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3	IN THE SUPREME COURT OF THE STATE OF JULY 13 2022 09:42 a	.m.
4	BO DWIGHT HEGGE, Elizabeth A. Brown Clerk of Supreme Co	urt
5	Appellant,	
6	vs. Case No. 83664	
7	THE STATE OF NEVADA,	
8	Respondent.	
9	OPPOSITION TO MOTION TO STRIKE RESPONDENT'S APPENDIX	
10	COMES NOW, Respondent, State of Nevada, by and through its	
11	attorneys, TYLER J. INGRAM, District Attorney for the County of Elko, and	
12	JEFFREY C. SLADE, Deputy District Attorney, and submits the following Points	
13	and Authorities in support of this Opposition together with all pleadings and papers	
14	on file herein.	
15	Dated this 13 <sup>th</sup> day of June, 2022.	
16	TYLER J. INGRAM	
17	Elko County District Attorney	
18	By: //////////	
19	JEFVREY C. SLADE Deputy District Attorney	
20	State Bar Number: 13249	

## POINTS AND AUTHORITIES

Respondent is obligated to including in its appendix "those documents necessary to rebut appellant's position on appeal which are not already included in appellant's appendix. NRAP 30(b)(4). Further, every assertion regarding matters in the record are required to be supported by reference to the page and volume number, if any, of the transcript or appendix where that matter relied on is to be found. NRAP 28(e)(1).

The charges Hegge initially faces are a part of the record in this matter. In order to support Respondent's assertion listing these charges, the Respondent obtained and included in its appendix a certified copy of the criminal complaint on file with the district court clerk. *See* Respondent's Appendix 4.

Interpreting NRAP 30(c)(1) to require the exclusion of any document that does not bear a district court clerk file-stamp, even though it is a part of the record, is to render nugatory the obligation of the Appellant and Respondent to include *any other* portions of the record essential to determination of issues raised in appellant's appeal or necessary to rebut appellant's position on appeal. *See* NRAP 30(b)(3) and (4), *see also Haney v. State*, 124 Nev. 408, 411-12(2008) (standard for examining statutes).

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2	The Respondent asks that Appellant's motion be denied.
3	Dated this 13 <sup>th</sup> day of June, 2022.
4	TYLER J. INGRAM
5	Elko County District Attorney
6	By: MM Nah
7	JEPPREY C. SLADE
8	Deputy District Attorney State Bar Number: 13249
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## **CERTIFICATE OF SERVICE**

I certify that this document was filed electronically with the Nevada Supreme Court on the 13<sup>th</sup> Day of June 2022. Electronic Service of the Opposition To Motion To Strike To Respondent's Appendix shall be made in accordance with the Master Service List as follows: Honorable Aaron D. Ford Nevada Attorney General And BENJAMIN GAUMOND Attorney for Appellant 

**CASEWORKER** 

DA#: AP-21-02532