

1 CODE NO. 2515  
2 WASHOE COUNTY PUBLIC DEFENDER  
3 JOHN REESE PETTY, State Bar Number 10  
350 South Center Street, 5th Floor  
4 Reno, Nevada 89501  
5 (775) 337-4827  
jpetty@washoecounty.us  
Attorney for Defendant

Electronically Filed  
Jun 10 2021 04:15 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

6  
7 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
8 IN AND FOR THE COUNTY OF WASHOE

9  
10 THE STATE OF NEVADA,

11 Plaintiff,

12 vs.

Case No. CR20-2853

13 SALVATORE WILLIAM MIELE,

Dept. No. 15

14 Defendant.  
15 \_\_\_\_\_/

16 **NOTICE OF APPEAL**

17 Defendant, Salvatore William Miele, hereby appeals to the Supreme Court of  
18 Nevada from the judgment of conviction in this action on May 10, 2021.

19 The undersigned hereby affirms, pursuant to NRS 239B.030, that this  
20 document does not contain the social security number of any person.

21 DATED this 8th day of June 2021.

22 JOHN L. ARRASCADA  
23 WASHOE COUNTY PUBLIC DEFENDER

24 By: /s/ John Reese Petty  
25 JOHN REESE PETTY, Chief Deputy  
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CERTIFICATE OF SERVICE

I hereby certify that I am an employee of the Washoe County Public  
Defender's Office, Reno, Washoe County, Nevada, and that on this date I forwarded  
a true copy of the foregoing document addressed to:

SALVATORE WILLIAM MIELE (#1245041)  
Northern Nevada Correctional Center  
P.O. Box 7000  
Carson City, Nevada 89702

JENNIFER P. NOBLE  
Chief Appellate Deputy  
Washoe County District Attorney's Office  
(E-mail)

AARON D. FORD  
Attorney General State of Nevada  
100 N. Carson Street  
Carson City, Nevada 89701

DATED this 8th day of June 2021.

/s/ *John Reese Petty*  
JOHN REESE PETTY

1 CODE NO. 1310  
2 WASHOE COUNTY PUBLIC DEFENDER  
3 JOHN REESE PETTY, State Bar Number 10  
4 350 South Center Street, 5th Floor  
5 Reno, Nevada 89501  
6 (775) 337-4827  
7 jpetty@washoecounty.us  
8 Attorney for Defendant  
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IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR THE COUNTY OF WASHOE

THE STATE OF NEVADA,

Plaintiff,

vs.

Case No. CR20-2853

SALVATORE WILLIAM MIELE,

Dept. No. 15

Defendant.

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**CASE APPEAL STATEMENT**

1. Appellant, Salvatore William Miele.

2. This appeal is from a judgment of conviction entered on May 10, 2021, by  
the Honorable David A. Hardy, district judge.

3. The parties below were The State of Nevada, Plaintiff and Salvatore  
William Miele, Defendant.

4. The parties herein are Salvatore William Miele, Appellant and The State  
of Nevada, Respondent.

1           5. Counsel on appeal: For the Appellant, the Washoe County Public  
2 Defender's Office and John Reese Petty, Chief Appellate Deputy, 350 South Center  
3 Street, 5th Floor, Reno, Nevada 89520-0027, (775) 337-4827; and for the  
4 Respondent, the Washoe County District Attorney's Office, One South Sierra  
5 Street, Reno, Nevada 89501, (775) 337-5751.  
6

7           6. Appointed counsel represented Appellant in the district court.

8           7. Appointed counsel represents Appellant on appeal.

9           8. The Washoe County Public Defender was court-appointed.

10          9. The charging document (Information) was filed on December 24, 2020.

11          10. Mr. Miele pleaded guilty to one count of coercion with physical force or  
12 immediate threat of physical force, a violation of NRS 207.190, a category B felony  
13 and was sentenced to a term of 28 to 72 months in the Nevada Department of  
14 Corrections with credit for 13 days in predisposition custody.  
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16          11. This case has not previously been the subject of an appeal or writ  
17 proceeding.  
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19          12. This appeal does not involve child custody or visitation.

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13. This is not a civil case.

The undersigned hereby affirms, pursuant to NRS 239B.030, that this document does not contain the social security number of any person.

DATED: June 8, 2021.

JOHN L. ARRASCADA  
WASHOE COUNTY PUBLIC DEFENDER

By: /s/ John Reese Petty  
JOHN REESE PETTY, Chief Deputy

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SALVATORE WILLIAM MIELE (#1245041)  
Northern Nevada Correctional Center  
P.O. Box 7000  
Carson City, Nevada 89702

AARON D. FORD  
Attorney General State of Nevada  
100 N. Carson Street  
Carson City, Nevada 89701

DATED this 8th day of June 2021.

1

1 CODE NO. 3868  
2 WASHOE COUNTY PUBLIC DEFENDER  
3 JOHN REESE PETTY, State Bar Number 10  
4 350 South Center Street, 5th Floor  
5 Reno, Nevada 89501  
6 (775) 337-4827  
7 jpetty@washoecounty.us  
8 Attorney for Defendant

9  
10 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
11  
12 IN AND FOR THE COUNTY OF WASHOE

13 THE STATE OF NEVADA,

14 Plaintiff,

15 vs.

Case No. CR20-2853

16 SALVATORE WILLIAM MIELE,

Dept. No. 15

17 Defendant.  
18 \_\_\_\_\_/

19 REQUEST FOR TRANSCRIPT(S)

20 TO: Sunshine Litigation Services:

21 Defendant, Salvatore William Miele, requests preparation of a transcript of  
22 certain portions of the proceedings before the district court in this matter as follows:

23 May 10, 2021: Transcript of Proceedings: Entry of Judgment and Imposition of  
24 Sentence.

25 This notice requests a transcript of only those portions of the district court  
26 proceedings which counsel reasonably and in good faith believes are necessary to  
determine whether appellate issues are present.

1 I recognize that I must personally serve a copy of this form on the above-named  
2 reporter and opposing counsel, and that the above-named court reporter shall have  
3 thirty (30) days from the receipt of this notice to prepare and submit to the Supreme  
4 Court a certificate of compliance.  
5

6 The undersigned hereby affirms, pursuant to NRS 239B.030, that this  
7 document does not contain the social security number of any person.

8 DATED: June 8, 2021.

9 JOHN L. ARRASCADA  
10 WASHOE COUNTY PUBLIC DEFENDER

11 By: /s/ John Reese Petty  
12 JOHN REESE PETTY, Chief Deputy  
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SALVATORE WILLIAM MIELE (#1245041)  
Northern Nevada Correctional Center  
P.O. Box 7000  
Carson City, Nevada 89702

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DATED this 8th day of June 2021.

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**SECOND JUDICIAL DISTRICT COURT  
COUNTY OF WASHOE**

**Case History - CR20-2853**

**DEPT. D15**

**HON. DAVID A. HARDY**

Report Date & Time

6/9/2021

10:37:41AM

<b>Case Description: STATE VS. SALVATORE WILLIAM MIELE (TN) (D15)</b>			
<b>Case ID:</b>	<b>CR20-2853</b>	<b>Case Type:</b>	<b>CRIMINAL</b>
		<b>Initial Filing Date:</b>	<b>9/9/2020</b>

**Parties**

PLTF	STATE OF NEVADA - STATE
DA	Darcy Cameron, Esq. - 12100
DA	Jennifer P. Noble, Esq. - 9446
DEFT	SALVATORE WILLIAM MIELE - @84306
PD	John Reese Petty, Esq. - 10
PD	Jennifer Arias Mayhew, Esq. - 11349
PNP	Div. of Parole & Probation - DPNP

**Charges**

<i>Charge No.</i>	<i>Charge Code</i>	<i>Charge Date</i>	<i>Charge Description</i>
1	53159	12/24/2020	INF COERCION WITH PHYSICAL FORCE OR IMMEDIATE THREAT OF PHYSICAL FORCE

**Plea Information**

<i>Charge No.</i>	<i>Plea Code</i>	<i>Plea Date</i>	<i>Plea Description</i>
1	53159	1/11/2021	PLED GUILTY

**Sentences**

<i>Date</i>	<i>Charge No.</i>	<i>Charge Desc</i>	<i>Time Served</i>	<i>Sentence Text</i>
5/10/2021	1	Nevada State Prison		NDOC 28-72 MOS; DNA ANALYSIS; + FEES WHICH SHALL BE SUBJECT TO REMOVAL FROM DEFT'S BOOKS AT WCJ AND/OR NDOC.

**Release Information**

*Custody Status*

**Hearings**

<i>Department</i>	<i>Event Description</i>	<i>Sched. Date &amp; Time</i>		<i>Disposed Date</i>
1	D15 ARRAIGNMENT	1/11/2021	15:00:00	1/11/2021
Event Extra Text:		<b>Disposition:</b> D655 1/11/2021 TO THE INFORMATION. COURT GRANTED DEFENSE COUNSEL'S REQUEST TO SET SENTENCING OUT APPROXIMATELY 120 DAYS. SENTENCING WAS SET FOR 5/10/2021 @9AM. COURT ORDERED: DEFT SHALL BE IN-CUSTODY FOR SENTENCING, AND HE SHALL TURN HIMSELF INTO THE WASHOE COUNTY JAIL ON 5/8/2021.		
<i>Department</i>	<i>Event Description</i>	<i>Sched. Date &amp; Time</i>		<i>Disposed Date</i>
2	D15 SENTENCING	5/10/2021	09:00:00	5/10/2021
Event Extra Text: (DEFT SHALL APPEAR IN-CUSTODY FOR SENTENCING - HE WAS ORDERED TO TURN HIMSELF INTO THE WCJ NO LATER THAN 5/8/2021.)		<b>Disposition:</b> D765 5/10/2021		

**Case Description: STATE VS. SALVATORE WILLIAM MIELE (TN) (D15)**

**Case ID:** CR20-2853 **Case Type:** CRIMINAL **Initial Filing Date:** 9/9/2020

**Agency Cross Reference**

<i>Code</i>	<i>Agency Description</i>	<i>Case Reference I.D.</i>
DA	District Attorney's Office	DA2010354
PC	PCN number	PCNRPD0071065C
RJ	Reno Justice's Court	RCR2020109089
RJ	Reno Justice's Court	RC2020109089
RP	Reno Police Department	RPDRP20015848

**Actions**

<i>Action Entry Date</i>	<i>Code</i>	<i>Code Description</i>	<i>Text</i>
9/9/2020	3843	Request for Early Case Assignm	CASE RANDOMLY ASSIGNED TO D15 - Transaction 8058824 - Approved By: BBLOUGH : 09-09-2020:13:20:1
12/22/2020	NEF	Proof of Electronic Service	Transaction 8216726 - Approved By: NOREVIEW : 12-22-2020:16:40:40
12/22/2020	2587	Notice of Setting	01-11-2021 @ 15:00 - OUT OF CUSTODY ARRAIGNMENT - Transaction 8216722 - Approved By: NOREVIEW
12/22/2020	NEF	Proof of Electronic Service	Transaction 8216696 - Approved By: NOREVIEW : 12-22-2020:16:33:51
12/22/2020	3700	Proceedings	DFX: SECURITY LEVEL INCREASED D/L # ON DOCUMENT - Transaction 8216681 - Approved By: BBLOUGH
12/22/2020	CBOND	Bindover Bond - Copy	DFX: SECURITY LEVEL INCREASED D/L # ON DOCUMENT - Transaction 8216681 - Approved By: BBLOUGH
12/22/2020	2522	Notice of Bindover	Transaction 8216681 - Approved By: BBLOUGH : 12-22-2020:16:32:31
12/24/2020	4265	Waiver of Preliminary Exam	Transaction 8219103 - Approved By: BBLOUGH : 12-24-2020:13:44:36
12/24/2020	3870	Request	REQUEST FOR DISCOVERY PURSUANT TO NRS 174.245 - Transaction 8219103 - Approved By: BBLOUGH
12/24/2020	1491	Pretrl Srves Assessment Report	Transaction 8219213 - Approved By: NOREVIEW : 12-24-2020:14:47:55
12/24/2020	NEF	Proof of Electronic Service	Transaction 8219216 - Approved By: NOREVIEW : 12-24-2020:14:48:47
12/24/2020	NEF	Proof of Electronic Service	Transaction 8219119 - Approved By: NOREVIEW : 12-24-2020:13:47:09
12/24/2020	1800	Information	Transaction 8219103 - Approved By: BBLOUGH : 12-24-2020:13:44:36
1/6/2021	1476	Current Supervision for this C	Transaction 8232241 - Approved By: NOREVIEW : 01-06-2021:08:19:29
1/6/2021	NEF	Proof of Electronic Service	Transaction 8232243 - Approved By: NOREVIEW : 01-06-2021:08:20:29
1/7/2021	CASH	Cash Bail Posted/Receipt	Bond ID: CASH-21-00003; Total Bond Amount: \$750.00.
1/13/2021	1785	Guilty Plea Memo/Agreement	Transaction 8244607 - Approved By: NOREVIEW : 01-13-2021:11:56:05
1/13/2021	NEF	Proof of Electronic Service	Transaction 8244612 - Approved By: NOREVIEW : 01-13-2021:11:56:48
3/1/2021	NEF	Proof of Electronic Service	Transaction 8317523 - Approved By: NOREVIEW : 03-01-2021:08:13:57
3/1/2021	4185	Transcript	Arraignment 1-11-21 - Transaction 8317521 - Approved By: NOREVIEW : 03-01-2021:08:12:57
4/26/2021	4500	PSI - Confidential	Transaction 8412578 - Approved By: NOREVIEW : 04-26-2021:13:52:21
4/26/2021	NEF	Proof of Electronic Service	Transaction 8412583 - Approved By: NOREVIEW : 04-26-2021:13:54:53
5/3/2021	NEF	Proof of Electronic Service	Transaction 8424672 - Approved By: NOREVIEW : 05-03-2021:14:45:28
5/3/2021	1476	Current Supervision for this C	Transaction 8424664 - Approved By: NOREVIEW : 05-03-2021:14:44:34
5/4/2021	1930	Letters ...	LETTERS SUBMITTED BY DEFENSE TO BE CONSIDERED AT SENTENCING - Transaction 8427480 - Appro
5/4/2021	NEF	Proof of Electronic Service	Transaction 8427484 - Approved By: NOREVIEW : 05-04-2021:16:04:19
5/6/2021	MIN	***Minutes	1/11/2021 - ARRAIGNMENT - Transaction 8430998 - Approved By: NOREVIEW : 05-06-2021:10:44:29
5/6/2021	NEF	Proof of Electronic Service	Transaction 8431002 - Approved By: NOREVIEW : 05-06-2021:10:45:30
5/7/2021	1930	Letters ...	Transaction 8434010 - Approved By: NOREVIEW : 05-07-2021:13:38:56
5/7/2021	NEF	Proof of Electronic Service	Transaction 8434018 - Approved By: NOREVIEW : 05-07-2021:13:39:56
5/10/2021	EXON	**Cash Bail/Bond Exonerated	Cash Bail processed on 5/13/2021. Disbursement of excess funds to be mailed on 5/21/2021 a young

Case Description: STATE VS. SALVATORE WILLIAM MIELE (TN) (D15)				
Case ID:	CR20-2853	Case Type:	CRIMINAL	Initial Filing Date: 9/9/2020
5/10/2021	COLL	Sent to Collections	10-MAY-2021	
5/10/2021	1850	Judgment of Conviction	Transaction 8436777 - Approved By: NOREVIEW : 05-10-2021:15:04:20	
5/10/2021	NEF	Proof of Electronic Service	Transaction 8436785 - Approved By: NOREVIEW : 05-10-2021:15:05:21	
5/19/2021	CHECK	**Trust Disbursement	A Disbursement of \$72.00 on Check Number 12484	
5/27/2021	PEND	**Pending Court Deposit	Bond ID: PEND-21-00050; Total Bond Amount: \$3.00.	
6/2/2021	CHECK	**Trust Disbursement	A Disbursement of \$3.00 on Check Number 12573	
6/8/2021	NEF	Proof of Electronic Service	Transaction 8484587 - Approved By: NOREVIEW : 06-08-2021:12:11:00	
6/8/2021	NEF	Proof of Electronic Service	Transaction 8484590 - Approved By: NOREVIEW : 06-08-2021:12:11:38	
6/8/2021	NEF	Proof of Electronic Service	Transaction 8484770 - Approved By: NOREVIEW : 06-08-2021:13:06:50	
6/8/2021	NEF	Proof of Electronic Service	Transaction 8484831 - Approved By: NOREVIEW : 06-08-2021:13:16:21	
6/8/2021	NEF	Proof of Electronic Service	Transaction 8485147 - Approved By: NOREVIEW : 06-08-2021:14:36:46	
6/8/2021	3868	Req to Crt Rptr - Rough Draft	Transaction 8484580 - Approved By: NOREVIEW : 06-08-2021:12:09:59	
6/8/2021	2515	Notice of Appeal Supreme Court	Transaction 8484578 - Approved By: YVILORIA : 06-08-2021:13:15:23	
6/8/2021	NEF	Proof of Electronic Service	Transaction 8484582 - Approved By: NOREVIEW : 06-08-2021:12:10:29	
6/8/2021	2230	Mtn Trial Trans. Public Exp	Transaction 8484583 - Approved By: NOREVIEW : 06-08-2021:12:10:39	
6/8/2021	1310	Case Appeal Statement	Transaction 8484579 - Approved By: NOREVIEW : 06-08-2021:12:09:28	
6/8/2021	3000	Ord Trial Transcript/Public\$	ORDER FOR TRANSCRIPTS AT COUNTY EXPENSE - Transaction 8485140 - Approved By: NOREVIEW : 06-	
6/8/2021	2520	Notice of Appearance	JOHN R PETTY PD - Transaction 8484577 - Approved By: YVILORIA : 06-08-2021:13:05:40	
6/9/2021	1350	Certificate of Clerk	CERTIFICATE OF CLERK AND TRANSMITTAL - NOTICE OF APPEAL - Transaction 8486666 - Approved By: N	
6/9/2021	NEF	Proof of Electronic Service	Transaction 8486674 - Approved By: NOREVIEW : 06-09-2021:10:37:22	

1 **CODE 1850**

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6 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**  
7 **IN AND FOR THE COUNTY OF WASHOE**  
8

9 **STATE OF NEVADA,**

10 **Plaintiff,**

**Case No. CR20-2853**

11 **vs.**

**Dept. No. 15**

12 **SALVATORE WILLIAM MIELE,**

13 **Defendant.**  
14 \_\_\_\_\_/

15 **JUDGMENT**

16 The Defendant, having entered a plea of Guilty, and no sufficient cause being shown  
17 as to why judgment should not be pronounced against him, the Court rendered judgment as follows:

18 That Salvatore William Miele is guilty of the crime of Coercion With Physical Force  
19 or Immediate Threat of Physical Force, a violation of NRS 207.190, a category B felony, as charged  
20 in the Information, and that he be punished by imprisonment in the Nevada Department of  
21 Corrections for the maximum term of seventy-two (72) months with the minimum parole eligibility  
22 of twenty-eight (28) months, with credit for thirteen (13) days time served.

23 It is further ordered that the Defendant shall pay the statutory Twenty-Five Dollar  
24 (\$25.00) administrative assessment fee; that he shall submit to a DNA analysis test for the purpose  
25 of determining genetic markers and pay a testing fee in the amount of One Hundred Fifty Dollars  
26 (\$150.00); that he shall pay the Three Dollar (\$3.00) administrative assessment fee for obtaining a  
27 biological specimen and conducting a genetic marker analysis; and that he shall pay that he shall  
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1 reimburse Washoe County in the amount of Five Hundred Dollars (\$500.00) for legal services  
2 rendered.

3           It is further ordered that the fees shall be subject to removal from the Defendant's  
4 books at the Washoe County Jail and/or the Nevada Department of Corrections. Any fine, fee,  
5 administrative assessment, or restitution ordered today (as reflected in this Judgment) constitutes a  
6 lien, as defined in NRS 176.275. Should the Defendant not pay these fines, fees, assessments, or  
7 restitution, collection efforts may be undertaken against him.

8           Dated this 10<sup>th</sup> day of May, 2021.

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12 DISTRICT JUDGE  
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CASE NO. CR20-2853

**STATE OF NEVADA VS. SALVATORE MIELE**

DATE, JUDGE  
OFFICERS OF

Pg. 1

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

1/11/2021

**ARRAIGNMENT**

HONORABLE

Deputy District Attorney Darcy Cameron was present on behalf of the State.

5/10/2021

DAVID A.

Defendant was present with counsel, Deputy Public Defender Jennifer

9:00 a.m.

HARDY

Mayhew. Erin Lukl was present on behalf of the Division of Parole and

**Sentencing**

DEPT. NO. 15

Probation. Pretrial Services Officer Lori Pitt was also present.

M. Merkouris

(Clerk)

*Pursuant to the national and local COVID-19 emergency response that caused temporary closure of the courthouse located at 75 Court Street in Reno, Washoe County, Nevada, this hearing was conducted remotely. This Court and all participants appeared electronically via Zoom Webinar. This Court was physically located in Washoe County, Nevada.*

C. Wolden

(Reporter)

Zoom

Webinar

**TRUE NAME: SALVATORE MIELE.**

Defendant acknowledged receipt of the Information; waived reading.

Defense counsel stated the plea negotiations; State's counsel concurred with the recited negotiations.

Defendant sworn and fully canvassed by the Court as to his rights.

**COURT** read aloud the charge contained in the Information. Possible penalty for offense charged related by Defendant.

Defendant entered plea of guilty to Coercion With Physical Force or Immediate Threat of Physical Force as contained in the Information. Court accepted plea after finding that the Defendant was freely, voluntarily, and competently entering such plea and had been fully advised by counsel.

**COURT ORDERED:** Defendant shall cooperate with the Division of Parole and Probation in the preparation of a PSI.

**COURT FURTHER ORDERED:** Matter referred to the Division of Parole and Probation for PSI and continued for entry of judgment, consideration of probation report and imposition of sentence.

Defense counsel requested that sentencing be set out approximately 120 days; no objection.

**COURT** noted that the Defendant is facing a mandatory prison sentence, and he advised respective counsel that there has been a tremendous issue over the past year with non-compliance and defendants failing to self-surrender.

Defense counsel advised the Court that the Defendant has been compliant with Pretrial Services and he is employed.

DATE, JUDGE

Pg. 2

OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

1/11/2021

ARRAIGNMENT

HONORABLE

DAVID A.

HARDY

DEPT. NO. 15

M. Merkouris

(Clerk)

C. Wolden

(Reporter)

**Zoom****Webinar**

State's counsel indicated that the Defendant has been extremely cooperative and in constant contact with Defense counsel, and the reason for the request to set sentencing out so far is because the Defendant needs to get his medications squared away prior to going to prison, and she has no concerns that he will fail to appear.

**COURT ORDERED:** Sentencing shall be set for May 10, 2021 at 9:00 a.m.

**COURT FURTHER ORDERED:** Defendant shall self-surrender to the Washoe County Jail no later than May 8, 2021 (the time can be at his convenience).

Defendant remained out of custody on supervised bail.

**5/10/2021****9:00 a.m.****Sentencing**

Code 1350

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR THE COUNTY OF WASHOE

STATE OF NEVADA,

Case No. CR20-2853

Plaintiff,

Dept. No. 15

vs.

SALVATORE WILLIAM MIELE,

Defendant.

**CERTIFICATE OF CLERK AND TRANSMITTAL – NOTICE OF APPEAL**

I certify that I am an employee of the Second Judicial District Court of the State of Nevada, County of Washoe; that on the 9th day of June, 2021, I electronically filed the Notice of Appeal in the above entitled matter to the Nevada Supreme Court.

I further certify that the transmitted record is a true and correct copy of the original pleadings on file with the Second Judicial District Court.

Dated this 9th day of June, 2021.

Alicia Lerud, Interim

Clerk of the Court

By /s/YViloria

YViloria

Deputy Clerk