

JAMES ROBERT STAPP,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 83886 Electronically Filed
Apr 22 2022 04:46 p.m.
District Court Case No. CR20-4057
Elizabeth A. Brown
Clerk of Supreme Court

Appellant, James Robert Stapp (“Stapp”) submits his Motion to Direct Transmittal of Presentence Investigation Report for Appellate Review, moving the Court to direct the clerk of the Second Judicial District Court to transmit Stapp’s Presentence Investigation Report (“PSR”) to the clerk of the Supreme Court in a sealed envelope so that it may be reviewed on appeal.

This appeal addresses errors of the district court and prosecutor during sentencing proceedings which prejudicially impacted the sentence imposed. Specifically, Stapp presents the following issues within his opening brief: (1) the sentencing court failed to consider relevant evidence within a psychosexual risk

assessment attached to the PSR; (2) the sentencing court did not adequately consider Stapp's request for probation by failing to be aware of the contents of the said risk assessment; and (3) the sentence was based upon inaccurate and inflammatory comments of the prosecutor which were wholly unsupported by the record, including the PSR.

As the PSR is crucial to a fair determination of Stapp's issues on appeal, Stapp has demonstrated that the PSR is necessary for appeal pursuant to NRAP 30(b)(6). The Court should therefore direct the clerk of the district court to transmit the PSR to the clerk of this Court under seal.

Dated this 22nd day of April, 2022.

/s/ Kristina Wildeveld
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CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 22nd day of April, 2022. Electronic Service of the foregoing document was made to the following:

Jennifer Noble, Washoe County District Attorney's Office

/s/ Kristina Wildeveld

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