

IN THE COURT OF APPEAL OF THE STATE OF NEVADA

EDWARD HONABACH,

Appellant,

v.

THE STATE OF NEVADA,

Respondent.

Electronically Filed
Feb 22 2023 10:55 AM
Elizabeth A. Brown
Clerk of Supreme Court

Case No. 85398

MOTION TO TRANSMIT PRESENTENCE INVESTIGATION REPORT

COMES NOW the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through his Chief Deputy, JOHN AFSHAR, and submits this Motion to Transmit Presentence Investigation Report.

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

Dated this 22nd day of February, 2023.

Respectfully submitted,

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

BY /s/ John T. Afshar

JOHN T. AFSHAR
Chief Deputy District Attorney
Nevada Bar #014408
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, Appellant's Presentence Investigation Report ("PSI") filed February 28, 2019, under District Court Case No. C-16-314092-2.

The State has utilized the PSI in its Respondent's Answering Brief for the purpose of addressing the facts of Appellant's case because Appellant entered a guilty plea. Therefore, the State requests this Court direct the district court clerk to transmit the PSI to this Court, in a sealed envelope, so that this Court may confirm that the references in the Answering Brief are accurate.

Dated this 22nd day of February, 2023.

Respectfully submitted,

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

BY */s/ John T. Afshar*

JOHN T. AFSHAR
Chief Deputy District Attorney
Nevada Bar #014408
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 22nd day of February, 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

JIM HOFFMAN, ESQ.
Counsel for Appellant

JOHN T. AFSHAR
Chief Deputy District Attorney

/s/ J. Hall

Employee, Clark County
District Attorney's Office

JTA//jh