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Electronically Filed
Sep 08 2020 12:02 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

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

8 CRAIG THOMAS TIFFEE,
9 Appellant

CASE NO: 79871

10 vs.

11 EIGHTH JUDICIAL DISTRICT
12 COURT,
13 Respondent.

14 **APPELLANT'S REPLY TO RESPONDENT'S ANSWERING BRIEF**

15
16 COMES NOW, Appellant, CRAIG THOMAS TIFFEE, by and through his
17 attorney of record, THOMAS C. MICHAELIDES, and files his Reply to
18 Respondent's Answering Brief:
19

20 DATED this 8th day of September, 2020.

21
22 /s/ Thomas C. Michaelides
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REPLY

Appellant was arrested on June 30, 20019. He was charged with one felony charge, Using Technology to Lure a Minor, a violation of NRS 201.560. He entered a not guilty plea, hired counsel, and proceeded through the criminal process. Appellant entered a guilty plea to the original charge, with the understanding that when he completed probation, he would be allowed to withdraw that plea and enter a guilty plea to a gross misdemeanor, Unlawful Contact with a Minor, a violation of NRS 207.260. Appellant was further advised by counsel that the drop-down charge was a charge that could be sealed in the future. Craig then began performing the requirements for probation to qualify for the reduction of his charge.

Appellant would simply reiterate the statements made in his opening brief and respectfully attempt to correct the State in their statement that the original charge of luring children with use of technology with the intent to engage in sexual conduct was not “reduced”, as the State argues, but was withdrawn pursuant to the agreement and Appellant’s successful completion of probation. As a result, Appellant is not asking the court to seal the felony charge, but the later charge he plead to, a gross misdemeanor, which is the charge on his record. Appellant feels the State’s argument hinges on the fact that the original charge was “reduced” when it clearly was withdrawn.

1 In addition, there was no victim in this crime as it was a detective posing
2 as a minor on the internet that had communications with Appellant. Appellant
3 broke off those communications when the detective told hm he was a minor. It
4 was only later when the detective again started to communicate with the
5 Appellant that the Appellant met up with him in person and was arrested.
6 Appellant did not know and was never told by the detective that he was the same
7 person who had previously revealed that he was a minor, which of course caused
8 Appellant to stop all communications. Had the detective told the Appellant that
9 he was a minor the second time the parties started communicating, there is no
10 reason to believe that the Appellant would not have again stopped all contact
11 with the "minor", just as he had originally done.
12
13
14
15

16 DATED this 8th day of September, 2020.

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19 /s/ Thomas C. Michaelides
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CERTIFICATION PURSUANT TO NEV. R. APP. P. 28.2 and 32(a)(9)

1. I hereby certify that this brief complies with the formatting requirements of NRAP 32(a)(4), the typeface requirements of NRAP 32(a)(5) and the type style requirements of NRAP 32(a)(6) because:

☒ This brief has been prepared in a proportionally spaced typeface using Microsoft Word version 14 in Times New Roman with a font size of 14; or

☐ This brief has been prepared in a monospaced typeface using [state name and version of word-processing program] with [state number of characters per inch and name of type style].

2. I further certify that this brief complies with the page- or type-volume limitations of NRAP 32(a)(7) because, excluding the parts of the brief exempted by NRAP 32(a)(7)(C), it is either:

☐ Proportionately spaced, has a typeface of 14 points or more, and contains _____ words; or

☐ Monospaced, has 10.5 or fewer characters per inch, and contains _____ words or _____ lines of text; or

☒ Does not exceed 30 pages.

3. Finally, I hereby certify that I have read this appellate brief, and to the best of my knowledge, information, and belief, it is not frivolous or interposed for any improper purpose. I further certify that this brief complies with all applicable Nevada Rules of Appellate Procedure, in particular NRAP 28(e)(1), which requires every assertion in the brief regarding matters in the record to be supported by a reference to the page and volume number, if any, of the transcript or appendix

1 where the matter relied on is to be found. I understand that I may be subject to
2 sanctions in the event that the accompanying brief is not in conformity with the
3 requirements of the Nevada Rules of Appellate Procedure.

4 Dated this 8th day of September, 2020.

7 /s/ Thomas C. Michaelides

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16 **CERTIFICATE OF MAILING**

17
18 Pursuant to NRAP 25(d), I, the undersigned, do hereby certify that on the 8th
19 day of September 2020, a true and correct copy of the foregoing REPLY was
20 mailed via U.S. Postage Paid and e-mailed to:
21

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25 Jonathan.vanboskerck@clarkcountynyda.com

26 /s/ Eric Tucker -

27 An employee of

28 TCM LAW GROUP