

IN THE SUPREME COURT OF THE STATE OF NEVADA

MARCOS RAMOS HERNANDEZ,

Appellant,

v.

THE STATE OF NEVADA,

Respondent.

Electronically Filed
Feb 15 2022 10:20 a.m.
Elizabeth A. Brown
Clerk of Supreme Court
Case No. 83811

RESPONSE TO COURT ORDER

The Office of the Attorney General respectfully responds to this Court's Order filed January 7, 2022, to provide a certified copy of the notice of appeal log.

Inmate Marcos Ramos Hernandez, NDOC # 1249611, did not utilize the High Desert State Prison "Notice of Appeal Log" maintained by the High Desert State Prison Law Library in October or November 2021. *See*, Declaration of Jacques Graham, Law Library Supervisor, filed herewith and attaching the "Notice of Appeal Log" for those months as Exhibit A.

Because High Desert State Prison does not otherwise maintain an outgoing legal mail log, the Office of the Attorney General also requested that the Nevada Department of Corrections (NDOC) review the brass slips for postage at High Desert State Prison for October and November 2021. Inmate Marcos Ramos Hernandez, NDOC # 1249611, did not obtain a brass slip for postage in October or November 2021. *See*, Declaration of Kathryn L. Reynolds, Acting Chief of

Purchasing & Inmate Services, filed herewith and attaching the Primary Trust Transaction report for High Desert State Prison for October and November 2021 as Exhibit A.

This response will serve as full compliance with this Court's January 7, 2022 Order.

RESPECTFULLY SUBMITTED this 15th day of February, 2022.

AARON D. FORD
Attorney General

By: /s/ Sheryl Serreze
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CERTIFICATE OF SERVICE

I certify that I am an employee of the Office of the Attorney General and that on this 15th day of February, 2022, I caused to be deposited for mailing a true and correct copy of the foregoing, **RESPONSE TO COURT ORDER** to the following:

Marcos Ramos Hernandez #1249611
High Desert Correctional Center
P.O. Box 650
Indian Springs, NV 89070

/s/ Amanda White

EXHIBIT A

EXHIBIT A

MARCOS RAMOS HERNANDEZ,

Appellant,

v.

THE STATE OF NEVADA,

Respondent.

Case No. 83811

**DECLARATION OF JACQUES GRAHAM
LAW LIBRARY SUPERVISOR**

I, JACQUES GRAHAM, being first duly sworn, depose and state under penalty of perjury, as follows:

1. I am employed by the Nevada Department of Corrections (NDOC), assigned to the High Desert State Prison as the law library supervisor.

2. As part of my duties as the law library supervisor, I have knowledge of the log procedures for notices of appeal when the inmate sends the notice of appeal through the law library.

3. If an inmate indicates that outgoing mail contains a notice of appeal, the date the mail is presented, and the inmate's information is entered on the High Desert State Prison "Notice of Appeal Log"

4. At the request of the Office of the Attorney General, I examined the High Desert State Prison "Notice of Appeal Log" for October and November 2021.

5. Inmate Marcos Ramos Hernandez, NDOC # 1249611, does not appear on the log, a true and accurate copy of which is attached hereto as Exhibit "A".

6. Other than the "Notice of Appeal Log", High Desert State Prison Law Library does not maintain any incoming or outgoing mail logs.

Pursuant to NRS 53.045, Declarant herein certifies, under penalty of perjury, that the foregoing is true and correct.

Executed this 27th day of January 2022.



JACQUES GRAHAM

EXHIBIT A

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IN THE SUPREME COURT OF THE STATE OF NEVADA

MARCOS RAMOS HERNANDEZ,

Appellant,

v.

THE STATE OF NEVADA,

Respondent.

Case No. 83811

DECLARATION OF KATHRYN L. REYNOLDS

I, Kathryn L. Reynolds, being first duly sworn, depose and state under penalty of perjury, as follows:

1. I am employed by the Nevada Department of Corrections (NDOC) as the Acting Chief of Purchasing & Inmate Services Chief.
2. As part of my duties, I oversee and assist in the maintenance of inmate trust records.
3. Inmates do not utilize cash within the prison system. To mail an envelope, an inmate may affix their own stamp, or may utilize a “brass slip,” a procedure by which the inmate requests postage for a designated purpose and for a specific dollar amount. Brass slip requests are entered in the inmate’s trust account records and maintained by NDOC Inmate Banking Services.

4. At the request of the Attorney General's Office, I obtained and reviewed the Primary Trust Transactions for High Desert State Prison, where Inmate Marcos Ramos Hernandez, NDOC # 1249611, is housed, for the period of October and November 2021.

5. Attached as Exhibit "A" is a copy of that account. There is no entry for Inmate Marcos Ramos Hernandez, NDOC # 1249611, for postage during this period of time.

Pursuant to NRS 53.045, Declarant herein certifies, under penalty of perjury, that the foregoing is true and correct.

Executed this 3rd day of February 2022.


KATHRYN L. REYNOLDS

EXHIBIT A

EXHIBIT A

Offender Information

Offender Number 1249611

Institution: HDSP

Living Unit: F

Offender Name: HERNANDEZ, MARCOS R

Housing Facility: U11

Cell: 27

Account Status: Open

Bed: B

Primary Trust Transactions

Date	Transaction Type	Payer / Paid To	Reference Number	Deposit# / Check#	Amount	Balance	Loc Code
10/01/2021						\$0.00	
10/26/2021 04:06:00 PM	Intake	CCDC	402780	8282119	\$65.14	\$65.14	DOC
10/27/2021 07:01:00 AM	Keefe	Greison Vasquez		9900021707	\$100.00	\$165.14	HDSP
10/27/2021 07:01:00 AM	Savings				(\$10.00)	\$155.14	HDSP
10/28/2021 04:00:19 AM	Savings		402780		(\$6.51)	\$148.63	DOC
10/29/2021 07:30:50 AM	Phone Credit	Securus	1635517850	9900040285	(\$10.00)	\$138.63	DOC
11/01/2021 08:34:10 AM	Commissary		6209;103198444		(\$6.01)	\$132.62	HDSP
11/05/2021 06:38:39 AM	Commissary		6209;103203773		(\$52.23)	\$80.39	HDSP
11/05/2021 01:04:39 PM	Phone Credit	Securus	1636142680		(\$10.00)	\$70.39	DOC
11/14/2021 09:13:03 AM	Phone Credit	Securus	1636909983		(\$10.00)	\$60.39	DOC
11/15/2021 07:00:51 AM	Keefe	Hernandez Ramos		9900021802	\$100.00	\$160.39	HDSP
11/15/2021 07:00:51 AM	Savings				(\$10.00)	\$150.39	HDSP
11/18/2021 07:33:02 AM	Phone Credit	Securus	1637249582		(\$10.00)	\$140.39	DOC
11/19/2021 06:11:58 AM	Commissary		6209;103216728		(\$46.56)	\$93.83	HDSP
11/20/2021 06:33:17 PM	Phone Credit	Securus	1637461998		(\$10.00)	\$83.83	DOC
11/22/2021 12:45:55 PM	Commissary		6209;103220178		(\$16.12)	\$67.71	HDSP
11/24/2021 06:52:45 AM	Commissary		6209;103222914		(\$27.40)	\$40.31	HDSP
11/24/2021 07:01:04 AM	Keefe	Hernandez Ramos		9900021849	\$75.00	\$115.31	HDSP
11/24/2021 07:01:04 AM	Savings				(\$7.50)	\$107.81	HDSP
11/26/2021 08:07:34 PM	Phone Credit	Securus	1637986055		(\$10.00)	\$97.81	DOC
11/30/2021						\$97.81	

Trust2

Date	Reference Number	Amount	Balance	Loc Code
10/01/2021			\$0.00	
No Activity				
11/30/2021			\$0.00	

Trust3

Date	Reference Number	Amount	Balance	Loc Code
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10/01/2021	\$0.00
No Activity	
11/30/2021	\$0.00

Savings

Date	Reference Number	Amount	Balance	Loc Code
10/01/2021			\$0.00	
10/27/2021 07:01:00 AM		\$10.00	\$10.00	HDSP
10/28/2021 04:00:19 AM	402780	\$6.51	\$16.51	DOC
11/15/2021 07:00:51 AM		\$10.00	\$26.51	HDSP
11/24/2021 07:01:04 AM		\$7.50	\$34.01	HDSP
11/30/2021			\$34.01	