

IN THE SUPREME COURT OF THE STATE OF NEVADA

**FILED**

JAN 10 2022

CASIMIRO VENEGAS,

Appellant,

vs.

STATE OF NEVADA,

Respondent.

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

Supreme Court No.: 83964

District Court Case No.: A-19-791881-W

**CASE APPEAL STATEMENT**

1. Name of appellant filing this case appeal statement:

**Casimiro Venegas**

2. Identify the judge issuing the decision, judgment, or order appealed from:

**The Honorable Linda Marie Bell**

3. Identify each appellant and the name and address of counsel for each appellant:

**Casimiro Venegas**  
**JOSEPH Z. GERSTEN, ESQ.**  
**The Gersten Law Firm PLLC**  
**9680 W Tropicana Avenue # 146**  
**Las Vegas, NV 89147**  
**Telephone (702) 857-8777**  
**joe@thegerstenlawfirm.com**

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4. Identify each respondent and the name and address of appellate counsel, if known, for each respondent (if the name of a respondent's appellate counsel is unknown, indicate as much and provide the name and address of that respondent's trial counsel):

**STEVEN B. WOLFSON, ESQ.**  
**District Attorney**  
**200 Lewis Avenue, 3rd Floor**  
**Las Vegas, NV 89101**

**AARON FORD, ESQ.**  
**Nevada Attorney General**  
**100 North Carson Street**  
**Carson City, Nevada 89701-4717**

5. Indicate whether any attorney identified above in response to question 3 or 4 is not licensed to practice law in Nevada and, if so, whether the district court granted that attorney permission to appear under SCR 42 (attach a copy of any district court order granting such permission):

**N/A**

6. Indicate whether appellant was represented by appointed or retained counsel in the district court:

**Appointed**

7. Indicate whether appellant is represented by appointed or retained counsel on appeal:

**Appointed**

**///**

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8. Indicate whether appellant was granted leave to proceed in forma pauperis, and the date of entry of the district court order granting such leave:

**N/A**

9. Indicate the date the proceedings commenced in the district court (e.g., date complaint, indictment, information, or petition was filed):

**10/07/2020**

10. Provide a brief description of the nature of the action and result in the district court, including the type of judgment or order being appealed and the relief granted by the district court:

**Appellant received ineffective assistance of counsel at the District Court level. See Strickland v. Washington.**

11. Indicate whether the case has previously been the subject of an appeal to or original writ proceeding in the Supreme Court and, if so, the caption and Supreme Court docket number of the prior proceeding:

**N/A**

12. Indicate whether this appeal involves child custody or visitation:

**N/A**

13. If this is a civil case, indicate whether this appeal involves the possibility of settlement:

**N/A**

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**///**

Dated this 4<sup>th</sup> day of January 2022.

  
JOSEPH Z. GERSTEN, ESQ.  
Nevada Bar No.: 13876  
The Gersten Law Firm PLLC  
9680 W Tropicana Avenue # 146  
Las Vegas, NV 89147  
Telephone (702) 857-8777  
joe@thegerstenlawfirm.com

## CERTIFICATE OF SERVICE

I hereby certify that the foregoing **CASE APPEAL STATEMENT** was filed with the Clerk of the Court by using the electronic filing system on the 4<sup>th</sup> day of January 2022 or that I deposited a true and correct copy of the foregoing, in the United States Postal Service in Las Vegas, Nevada, enclosed in a sealed envelope, first class mail, postage prepaid, addressed as follows:

CALVIN JOHNSON, Warden  
P.O. Box 650  
Indian Springs, Nevada 89070-0650  
22010 Cold Creek Road  
Indian Springs, Nevada 89070

STEVEN B. WOLFSON, ESQ.  
District Attorney  
200 Lewis Avenue, 3<sup>rd</sup> Floor  
Las Vegas, NV 89101

AARON FORD, ESQ.  
Nevada Attorney General  
100 North Carson Street  
Carson City, Nevada 89701-4717

By Joseph Z. Gersten  
JOSEPH Z. GERSTEN, ESQ.  
An Employee of The Gersten Law Firm PLLC