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10 Commission on Judicial Discipline

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Elizabeth A. Brown
Clerk of Supreme Court

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

12 THE HONORABLE DOUGLAS E. SMITH,
13 District Court Judge, Eighth Judicial District
14 Court, Clark County, State of Nevada,

Case No.: 85645

15 Respondent.

16 **STIPULATED PETITION FOR CLARIFICATION**

17 COMES NOW, Richard I. Dreitzer, Esq., Prosecuting Officer for the Nevada
18 Commission on Judicial Discipline (“NCJD”) and Thomas Pitaro, Esq. Counsel for Respondent,
19 The Honorable Douglas E. Smith, District Court Judge, Eighth Judicial District Court, Clark
20 County, State of Nevada (“Respondent”) and hereby STIPULATE as follows:

- 21 1. On November 14, 2022, NCJD and Respondent submitted a “Stipulation and
22 Order of Consent to Bar From Serving in a Judicial Office in the Future” in NCJD Case No.
23 2022-27 (“Stipulation”).
- 24 2. On November 15, 2022, the Nevada Supreme Court accepted and approved this
25 Stipulation.
- 26 3. Within this Stipulation, reference is made to the matter of *State of Nevada v.*
27 *Diego Salazar* (“Salazar Matter”) having been reversed and remanded to the District Court for
further proceedings because of “...*ex parte* communications between the *Respondent and the*
Prosecutor assigned to the original trial of the Salazar Matter, from which counsel for the
Defendant had been excluded...” (Stipulation, Pg. 2)(emphasis added.)

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4. The parties wish to clarify that the *ex parte* communications at issue therein occurred between Respondent and Assistant District Attorney Robert Daskas, and not the Prosecutor(s) assigned to the original trial of the *Salazar* matter. Any implication to the contrary was unintended.

DATED: December 21, 2022

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PITARO & FUMO

FENNEMORE CRAIG, P.C.



/s/ Richard I. Dreitzer

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