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Elizabeth A. Brown
Clerk of Supreme Court

IN THE SUPREME COURT OF THE STATE OF NEVADA

THE STATE OF NEVADA,)	
)	Supreme Court Case No.: 84300
Plaintiff/Respondent,)	
)	
vs.)	
)	District Court Case No.:
HENRY APARICIO,)	C-18-332496-1
)	
Defendant/Appellant.)	District Court Dept. No.: XXX
)	

CASE APPEAL STATEMENT

1. Name of Appellant filing this case appeal statement: Henry Aparicio
2. Identify the judge issuing the decision, judgment or order appealed from: Judge Jerry Weise, Eighth Judicial District Court, Department 30.
3. Identify each appellant and the name and address of counsel for each appellant:
Appellant: Henry Aparicio
Appellant's Counsel: Damian Sheets
Nevada Defense Group

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Las Vegas, NV 89101
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4. Identify each respondent and the name and address of appellate counsel, if known, for each respondent:

Respondent: State of Nevada

Respondent's Counsel: Steve Wolfson

Clark County District Attorney's Office
200 Lewis Ave.,
Las Vegas, NV 89101
(702) 671-2500

5. Indicate whether any attorney identified above is not licensed to practice law in Nevada: None

6. Indicate whether appellant was represented by appointed or retained counsel in the District Court: Retained counsel.

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

8. Indicate whether appellant was granted leave to proceed in forma pauperis: No.

9. Indicate the date the proceedings commenced in the District Court:

Information: June 5, 2018

Guilty Plea Agreement: August 1, 2019

Sentencing: January 25, 2022

Amended Judgment of Conviction: January 26, 2022

10. Provide a brief description of the nature of the action and the result in district court:

Appellant pled guilty to Driving Under the Influence Resulting in Death (2 counts) and Reckless Driving (1 count). His original sentence of 15-44 years was reversed on direct appeal because the original sentencing court relied on potentially improper victim impact statements.

1 Following reversal, the new sentencing Court adopted the findings of
2 the original sentencing Court, and gave an identical sentence of the
3 following: Count 1, 7-20 years; Count 2, 7-20 years consecutive to Count
4 1; Count 3, 12-48 months, consecutive to Count 2. Aggregate total: 15-44
5 years.

6 11. Indicate whether the case has previously been the subject of an
7 appeal to or original writ proceeding in the Supreme Court: Yes (Docket
8 No. 80072).

9 12. Indicate whether this appeal involves child custody or visitation:
10 No.

11 13. If this is a civil case, indicate whether this appeal involves the
12 possibility of settlement: N/A

13 Dated this 5 day of April, 2022

14 /s/ Damian Sheets
15 Damian Sheets, Esq.
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