

No. 83864

IN THE NEVADA SUPREME COURT

Electronically Filed
Mar 31 2022 11:19 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

Jermiah Dewight Thornburg,

Appellant,

v.

State of Nevada,

Respondent.

Direct Appeal from a Judgment of Conviction
Eighth Judicial District Court
Honorable Jerry Weise, District Court Judge
District Court Case No. C-20-348507-1

Motion to Transmit Presentence Investigation Report

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Appellant Jermiah Dewight Thornburg, by and through his attorneys JoNell Thomas, Special Public Defender and Julian R. Gregory, Deputy Special Public Defender, submits this Motion to Transmit the Presentence Investigation Report. Mr. Thornburg seeks an order from this Court directing the Clerk of the District Court to transmit to this Court, under seal, Appellant's Presentence Investigation Report ("PSI"), filed on September 22, 2021, under District Court Case No. C-20-248507-1.

This motion is based on the following memorandum, NRAP 30, and all papers and pleadings on file herein.

MEMORANDUM OF POINTS AND AUTHORITIES

Appellant Jermiah Thornburg will utilize the PSI in his Opening Brief for the purpose of challenging the District Court's imposition of extradition costs to the Appellant. The PSI includes calculations of Mr. Thornburg's outstanding debts as well as the costs relating to his extradition to Nevada. As the issues on appeal relate to the information before the District Court at the time of sentencing and the Court's reliance upon impalpable or highly suspect evidence, the PSI is relevant

to the issues raised in the appeal. Accordingly, Mr. Thornburg requests that this Court direct the District Court Clerk to transmit the PSI to this Court, in a sealed envelope, so that this Court may refer to it in deciding this appeal. NRAP 30(b)(6) states in relevant portion:

(6) If a copy of appellant's presentence investigation report is necessary for the Supreme Court's or Court of Appeals' review in a criminal case...appellant shall file a motion with the clerk of the Supreme Court within the time period for filing an opening brief or fast track statement that the court direct the district court clerk to transmit the report to the clerk of the Supreme Court in a sealed envelope. The motion must demonstrate that the report is necessary for the appeal.

DATED: March 31, 2022.

RESPECTFULLY SUBMITTED:

/s/ Julian Gregory

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Attorney for Thornburg

CERTIFICATE OF SERVICE

The undersigned does hereby certify that on the 31st day of March, 2022, a copy of the foregoing Motion was served as follows:

BY ELECTRONIC FILING TO

District Attorney's Office
200 Lewis Ave., 3rd Floor
Las Vegas, NV 89155

Nevada Attorney General
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Carson City NV 89701

/s/ Kathleen Fitzgerald

Kathleen Fitzgerald
An employee of the Special Public
Defender's Office