 7 of the Nevada Rules for Sealing and Redacting Court records, which provides that sealed records "shall be made available to the Nevada Supreme Court in the event of an appeal." The record referred to here was sealed in the district court, and has not been unsealed. *See* 33AA8051–160.

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For the foregoing reasons, Johnson respectfully requests that this Court grant his motion and file the Transcript of the Video Deposition of Charla Severs dated October 6, 1999.<sup>1</sup>

DATED this 27th day of May, 2022

Respectfully submitted,

/s/ *Randolph M. Fiedler*  
Randolph M. Fiedler  
Assistant Federal Public Defender  
Nevada State Bar No. 12577  
411 E. Bonneville Ave., Suite 250  
Las Vegas, Nevada 89101  
702-388-6577  
Attorney for Appellant

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<sup>1</sup> Contemporaneously with the filing of this Motion, a copy of the sealed portions of the appendix, with an accompanying appendix index has been mailed to the Court. *See* NRAP 30(f)(1). Opposing counsel was served those documents via email. A copy of this motion was included for reference.

## CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 27th day of May, 2022, electronic service of the foregoing Motion For Permission To File Under Seal shall be made in accordance with the Master Service List as follows:

Alexander G. Chen  
Chief Deputy District Attorney  
Clark County District Attorney's Office  
Alexander.Chen@clarkcountyda.com

/s/ Celina Moore  
An Employee of the Federal Public  
Defender, District of Nevada