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IN THE SUPREME COURT OF THE STATE OF NEVADA

TULY LEPOLO,

Appellant,

vs.

STATE OF NEVADA,

Respondent,

Supreme Court Electronically Filed
Nov 30 2022 08:04 PM
Elizabeth A. Brown
District Court Case No. C-20-345911-1
Clerk of Supreme Court

GENERAL INFORMATION

1. Eighth Judicial District; Clark County; Department VI;
Honorable Judge Jacqueline Bluth; District Court Case No. C-20-345911-1
2. On October 12, 2022, Appellant was sentenced as follows:

COUNT 1 – Maximum of FIFTY (50) YEARS with a minimum parole eligibility of TWENTY (20) YEARS; plus, a consecutive term of TEN (10) YEARS with a minimum parole eligibility of FOUR (4) YEARS;

COUNT 2 – Maximum of FIVE (5) YEARS with a minimum parole eligibility of TWO (2) YEARS, consecutive to Count 1; ONE THOUSAND EIGHTY-FOUR DAYS credit for time served.

FURTHER, THE COURT ORDERED **COUNT 2** TO RUN CONSECUTIVE TO **COUNT 1**.

- b) The Appellant's sentence has not been stayed.
- c) The Appellant has not been admitted to bail pending appeal.
3. Appellant was represented by appointed counsel in District Court for trial, which is the subject of this appeal.
4. Attorney filing this docketing statement:
Jean J. Schwartz, Esq.
411 E. Bonneville Avenue, Suite 360
Las Vegas, Nevada 89101
(702) 979-9941
Client: Tuly Lepolo

1 5. Appellate counsel is appointed.

2 6. Respondent Attorney:
3 Chief Deputy District Attorney Alexander Chen
4 Clark County District Attorney's Office
5 200 Lewis Avenue, 9th Floor
6 Las Vegas, Nevada 89155
7 (702) 671-2750
8 Client: The State of Nevada

6 7. Disposition Below:

7 Judgment after jury verdict.

8 8. N/A

9 9. Appellant is in favor of proceeding in an expedited manner.

10 10. Prior proceedings in this court:

11 Case No.: C-20-345011-1 State of Nevada v. Tuly Lepolo

12 11. N/A

13 12. Appellant was convicted by jury of First-Degree Murder with use of a
14 Deadly Weapon and Assault with a Deadly Weapon. Appellant was
15 sentenced on October 12, 2022. This appeal follows.

16 13. Issues Appellant is raising in this appeal:

17 a) The District Court Erred in Denying Appellant's Oral Motion to
18 Suppress His 2019 Statement

19 Appellate counsel was appointed after trial and did not represent Appellant
20 at trial. Therefore, additional issues may be raised once transcripts have
21 been produced and reviewed by counsel.

22 14. N/A

23
24 15. Pursuant to NRAP 17(b)(3), this case is presumptively routed to the Supreme
25 Court of Nevada because this is a direct appeal that involves a challenge to a
26 judgment of conviction or sentence for at least one offense that is a category
27 A felony.

28 16. First Impression? No.

1 Public Interest? No.

2

3 17. The jury trial in this matter lasted six (6) days.

4

5 18. I would object to the submission of this appeal for disposition without oral
6 argument.

7

8 **TIMELINESS OF NOTICE OF APPEAL**

9

10 19. The District Court sentenced the Appellant on October 12, 2022.

11 20. The District Court filed the Judgement of Conviction on October 12, 2022.

12

13 21. N/A

14

15 22. N/A

16

17 23. The Notice of Appeal was filed on November 3, 2022.

18

19 24. The statute governing the time limit for filing the Notice of Appeal is NRAP
20 4(b).

21

22 25. The statute which grants this Court jurisdiction to review the instant appeal is
23 NRS 177.015(3).

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/s/ Jean J. Schwartz
JEAN J. SCHWARTZER, ESQ
 Nevada State Bar No. 11223
 Law Office of Jean J. Schwartz, Ltd.
 411 E. Bonneville Avenue, Suite 360
 Las Vegas, Nevada 89101
 T: (702) 979-9941
 Jean.schwartz@gmail.com
 Counsel for Appellant

1 **CERTIFICATE OF SERVICE**

2 I certify that on November 30th, 2022, an electronic copy of the foregoing
3 DOCKETING STATEMENT was sent via the master transmission list with the
4 Nevada Supreme Court to the following:

5
6 AARON FORD, ESQ.
Nevada Attorney General

7 ALEXANDER CHEN, ESQ.
8 Chief Deputy District Attorney

9
10 /s/ Jean J. Schwartz
11 **JEAN J. SCHWARTZER, ESQ**
Nevada State Bar No. 11223
12 Law Office of Jean J. Schwartz, Ltd.
411 E. Bonneville Avenue, Suite 360
13 Las Vegas, NV 89101
T: (702) 979-9941
14 Jean.schwartz@gmail.com
Counsel for Appellant
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