

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL SAMUEL SOLID,
Appellant,

v.

THE STATE OF NEVADA,
Respondent.

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Elizabeth A. Brown
Clerk of Supreme Court

CASE NO: 85189

MOTION TO TRANSMIT STATE'S TRIAL EXHIBIT 136

COMES NOW the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through his Chief Deputy, KAREN MISHLER and submits this Motion to Transmit State's Trial Exhibit 136.

This motion is based on the following memorandum, declaration of counsel and all papers and pleadings on file herein.

Dated this 14th day of June, 2023.

Respectfully submitted,

STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565

BY /s/ Karen Mishler
KAREN MISHLER
Chief Deputy District Attorney
Nevada Bar #013730
Office of the Clark County District Attorney

MEMORANDUM OF POINTS AND AUTHORITIES

The State seeks an order from this Court directing the clerk of the district court to transmit to this Court, under seal, the State's Trial Exhibit 136 (Police Interview) under District Court Case No. C-13-290260-1.

The State has utilized the Exhibit 136 in its Answering Brief to Appellant's Appeal. Exhibit 136 is used to demonstrate Appellant's waiver of his Miranda rights when he spoke to law enforcement during the course of his interview contained in Exhibit 136. Given that the trial transcripts do not demonstrate that Appellant waived his Miranda rights, Exhibit 136 is the most thorough source of information demonstrating Appellant's waiver of these rights when he conducted his interview. Therefore, the State requests this Court direct the district court clerk to transmit the State's Exhibit 136 to this Court, in a sealed envelope, so that this Court may confirm that the references in the Answering Brief are accurate.

Dated this 14th day of June, 2023.

Respectfully submitted,

STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565

BY */s/ Karen Mishler*

KAREN MISHLER
Chief Deputy District Attorney
Nevada Bar #013730
Office of the Clark County District Attorney

CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on June 14, 2023. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

AARON D. FORD
Nevada Attorney General

KAREN MISHLER
Chief Deputy District Attorney

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage pre-paid, addressed to:

T. AUGUSTUS CLAUS, ESQ.
Legal Resource Group, LLC
205 N. Stephanie St., Suite D221
Henderson, Nevada 89074

BY */s/ E. Davis*

Employee, District Attorney's Office

KM/Tanner Castro/ed