

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOSHUA ALEXANDER DURAN,)	Electronically Filed Dec 08 2021 11:55 a.m. Elizabeth A. Brown Clerk of Supreme Court
)	
Appellant,)	
)	
vs.)	Case No. 83711
)	
THE STATE OF NEVADA,)	
))	
Respondent.)	
_____)	

**APPELLANT’S MOTION TO TRANSFER APPEAL TO FAST TRACK
CRIMINAL APPEALS PURSUANT To RULE 3C**

Appellant Joshua Duran, by and through appellate counsel, Deputy Alternate Public Defender Jenna Garcia, hereby files this motion requesting that his appeal be transferred to the Fast Track Criminal Appeals pursuant to Rule 3C. Rule 3C(1) states that the rule applies to an appeal from district court judgement or order entered in a criminal or postconviction proceeding. Subsection (3)(A) removes certain appeals from the Rule if such an appeal “challenges a case involving a Category A, Category B, or non-probational category C felony.” Mr. Duran’s cases involved conviction on two probation eligible category C felonies, and thus falls within the purview of the Rule. Additionally, subsection 3(B) excludes appeals brought by a defendant who was not represented by counsel. Mr. Duran was represented by the undersigned counsel at all lower court proceedings. Finally, subsection (3)(C)

excludes appeals filed pursuant to Rule 4(c) which are untimely direct appeals. Mr. Duran's appeal was filed within the appropriate time frame following the Judgement of Conviction. Furthermore, Mr. Duran's appeal raises no issues of constitutional law or public policy concerns, and the case is not legally or factually complex. It is derived from a guilty plea in district court and makes an abuse of discretion claim. Thus, this appeal should be properly considered under the Fast Track Criminal Appeals pursuant to Rule 3C.

VERIFICATION

I certify that the information provided in this Motion is true and complete to the best of my knowledge, information, and belief.

JOSHUA ALEXANDER DURAN
Name of appellant

JENNA GARCIA
Name of counsel of record

December 8, 2021
Date

/s/ Jenna Garcia
Signature of counsel of record

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of the Washoe County Alternate Public Defender's Office and that on this date I served a copy of **Appellant's Motion to**

Transfer case to Fast Track Criminal Appeals Pursuant to Rule 3C to the
following:

JOSHUA ALEXANDER DURAN #1105992
NNCC
P.O. BOX 7000
CARSON CITY, NV 89702
Via U.S. Mail

CHRIS HICKS
WASHOE COUNTY DISTRICT ATTORNEY
Attn: Appellate Department
Via Electronic Mail

DATED this 24th day of November 2021.

/s/Randi Jensen
Randi Jensen