

1                   **IN THE SUPREME COURT OF THE STATE OF NEVADA**

2 DUSTIN BARRAL, )

3                   Appellant, )

4 vs. )

5 THE STATE OF NEVADA, )

6                   Respondent. )

CASE NUMBER: 74288

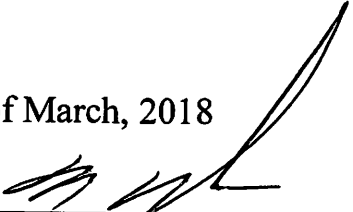
(District Court Case No. C269095)

Electronically Filed  
Mar 20 2018 04:52 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

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9                   **MOTION TO TRANSMIT UNDER SEAL PRESENTENCE**  
10                   **INVESTIGATION REPORT**

11           COMES NOW the Appellant, DUSTIN BARRAL, by and through his  
12 attorneys of record, MICHAEL L. BECKER, ESQ. and MICHAEL V.  
13 CASTILLO, ESQ., and respectfully moves this Honorable Court for an order  
14 directing the Eighth Judicial District to transmit a sealed copy of the August 25,  
15 2017 Supplemental Presentence Investigation Report in this case for review by this  
16 Honorable Court. Pursuant to NRS 176.156, NRAP 10 and NRAP 30, the  
17 document must not be made a part of any public record and therefore cannot be a  
18 part of the Appendix or exhibits attached to a motion. The Appellant's Opening  
19 Brief filed concurrently makes reference to information in the Presentence  
20 Investigation Report.  
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25           DATED this 20 day of March, 2018

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28                   MICHAEL V. CASTILLO, ESQ.  
Nevada Bar No. 11531  
Attorneys for Appellant

**CERTIFICATE OF SERVICE BY E-FILING**

I hereby certify that I am an employee of Las Vegas Defense Group, and that this 20<sup>th</sup> day of March, 2018, I electronically filed the foregoing **Motion to Transmit Under Seal Presentence Investigation Report** with the Clerk of the Court by using the ECF system which will send a notice of electronic filing to the following:

**STEVEN S. OWENS, ESQ.**  
**Chief Deputy District Attorney**  
**Nevada Bar#4352**  
**200 S. Third Street**  
**P.O. Box. 552212**  
**Las Vegas, NV 89155**  
**(702) 382-5815-Fax**  
**Counsel for the Respondent**

**ADAM P. LAXALT, ESQ.**  
**NEVADA ATTORNEY GENERAL**  
Nevada Bar #12426  
100 North Carson Street  
Carson City, Nevada 89701-4717  
**(702) 486-3768-Fax**

By [Signature]  
An Employee of Las Vegas Defense Group, LLC.

## DECLARATION OF MAILING

Jessica Sellers, an employee with the Las Vegas Defense Group, hereby declares that she is, and was when the herein described mailing took place, a citizen of the United States, over 21 years of age, and not a party to, nor interested in, the within action; that on the 20<sup>th</sup> day of March, 2018, declarant deposited in the United States mail, a copy of the foregoing **Motion to Transmit Under Seal Presentence Investigation Report** in the case of State of Nevada vs. Dustin Barral, Case No. 74288, enclosed in a sealed envelope upon which first class postage was fully prepaid, addressed to DUSTIN BARRAL, #1108615, High Desert State Prison, P.O. Box 650, Indian Springs, NV 89070, that there is a regular communication by mail between the place of mailing and the place so addressed.

Pursuant to NRS 53.045, I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on the 20<sup>th</sup> day of March, 2018

An employee of Las Vegas Defense Group, LLC.