

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL ALAN LEE,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA, IN
AND FOR THE COUNTY OF CLARK, AND
THE HONORABLE DAVID BARKER
SENIOR JUDGE,

Respondents,

STATE OF NEVADA,

Real Party in Interest.

Electronically Filed
Mar 10 2022 02:43 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

CASE NO: 84328

RESPONDENT'S APPENDIX

KELSEY BERNSTEIN, ESQ.
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Counsel for Respondent

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CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on March 10, 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

KELSEY BERNSTEIN, ESQ.
Counsel for Petitioner

KAREN MISHLER
Chief Deputy District Attorney

I, further certify that on March 10, 2022, a copy was sent via email to:

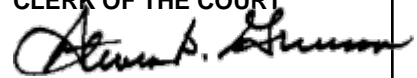
District Court, Department 9's for Judge Silva:

dept09lc@clarkcountycourts.us

District Court, Senior Judges JEA for Judge Barker:

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pflippin@ClarkCountyCourts.us

BY /s/ J. Hall
Employee, District Attorney's Office



NOTC
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
JOHN GIORDANI
Chief Deputy District Attorney
Nevada Bar #12381
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

MICHAEL ALAN LEE,
#1699107

Defendant.

CASE NO: C-11-277650-1

DEPT NO: VI

STATE'S NOTICE OF AFFIDAVIT

COMES NOW, the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through JOHN GIORDANI, Chief Deputy District Attorney, and files this Notice of Affidavit.

DATED this 10th day of March, 2022.

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

BY /s/ JOHN GIORDANI
JOHN GIORDANI
Chief Deputy District Attorney
Nevada Bar #12381

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A F F I D A V I T

STATE OF NEVADA }
COUNTY OF CLARK } ss:

JOHN GIORDANI, being first duly sworn, deposes and says:

1. That I am a Chief Deputy District Attorney with the Clark County District Attorney's ("CCDA") Office, Major Violators Unit, Homicide Team.
2. That I am the prosecutor assigned as trial counsel on the case of State of Nevada vs. Michael Lee, case C-11-277650-1.
3. That defense counsel's claims that the undersigned Deputy has any form of conflict of interest in this case are unfounded and unethical.
4. That I did not read or become aware of the defense's confidential trial strategy when the District Court inadvertently filed and served a sealed document which, according to defense counsel, contains said confidential trial strategy.
5. That, to my knowledge, no other Deputy within the CCDA's Office received or read any confidential trial strategy information associated with the said inadvertently filed document.
6. That I did not receive or accept any alleged benefit from any witness in this case.
7. That the child victim's aunt, Alayne Opie, has served as the point-person for the family of the child victim, in order to spare the child victim's mother and other family members from emotional pain.


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8. That I do not have a conflict of interest as it pertains to Michael Lee,
nor does any other Deputy within the CCDA's Office.
9. That Michael Lee is being prosecuted based upon his criminal history
and the evidence against him in the instant case.

I declare under penalty of perjury under the law of the State of Nevada that the
foregoing is true and correct.

Executed on March 10, 2022



JOHN GIORDANI
Chief Deputy District Attorney
Nevada Bar #012381