

1 CODE: 2515  
2 MARC PICKER, BAR #3566  
3 ALTERNATE PUBLIC DEFENDER'S OFFICE  
4 JENNA GARCIA, BAR #13227  
5 350 S. CENTER ST., 6<sup>TH</sup> FLOOR  
6 [mpicker@washoecounty.us](mailto:mpicker@washoecounty.us)  
7 [jgarcia@washoecounty.us](mailto:jgarcia@washoecounty.us)  
8 RENO, NV 89501-2103  
9 (775) 328-3955  
10 ATTORNEY FOR DEFENDANT

Electronically Filed  
Nov 03 2021 09:11 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

11  
12  
13 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

14 IN AND FOR THE COUNTY OF WASHOE

15 THE STATE OF NEVADA,

16 Plaintiff,

17 v.

18 vi.

Case No. CR21-1433  
CR21-2210

19 JOSHUA ALEXANDER DURAN,

Dept. No. 6

20 Defendant.  
21 \_\_\_\_\_/

22 **NOTICE OF APPEAL**

23 NOTICE IS HEREBY GIVEN that Defendant, JOSHUA ALEXANDER DURAN,  
24 hereby appeals to the Supreme Court of Nevada from the Judgment entered in this case on  
25 October 8, 2021.

26 **AFFIRMATION PURSUANT TO NRS 239B.030**

The undersigned hereby affirms that the preceding document does not contain the social  
security number of any person.

DATED this October 27, 2021.

MARC PICKER  
Washoe County Alternate Public Defender

By: /s/ Jenna Garcia  
Jenna Garcia  
Chief Deputy Alternate Public Defender

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/s/ *Randi Jensen*  
RANDI JENSEN

1 CODE: 1310  
2 MARC PICKER, BAR #3566  
3 ALTERNATE PUBLIC DEFENDER'S OFFICE  
4 JENNA GARCIA, BAR #13227  
5 350 S. CENTER ST., 6<sup>TH</sup> FLOOR  
6 [mpicker@washoecounty.gov](mailto:mpicker@washoecounty.gov)  
7 [jgarcia@washoecounty.gov](mailto:jgarcia@washoecounty.gov)  
8 RENO, NV 89501-2013  
9 (775) 328-3955  
10 ATTORNEY FOR DEFENDANT

11  
12 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
13  
14 IN AND FOR THE COUNTY OF WASHOE  
15

16 THE STATE OF NEVADA,

17 Plaintiff,

18 v.

CASE NO. CR21-1433  
CR21-2210

19 JOSHUA ALEXANDER DURAN,  
20 Defendant.

DEPT NO. 6

21  
22 **CASE APPEAL STATEMENT**  
23

24 1. Appellant, JOSHUA ALEXANDER DURAN, hereby files this Case Appeal  
25 Statement;

26 2. This appeal is from the Judgment entered on October 8, 2021, by the Honorable,  
Lynne K. Simons, District Court Judge;

3. The parties below were: (a) JOSHUA ALEXANDER DURAN, Defendant; and  
(b) THE STATE OF NEVADA, Plaintiff;

4. The parties herein are: (a) JOSHUA ALEXANDER DURAN, Appellant; and  
(b) THE STATE OF NEVADA, Respondent;

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1           5.       Counsel on appeal are:

2                   MARC PICKER  
3                   Washoe County Alternate  
                  Public Defender

                  CHRISTOPHER HICKS  
                  Washoe County District Attorney

4                   JENNA GARCIA  
5                   Deputy Alternate Public Defender  
6                   350 S. Center St., 6<sup>th</sup> Flr  
                  Reno, Nevada 89501

                  CARRIE MORTON  
                  Deputy District Attorney  
                  1 S. Sierra St.  
                  Reno, Nevada 89501

7           6.       Appellant, JOSHUA ALEXANDER DURAN, was represented by appointed  
8 counsel in District Court;

9           7.       Appellant, JOSHUA ALEXANDER DURAN, is represented by appointed  
10 counsel in this appeal;

11          8.       Not applicable;

12          9.       An Information was filed in District Court on August 12, 2021;

13          10.       On October 7, 2021, JOSHUA ALEXANDER DURAN, was sentenced by the  
14 District Court. He was convicted in CR21-2210 of Burglary of a Business, a violation of NRS  
15 205.060, a category C felony, and in CR21-1433 he was convicted of Battery Resulting in  
16 Substantial Bodily Harm, a violation of NRS 200.481, a category C felony;

17          11.       This case has not previously been the subject of an appeal;

18          12.       Not applicable;

19          13.       Not applicable.

20                   **AFFIRMATION PURSUANT TO NRS 239B.030**

21           The undersigned hereby affirms that the preceding document does not contain the social  
22 security number of any person.

23           DATED this 28<sup>th</sup> day of October, 2021.

24                   MARC PICKER  
25                   Washoe County Alternate Public Defender

26                   By: /s/ Jenna Garcia  
                  JENNA GARCIA  
                  Deputy Alternate Public Defender

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that I am an employee of the Washoe County Alternate Public  
3 Defender's Office and that on this date I served a copy of the **CASE APPEAL STATEMENT**  
4 to the following:

5 JOSHUA ALEXANDER DURAN #1105992  
6 c/o NNCC  
7 PO Box 7000  
8 Carson City, NV 89702  
Via U.S. Mail

9 CHRISTOPHER HICKS  
10 WASHOE COUNTY DISTRICT ATTORNEY  
11 Attn: Appellate Department  
Via Electronic Filing

12 DATED this 28<sup>th</sup> day of October, 2021.

13 /s/ *Randi Jensen*  
14 RANDI JENSEN  
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1 CODE: 2183  
2 MARC PICKER, ESQ., BAR #3566  
3 ALTERNATE PUBLIC DEFENDER'S OFFICE  
4 JENNA GARCIA, BAR #13227  
5 350 S. CENTER ST., 6<sup>TH</sup> FLR  
6 [mpicker@washoecounty.gov](mailto:mpicker@washoecounty.gov)  
7 [jgarcia@washoecounty.gov](mailto:jgarcia@washoecounty.gov)  
8 RENO, NV 89501-2103  
9 (775) 328-3955  
10 Attorney for Defendant

11  
12 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
13  
14 IN AND FOR THE COUNTY OF WASHOE  
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16 THE STATE OF NEVADA,

17 Plaintiff,

18 v.

Case No. CR21-1433  
CR21-2210

19 JOSHUA ALEXANDER DURAN,

Dept. No. 6

20 Defendant.  
21 \_\_\_\_\_/

22 **REQUEST FOR TRANSCRIPTS AT PUBLIC EXPENSE**

23 TO: SUNSHINE LITIGATION SERVICES:

24 JOSHUA ALEXANDER DURAN, the Defendant above, requests the following  
25 Transcripts at Public Expense be prepared in accordance with NRAP 9(a)(3).

26 Honorable Lynne K. Simons, Department 6:

**August 19, 2021: Transcript of Proceedings, Arraignment Hearing**

**September 16, 2021: Transcript of Proceedings, Motion for OR Release Hearing**

**October 7, 2021: Transcript of Proceedings, Sentencing Hearing**

This Notice requests a transcript of only those portions of the District Court proceedings that counsel reasonably, and in good faith, believes are necessary to determine whether appellate issues are present.

1 Counsel recognizes that counsel must serve a copy of this Notice on both the above-  
2 named reporter(s) and opposing counsel, and counsel further recognizes that the above-named  
3 court reporter(s) has twenty (20) days from receipt of this Notice to both prepare and submit the  
4 transcripts requested to counsel and the District Court.

5 **AFFIRMATION PURSUANT TO NRS 239B.030**

6 The undersigned hereby affirms that the preceding document does not contain the  
7 social security number of any person.

8 DATED this 28<sup>th</sup> day of October, 2021.

9 MARC PICKER  
10 Washoe County Alternate Public Defender

11 By: /s/ Jenna García  
12 JENNA GARCIA  
13 Deputy Alternate Public Defender  
14 Nevada Bar No. 13227  
15 Washoe County Alternate Public Defender  
16 350 S. Center St., 6<sup>th</sup> Flr  
17 Reno, Nevada 89501-2103  
18 (775) 328-3955  
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**SECOND JUDICIAL DISTRICT COURT  
COUNTY OF WASHOE**

**Case History - CR21-1433**

**DEPT. D6**

**HON. LYNNE K. SIMONS**

Report Date & Time

10/27/2021

11:06:43AM

<b>Case Description: STATE VS. JOSHUA ALEXANDER DURAN (TN) (D6)</b>			
<b>Case ID:</b>	<b>CR21-1433</b>	<b>Case Type:</b>	<b>CRIMINAL</b>
		<b>Initial Filing Date:</b>	<b>5/3/2021</b>

**Parties**

PNP	Div. of Parole & Probation - DPNP
APD	Jenna L. Garcia, Esq. - 13227
PLTF	STATE OF NEVADA - STATE
DA	Jennifer P. Noble, Esq. - 9446
DA	Carrie Morton, Esq. - 10160
DEFT	JOSHUA ALEXANDER DURAN - @87678

**Charges**

<i>Charge No.</i>	<i>Charge Code</i>	<i>Charge Date</i>	<i>Charge Description</i>
1	50214	7/1/2021	INF BATTERY RESULTING IN SUBSTANTIAL BODILY HARM

**Plea Information**

<i>Charge No.</i>	<i>Plea Code</i>	<i>Plea Date</i>	<i>Plea Description</i>
1	50214	8/19/2021	PLED GUILTY

**Sentences**

<i>Date</i>	<i>Charge No.</i>	<i>Charge Desc</i>	<i>Time Served</i>	<i>Sentence Text</i>
10/7/2021	1	Nevada Dept. of Corrections	NDOC 18-60 MONTHS, FEES	

**Release Information**

<i>Custody Status</i>			
9/16/2021		CUSTODY - WCJ	9/16/21 DEF GRANTED O/R RELEASE WITH DIRECT TRANSPORT BY IAP TO NEW FRONTIER
9/16/2021		CUSTODY - WCJ	AND/OR FUNCTIONALLY EQUIVALENT IN-PATIENT TREATMENT PROGRAM WITH PRETRIAL SUPERVISION
9/16/2021		CUSTODY - WCJ	

**Hearings**

<i>Department</i>	<i>Event Description</i>	<i>Sched. Date &amp; Time</i>		<i>Disposed Date</i>
1	D6 ARRAIGNMENT	7/8/2021	09:00:00	7/1/2021
Event Extra Text:		<b>Disposition:</b> D870 7/1/2021 7/1/2021 Arraignment set July 8, 2021 VACATED/RESET for July 22, 2021 at 9:00 a.m. - Stipulation and Order to follow (mdc).		
<i>Department</i>	<i>Event Description</i>	<i>Sched. Date &amp; Time</i>		<i>Disposed Date</i>
2	D6 ARRAIGNMENT	7/22/2021	13:30:00	7/15/2021
Event Extra Text:		<b>Disposition:</b> D844 7/15/2021 7/15/2021 VACATED/RESET PURSUANT TO AMENDED ADMINISTRATIVE ORDER 2021-11 MATTERS VACATED FROM THE JULY 22, 2021 1:30 P.M. DOCKET AND RESET ON THE JULY 22, 2021 9:00 A.M. DOCKET - COUNSEL NOTIFIED BY EMAIL (mdc)		

**Case Description: STATE VS. JOSHUA ALEXANDER DURAN (TN) (D6)**

Case ID:	CR21-1433	Case Type:	CRIMINAL	Initial Filing Date:	5/3/2021
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	Department	Event Description	Sched. Date & Time		Disposed Date
3	D6	ARRAIGNMENT	7/22/2021	09:00:00	7/20/2021
	Event Extra Text:		<b>Disposition:</b> D870 7/20/2021 7/20/2021 Arraignment set July 22, 2021 VACATED/RESET to August 19, 2021 at 9:00 a.m. (Defendant has new charges) Stipulation to follow (mdc)		
	Department	Event Description	Sched. Date & Time		Disposed Date
4	D6	ARRAIGNMENT	8/19/2021	09:00:00	8/19/2021
	Event Extra Text:		<b>Disposition:</b> D655 8/19/2021 8/19/21 To Information Court Reporter L. Clarkson		
	Department	Event Description	Sched. Date & Time		Disposed Date
5	D6	Request for Submission	9/8/2021	14:08:00	9/20/2021
	Event Extra Text: MOTION FOR OWN RECOGNIZANCE RELEASE VIA INMATE ASSISTANCE PROGRAM TO INPATIENT TREATMENT 9/02/2021		<b>Disposition:</b> S200 9/20/2021 9/16/21 Motion for O/R Release to In-Patient Treatment with direct transport by IAP GRANTED.		
	Department	Event Description	Sched. Date & Time		Disposed Date
6	D6	MOTION ...	9/16/2021	09:00:00	9/16/2021
	Event Extra Text: MOTION FOR O/R RELEASE TO INPATIENT TREATMENT		<b>Disposition:</b> D425 9/16/2021 9/16/21 Motion for O/R Release to In-Patient Treatment with direct transport by IAP GRANTED. Court Reporter N. Hansen		
	Department	Event Description	Sched. Date & Time		Disposed Date
7	D6	SENTENCING	10/7/2021	09:00:00	10/7/2021
	Event Extra Text: ZOOM HEARD WITH CR21-2210		<b>Disposition:</b> D765 10/7/2021 10/7/2021 Sentencing Court Reporter E. Ferretto		

**Agency Cross Reference**

Code	Agency Description	Case Reference I.D.
DA	District Attorney's Office	DA216173
PC	PCN number	PCNRPD0070038C
PC	PCN number	PCNRPD0068500C
RJ	Reno Justice's Court	RCR2021112838
RP	Reno Police Department	RPDRP21007504

**Actions**

Action Entry Date	Code	Code Description	Text
5/3/2021	3843	Request for Early Case Assignm	CASE ASSIGNED TO D6 DUE TO ODOJ - Transaction 8424255 - Approved By: BBLOUGH : 05-03-2021:13:40:
6/23/2021	2522	Notice of Bindover	Transaction 8510330 - Approved By: CAGUILAR : 06-23-2021:17:06:42
6/23/2021	NEF	Proof of Electronic Service	Transaction 8510366 - Approved By: NOREVIEW : 06-23-2021:17:10:52
6/23/2021	NEF	Proof of Electronic Service	Transaction 8510364 - Approved By: NOREVIEW : 06-23-2021:17:07:43
6/23/2021	3700	Proceedings	Transaction 8510330 - Approved By: CAGUILAR : 06-23-2021:17:06:42

**Case Description: STATE VS. JOSHUA ALEXANDER DURAN (TN) (D6)**

Case ID:	CR21-1433	Case Type:	CRIMINAL	Initial Filing Date:	5/3/2021
6/23/2021	2587	Notice of Setting	07/08/2021 ARRAIGNMENT @ 9:00AM - Transaction 8510365 - Approved By: NOREVIEW : 06-23-2021:17:09:		
6/30/2021	NEF	Proof of Electronic Service	Transaction 8519838 - Approved By: NOREVIEW : 06-30-2021:10:03:11		
6/30/2021	3370	Order ...	and Notice of AV Hearing - Transaction 8519831 - Approved By: NOREVIEW : 06-30-2021:10:02:11		
7/1/2021	NEF	Proof of Electronic Service	Transaction 8521879 - Approved By: NOREVIEW : 07-01-2021:08:02:39		
7/1/2021	4265	Waiver of Preliminary Exam	Transaction 8522238 - Approved By: BBLOUGH : 07-01-2021:09:25:46		
7/1/2021	1491	Pretrl Srvc Assessment Report	Transaction 8521872 - Approved By: NOREVIEW : 07-01-2021:08:01:45		
7/1/2021	1800	Information	Transaction 8522238 - Approved By: BBLOUGH : 07-01-2021:09:25:46		
7/1/2021	3870	Request	REQUEST FOR DISCOVERY PURSUANT TO NRS 174.245 - Transaction 8522238 - Approved By: BBLOUGH		
7/1/2021	NEF	Proof of Electronic Service	Transaction 8522252 - Approved By: NOREVIEW : 07-01-2021:09:26:41		
7/2/2021	NEF	Proof of Electronic Service	Transaction 8525350 - Approved By: NOREVIEW : 07-02-2021:12:26:06		
7/2/2021	3744	Ord Revoking Pretrial Release	Transaction 8526093 - Approved By: NOREVIEW : 07-02-2021:15:24:40		
7/2/2021	3691	Pretrl Services Recommendation	Transaction 8524945 - Approved By: NOREVIEW : 07-02-2021:10:48:55		
7/2/2021	NEF	Proof of Electronic Service	Transaction 8526101 - Approved By: NOREVIEW : 07-02-2021:15:25:47		
7/2/2021	NEF	Proof of Electronic Service	Transaction 8524953 - Approved By: NOREVIEW : 07-02-2021:10:49:57		
7/2/2021	4045	Stipulation to Continuance	Transaction 8525341 - Approved By: NOREVIEW : 07-02-2021:12:23:16		
7/5/2021	1301	Bench Warrant Filed -Case Open	PTS VIOLATIONS - Transaction 8526583 - Approved By: NOREVIEW : 07-05-2021:09:28:13		
7/5/2021	NEF	Proof of Electronic Service	Transaction 8526585 - Approved By: NOREVIEW : 07-05-2021:09:29:03		
7/6/2021	NEF	Proof of Electronic Service	Transaction 8529318 - Approved By: NOREVIEW : 07-06-2021:20:21:03		
7/6/2021	NEF	Proof of Electronic Service	Transaction 8527600 - Approved By: NOREVIEW : 07-06-2021:11:34:38		
7/6/2021	3105	Ord Granting ...	Stipulation to Continue - Transaction 8527594 - Approved By: NOREVIEW : 07-06-2021:11:33:41		
7/6/2021	3836	Extradition and Authorization	PTS BW - Transaction 8529317 - Approved By: NOREVIEW : 07-06-2021:20:18:23		
7/15/2021	NEF	Proof of Electronic Service	Transaction 8544326 - Approved By: NOREVIEW : 07-15-2021:09:25:00		
7/15/2021	3698	Prior Supervision for this Cas	Transaction 8544321 - Approved By: NOREVIEW : 07-15-2021:09:24:04		
7/16/2021	3370	Order ...	and Notice of AV Hearing - Transaction 8547099 - Approved By: NOREVIEW : 07-16-2021:10:38:50		
7/16/2021	NEF	Proof of Electronic Service	Transaction 8547102 - Approved By: NOREVIEW : 07-16-2021:10:39:38		
7/20/2021	NEF	Proof of Electronic Service	Transaction 8552829 - Approved By: NOREVIEW : 07-20-2021:13:46:23		
7/20/2021	4045	Stipulation to Continuance	Transaction 8552822 - Approved By: NOREVIEW : 07-20-2021:13:45:25		
7/22/2021	NEF	Proof of Electronic Service	Transaction 8556180 - Approved By: NOREVIEW : 07-22-2021:09:25:31		
7/22/2021	3105	Ord Granting ...	Stipulation to Continue - Transaction 8556179 - Approved By: NOREVIEW : 07-22-2021:09:24:42		
8/16/2021	NEF	Proof of Electronic Service	Transaction 8596476 - Approved By: NOREVIEW : 08-16-2021:10:06:14		
8/16/2021	3370	Order ...	and Notice of AV Hearing - Transaction 8596472 - Approved By: NOREVIEW : 08-16-2021:10:05:14		
8/17/2021	3698	Prior Supervision for this Cas	Transaction 8598861 - Approved By: NOREVIEW : 08-17-2021:10:15:47		
8/17/2021	NEF	Proof of Electronic Service	Transaction 8598867 - Approved By: NOREVIEW : 08-17-2021:10:17:11		
9/2/2021	2130	Mtn for O.R. Release	MOTION FOR OWN RECOGNIZANCE RELEASE VIA INMATE ASSISTANCE PROGRAM TO INPATIENT TRE/		
9/2/2021	NEF	Proof of Electronic Service	Transaction 8627559 - Approved By: NOREVIEW : 09-02-2021:10:43:26		
9/8/2021	1250	Application for Setting	Transaction 8635721 - Approved By: NOREVIEW : 09-08-2021:14:04:33		
9/8/2021	3370	Order ...	and Notice of AV Hearing - Transaction 8636481 - Approved By: NOREVIEW : 09-08-2021:16:54:59		
9/8/2021	3860	Request for Submission	Transaction 8635754 - Approved By: NOREVIEW : 09-08-2021:14:14:07		
9/8/2021	NEF	Proof of Electronic Service	Transaction 8635725 - Approved By: NOREVIEW : 09-08-2021:14:05:22		

**Case Description: STATE VS. JOSHUA ALEXANDER DURAN (TN) (D6)**

<b>Case ID:</b>	<b>CR21-1433</b>	<b>Case Type:</b>	<b>CRIMINAL</b>	<b>Initial Filing Date:</b>	<b>5/3/2021</b>
9/8/2021	NEF	Proof of Electronic Service	Transaction 8635761 - Approved By: NOREVIEW : 09-08-2021:14:15:02		
9/8/2021	NEF	Proof of Electronic Service	Transaction 8636487 - Approved By: NOREVIEW : 09-08-2021:16:56:07		
9/13/2021	MIN	***Minutes	8/19/2021 Arraignment - Transaction 8644234 - Approved By: NOREVIEW : 09-13-2021:20:44:56		
9/13/2021	NEF	Proof of Electronic Service	Transaction 8644235 - Approved By: NOREVIEW : 09-13-2021:20:45:56		
9/14/2021	1785	Guilty Plea Memo/Agreement	Transaction 8644885 - Approved By: NOREVIEW : 09-14-2021:10:47:59		
9/14/2021	NEF	Proof of Electronic Service	Transaction 8644890 - Approved By: NOREVIEW : 09-14-2021:10:49:02		
9/15/2021	NEF	Proof of Electronic Service	Transaction 8647719 - Approved By: NOREVIEW : 09-15-2021:13:18:23		
9/15/2021	3698	Prior Supervision for this Cas	Transaction 8647716 - Approved By: NOREVIEW : 09-15-2021:13:17:28		
9/20/2021	S200	Request for Submission Complet	9/16/21 Motion for O/R Release to In-Patient Treatment with direct transport by IAP GRANTED.		
9/23/2021	4500	PSI - Confidential	Transaction 8663210 - Approved By: NOREVIEW : 09-23-2021:15:46:17		
9/23/2021	NEF	Proof of Electronic Service	Transaction 8663214 - Approved By: NOREVIEW : 09-23-2021:15:47:09		
10/1/2021	3370	Order ...	and Notice of AV Hearing - Transaction 8676822 - Approved By: NOREVIEW : 10-01-2021:11:19:51		
10/1/2021	3698	Prior Supervision for this Cas	Transaction 8677121 - Approved By: NOREVIEW : 10-01-2021:12:32:27		
10/1/2021	NEF	Proof of Electronic Service	Transaction 8676825 - Approved By: NOREVIEW : 10-01-2021:11:20:53		
10/1/2021	NEF	Proof of Electronic Service	Transaction 8677124 - Approved By: NOREVIEW : 10-01-2021:12:33:28		
10/5/2021	MIN	***Minutes	9/16/21 Motion for OR Release - Transaction 8680638 - Approved By: NOREVIEW : 10-05-2021:05:37:17		
10/5/2021	NEF	Proof of Electronic Service	Transaction 8680639 - Approved By: NOREVIEW : 10-05-2021:05:38:07		
10/6/2021	NEF	Proof of Electronic Service	Transaction 8683828 - Approved By: NOREVIEW : 10-06-2021:11:45:21		
10/6/2021	1932	Letter Rejecting – Specialty C	Transaction 8683818 - Approved By: NOREVIEW : 10-06-2021:11:44:21		
10/7/2021	COLL	Sent to Collections	07-OCT-2021		
10/8/2021	1850	Judgment of Conviction	10/7/21 Sentencing - Transaction 8687965 - Approved By: NOREVIEW : 10-08-2021:12:00:21		
10/8/2021	NEF	Proof of Electronic Service	Transaction 8687975 - Approved By: NOREVIEW : 10-08-2021:12:02:09		
10/27/2021	NEF	Proof of Electronic Service	Transaction 8718420 - Approved By: NOREVIEW : 10-27-2021:09:36:27		
10/27/2021	NEF	Proof of Electronic Service	Transaction 8718445 - Approved By: NOREVIEW : 10-27-2021:09:39:59		
10/27/2021	NEF	Proof of Electronic Service	Transaction 8718478 - Approved By: NOREVIEW : 10-27-2021:09:47:50		
10/27/2021	1350	Certificate of Clerk	CERTIFICATE OF CLERK AND TRANSMITTAL - NOTICE OF APPEAL - Transaction 8718751 - Approved By: N		
10/27/2021	1310	Case Appeal Statement	Transaction 8718404 - Approved By: NOREVIEW : 10-27-2021:09:32:31		
10/27/2021	3868	Req to Crt Rptr - Rough Draft	Transaction 8718432 - Approved By: NOREVIEW : 10-27-2021:09:37:48		
10/27/2021	2515	Notice of Appeal Supreme Court	Transaction 8718395 - Approved By: YVILORIA : 10-27-2021:09:45:35		

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,**

11 **v.**

**Case No. CR21-1433**

12 **JOSHUA ALEXANDER DURAN,**

**Dept. No. 6**

13 **Defendant.**  
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15 **JUDGMENT OF CONVICTION**

16 Defendant, JOSHUA ALEXANDER DURAN ("Defendant) entered a plea of Guilty to  
17 the charge in this matter. No legal reason or cause precludes entry of judgment against  
18 him. Therefore, the Court renders judgment as follows:

19 1. Defendant is guilty of the crime of Battery Resulting in Substantial Bodily  
20 Harm, a violation of NRS 200.481, a category C felony, as charged in the Information.

21 2. Sentence is imposed as follows:

22 a) Imprisonment in the Nevada Department of Corrections is imposed for  
23 a maximum term of sixty (60) months with a minimum parole eligibility of eighteen (18)  
24 months, with credit for time served of one hundred fifty-one (151) days.

25 b) Payment shall be made to the Clerk of the Second Judicial District  
26 Court as follows:

27 (1) Twenty-Five Dollars (\$25.00) administrative assessment fee;  
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1 (2) Three Dollar (\$3.00) administrative assessment to obtain a  
2 biological specimen and conduct a genetic marker analysis; and

3 (3) Five Hundred Dollars (\$500.00) for legal representation.

4 3. Any restitution, fine, fee, and administrative assessment imposed by  
5 this Judgment of Conviction constitutes a lien, as defined in Nevada Revised Statutes NRS  
6 176.275. Should the Defendant fail to pay any restitution, fine, fee or assessment  
7 imposed, collection efforts may be undertaken against him.

8  
9 DATED the 8th day of October, 2021.  
10 NUNC PRO TUNC to October 7, 2021.

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13 DISTRICT JUDGE  
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**CASE NO. CR21-1433      STATE OF NEVADA vs. JOSHUA ALEXANDER DURAN**

**DATE, JUDGE  
OFFICERS OF  
COURT PRESENT**

**APPEARANCES-HEARING**

**CONTINUED TO**

8/19/2021  
HONORABLE  
LYNNE K.  
SIMONS  
DEPT. NO. 6  
M. Conway  
(Clerk)  
L. Clarkson  
(Reporter)

**ARRAIGNMENT**

Hearing conducted via Zoom Video conferencing.  
Deputy District Attorney Hunter Heidrich was present in Court on behalf of the State.  
Deputy Alternate Public Defender Jenna Garcia was present in Court on behalf of the Defendant, who was present, in custody.  
Specialist Carlos Perez was present in Court on behalf of the Division of Parole and Probation.

October 7, 2021  
9:00 a.m.  
Sentencing

*This hearing was held remotely, the Court and all participants appeared via simultaneous audiovisual transmission. The Court was physically located in Washoe County, Nevada which was the site of the court session. At the direction of the Court, all participants stated their appearances and location. Respective counsel acknowledged receipt of notice that the hearing was taking place pursuant to the Second Judicial District Court's Administrative Orders entered in 2020 and 2021, and the Nevada Supreme Court Rules - Part IX governing appearances by simultaneous audiovisual transmissions, and counsel stated they had no objection to proceeding in this manner. The Court further made a record that these proceedings are open to the public for viewing and listening through the webinar/meeting invitation located on the Court's website and directed that if at any time anyone who is participating in this matter cannot see or hear the other participants in this case, they are to inform the Court.*

Counsel Garcia addressed and advised the Court that she has had ample time to speak with her client and they are ready to proceed.  
**COURT FINDS** this action is impacted by Article 1, Section 8A(1)(q) of the Nevada Constitution; Marsy's Law.

Counsel Heidrich addressed and advised the Court that the victim has been notified, has opted in, but is not present at today's hearing.  
**TRUE NAME: JOSHUA ALEXANDER DURAN**, as stated on line 12 of the Information. Defendant was in receipt of the Information, waived reading. Counsel Garcia stated the plea negotiations as outlined in the Guilty Plea Memorandum (GPM) to include the State will not oppose probation upon the Defendant meeting certain conditions and the parties are free to argue as to the underlying conditions of probation; if the agree upon conditions are not met,

The parties are free to argue for an appropriate sentence; Counsel Heidrich concurred with the stated plea negotiations. Defendant was sworn.

**COURT** canvassed the Defendant, advised him of his rights, found that there was a factual basis for the plea.

Counsel Heidrich recited the elements of the offense.

Defendant entered a plea of guilty to the crime of Battery Resulting in Substantial Bodily Harm, a violation of NRS 200.481, a category C felony, as stated in the Information and provided the Court with visual verification of the signed GPM.

**COURT** further found that the Defendant understood the elements of the offense, the possible punishments, that the plea was knowing, voluntary and intelligent, and that the Defendant was competent to enter the plea. **COURT** accepted the plea.

**COURT ORDERED** the preparation of a presentence investigation report (PSI).

Counsel Garcia moved for a bail hearing and/or an O/R release to an in-patient treatment program.

Counsel Heidrich stated his objections to hearing a bail hearing at this time and/or the Motion for O/R Release to an in-patient treatment program.

Counsel Garcia further advised the Court that the Defendant has completed the application for New Frontier and is waiting on his evaluation.

**COURT** directed Counsel Garcia to file a Motion for Bail Reduction and/or a Motion for O/R Release to Treatment.

**COURT ORDERED:** Matter continued for entry of judgment and imposition of sentence to October 7, 2021 at 9:00 a.m.

Defendant remanded to the custody of the Sheriff.



CASE NO. CR21-1433  
CASE NO. CR21-2210

STATE OF NEVADA v. JOSHUA ALEXANDER DURAN  
STATE OF NEVADA v. JOSHUA ALEXANDER DURAN

**DATE, JUDGE  
OFFICERS OF**

**COURT PRESENT**

**APPEARANCES-HEARING**

**CONTINUED TO**

9/16/2021  
HONORABLE  
LYNNE K.  
SIMONS  
DEPT. NO. 6  
M. Conway  
(Clerk)  
N. Hansen  
(Reporter)

**MOTION FOR O/R RELEASE TO INPATIENT TREATMENT**

Hearing conducted via Zoom Video conferencing.  
Deputy District Attorney Zadora Hightower was present in Court on behalf of the State.  
Deputy Alternate Public Defender Jenna Garcia was present in Court on behalf of the Defendant, who was present, in custody.  
Specialist Thomas Wilson was present in Court on behalf of the Division of Parole and Probation.

Oct 7, 2021  
9:00 a.m.  
Sentencing

*This hearing was held remotely, the Court and all participants appeared via simultaneous audiovisual transmission. The Court was physically located in Washoe County, Nevada which was the site of the court session. At the direction of the Court, all participants stated their appearances and location. Respective counsel acknowledged receipt of notice that the hearing was taking place pursuant to the Second Judicial District Court's Administrative Orders entered in 2020 and 2021, and the Nevada Supreme Court Rules - Part IX governing appearances by simultaneous audiovisual transmissions, and counsel stated they had no objection to proceeding in this manner. The Court further made a record that these proceedings are open to the public for viewing and listening through the webinar/meeting invitation located on the Court's website and directed that if at any time anyone who is participating in this matter cannot see or hear the other participants in this case, they are to inform the Court.*

Counsel Garcia addressed and advised the Court that the Defendant has no objection to the State responding orally to the Motion for O/R Release to Inpatient Treatment. Counsel Garcia argued in support of an O/R release to inpatient treatment and advised the Court the Defendant will apply for Mental Health Court and anticipates going to New Frontier.

Counsel Hightower addressed the Court and argued in opposition of an O/R release and argued in support of Defendant's bail remaining as ordered.

**COURT ORDERED** Motion for O/R Release to New Frontier or functionally equivalent inpatient treatment program, with pretrial services supervision and direct transport by the inmate assistance program (IAP) GRANTED.

Defendant remanded to the custody of the Sheriff.

Code 1350

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

**STATE OF NEVADA,**

**Plaintiff,**

**Case No. CR21-1433**

**vs.**

**Dept. No. 6**

**JOSHUA ALEXANDER DURAN,**

**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 27th day of October, 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 27th day of October, 2021.

Alicia L. Lerud  
Clerk of the Court  
By /s/Y.Viloria  
Y.Viloria  
Deputy Clerk