

IN THE SUPREME COURT OF THE STATE OF NEVADA

STATE OF NEVADA,
Appellant,

Electronically Filed
Oct 17 2024 03:07 PM
Elizabeth A. Brown
Clerk of Supreme Court

vs.

JAMES WALTER
DEGRAFFENREID III, DUWARD
JAMES HINDLE III, JESSE REED
LAW, MICHAEL JAMES
MCDONALD, SHAWN MICHAEL
MEEHAN, EILEEN A. RICE,

CASE NO. 89064

Dist. Ct. Nos.: C-23-379122-1;
C-23-379122-2; C-23-379122-3;
C-23-379122-4; C-23-379122-5;
C-23-379122-6

Respondents

**MOTION OF NACJ FOR LEAVE TO FILE AMICUS CURIAE
BRIEF IN SUPPORT OF RESPONDENTS**

COMES NOW, Nevada Attorneys for Criminal Justice (NACJ), by and through the undersigned counsel of record for amici, and hereby files this motion for leave to file an Amicus Curiae brief support of the Respondents.

This Motion is based upon the following Memorandum and all papers and pleadings on file herein.

DATED this 17th day of October, 2024

By /s/ Layla A. Medina
LAYLA A. MEDINA, #14740
Deputy Public Defender

POINTS AND AUTHORITIES

Nevada Attorneys for Criminal Justice (“NACJ”) hereby request leave to appear and submit a brief as amicus curiae in this matter pursuant to NRAP 29(a). The proposed brief of amicus curiae is submitted along with this motion.

I. INTERESTS OF AMICUS

The issues presented in Respondents’ answering brief, focus on the constitutionality and statutory interpretation on the well-settled law of venue, pursuant to the Sixth Amendment of the United States, NRS 171.030, and NRS 172.105. This amicus organization has an interest in how the Court rules on the issue.

The Nevada Attorneys for Criminal Justice, Inc. (“NACJ”), is a Nevada domestic non-profit corporation comprised of approximately 200 criminal defense attorneys who practice in both the public and private sectors. NACJ is a member affiliate of the National Association of Criminal Defense Attorneys. NACJ members represent defendants in criminal cases at all stages of litigation. It has a material interest in the outcome of the instant case.

II. DESIRABILITY OF AMICUS CURIAE PARTICIPATION

This case involves a novel theory of venue espoused by the Stat. That, by itself, warrants the participation of NACJ as amicus because our members have unique expertise and experience litigating and defending criminal cases. On the basis of that expertise and experience, NACJ can provide insight about the practice implications of the State's venue theory. Additionally, NACJ has members who work in public defender offices, and can provide insight about how the State's venue theory could affect defendants and the defense function in cases where a public defender office is appointed. Here, too, we can provide insight.

CONCLUSION

Based upon the foregoing, the Nevada Attorneys for Criminal Justice respectfully requests this Court grant leave and accept NACJ's Amicus Curiae Brief in support of Respondents.

DATED this 17th of October, 2024

By /s/ Layla A. Medina
LAYLA A. Medina, #14740
Deputy Public Defender
309 S. Third Street, Suite #226
Las Vegas, Nevada 89155-2610
(702) 455-0926

CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 17th day of October, 2024. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

AARON D. FORD GEORGE P. KELESIS

JEFFREY M. CONNER MCLETCHIE LAW

LAYLA A. MEDINA

BY /s/ Carrie M. Connolly
Employee, Clark County Public Defender's Office