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Federal Public Defender
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8 Attorney for Ryan W. Payne

9
10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 RYAN W. PAYNE,

16 Defendant.

Case No. 2:16-cr-046-GMN-PAL

MOTION REQUESTING DATE FOR
EVIDENTIARY HEARING ON
DESTRUCTION OF EVIDENCE

Expedited Treatment Requested

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19 **Certification:** This Motion is timely filed.

20 NOW COMES the defendant, Ryan Payne, by and through his counsel of record, Brenda
21 Weksler and Ryan Norwood, Assistant Federal Public Defenders, and respectfully files this
22 Motion Requesting Date for Evidentiary Hearing on Destruction of Evidence.
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1 DATED this 4th day of October, 2017.

2 RENE L. VALLADARES
3 Federal Public Defender

4 By: /s/ Brenda Weksler

5 BRENDA WEKSLER
6 Assistant Federal Public Defender
7 Attorney for Ryan W. Payne

8 By: /s/ Ryan Norwood

9 RYAN NORWOOD
10 Assistant Federal Public Defender
11 Attorney for Ryan W. Payne
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MEMORANDUM

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2 On October 3, 2017, this Court granted defense's motion for an evidentiary hearing
3 surrounding the shredding of documents pertaining to the Gold Butte Impoundment Operation.
4 The defense needs to subpoena the following witnesses for purposes of this hearing: Daniel
5 Love, Toni Suminski, Danielle Cardenas, April Cooke, Cassie Sandberg, and Logan Briscoe.

6 These witnesses live out of state. In turn, the defense must petition the court for FRCP
7 17(b) subpoenas and state the date the evidentiary hearing will take place. In order to expedite
8 this process, the defense respectfully requests a date be provided so the defense can commence
9 seeking the issuance of subpoenas.

10 DATED this 4th day of October, 2017.

11 Respectfully submitted,
12 RENE L. VALLADARES
13 Federal Public Defender

14 By: /s/ Brenda Weksler

15 BREND A WEKSLER
16 Assistant Federal Public Defender
17 Attorney for Ryan W. Payne

18 By: /s/ Ryan Norwood

19 RYAN NORWOOD
20 Assistant Federal Public Defender
21 Attorney for Ryan W. Payne
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CERTIFICATE OF ELECTRONIC SERVICE

The undersigned hereby certifies that she is an employee of the Federal Public Defender for the District of Nevada and is a person of such age and discretion as to be competent to serve papers.

That on October 4, 2017, she served an electronic copy of the above and foregoing **MOTION REQUESTING DATE FOR EVIDENTIARY HEARING ON DESTRUCTION OF EVIDENCE** (Expedited Treatment Requested) by electronic service (ECF) to the person named below:

STEVEN W. MYHRE
Acting United States Attorney
ERIN M. CREEGAN
Assistant United States Attorney
NADIA JANJUA AHMEN
Assistant United States Attorney
DAN SCHIESS
Assistant United States Attorney
501 Las Vegas Blvd. South
Suite 1100
Las Vegas, NV 89101

/s/ Lauren Conklin

Employee of the Federal Public Defender