

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVIN MARVELL TONEY,

Appellant,

v.

THE STATE OF NEVADA,

Respondent.

Electronically Filed
Jan 07 2022 01:31 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

CASE NO: 83246

MOTION TO TRANSMIT PRESENTENCE INVESTIGATION REPORT

COMES NOW the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through his Chief Deputy, TALEEN PANDUKHT, and submits this Motion to Transmit Presentence Investigation Report.

This motion is based on the following memorandum, declaration of counsel and all papers and pleadings on file herein.

Dated this 7th day of January, 2022.

Respectfully submitted,

STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565

BY /s/ Taleen Pandukht
TALEEN PANDUKHT
Chief Deputy District Attorney
Nevada Bar #005734
Office of the Clark County District Attorney

MEMORANDUM OF POINTS AND AUTHORITIES

The State 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 September 27, 2017, under District Court Case No. C-17-323151-1.

The State has utilized the PSI in its Respondent’s Answering Brief for the purpose of addressing the facts of Appellant’s case because Appellant entered a guilty plea. Therefore, the State requests this Court direct the district court clerk to transmit the PSI to this Court, in a sealed envelope, so that this Court may confirm that the references in the Answering Brief are accurate.

Dated this 7th day of January, 2022.

Respectfully submitted,

STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565

BY */s/ Taleen Pandukht*

TALEEN PANDUKHT
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CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on January 7, 2022. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

AARON D. FORD
Nevada Attorney General

TERRENCE M. JACKSON, ESQ.
Counsel for Appellant

TALEEN PANDUKHT
Chief Deputy District Attorney

BY *E. Davis*

Employee,
Clark County District Attorney's Office