

ORIGINAL

FERRILL VOLPICELLI  
79565 NCCC  
BOX 7000  
CARSON CITY, NV 89702  
PETITIONER PRO PER

FILED  
*Keeler*  
2004 FEB 27 PM 2:23

IN THE SECOND JUDICIAL DISTRICT COURT OF NEVADA  
IN AND FOR THE COUNTY OF WASHOE  
BY RONALD A. LONG  
DEPUTY

FERRILL JOSEPH VOLPICELLI,  
PETITIONER,

No. 40881 FILED  
CASE # CR 98-2160  
MAR 03 2004

VS

DEPT. # JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY Willasado  
DEPUTY CLERK

STATE OF NEVADA,  
RESPONDENT

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN THAT PETITIONER, FERRILL JOSEPH VOLPICELLI, HEREBY APPEALS TO THE SUPREME COURT OF NEVADA FROM THE LOWER COURT'S ORDER OF DENIAL OF PETITIONERS PETITION TO CORRECT ILLEGAL SENTENCE, DATED 9 FEBRUARY, 2004, OF VALID SUBSTANTIVE DUE PROCESS EQUAL PROTECTION OF THE LAW CLAIMS THAT CANNOT BE WAIVED.

DATED THIS 16<sup>TH</sup> DAY OF FEBRUARY, 2004

FERRILL JOSEPH VOLPICELLI - PETITIONER PRO PER  
CERTIFICATE OF MAILING DATED AND COPY MAILED  
THIS 16<sup>TH</sup> DAY OF FEBRUARY, 2004 TO THE DISTRICT ATTORNEY OF WASHOE COUNTY & NEVADA ATTORNEY GENERAL AS CERTIFIED UNDER NRS 208.165

*[Signature]*  
FERRILL JOSEPH VOLPICELLI

RECEIVED  
MAR 02 2004  
CLERK OF SUPREME COURT  
By \_\_\_\_\_  
DEPUTY CLERK

04-04405

1 **CODE 1310**

**FILED**

2 2004 FEB 27 PM 3: 10

3 RONALD A. LONGTIN, JR.

4 BY *C. Apple*  
5 DEPUTY

6 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**  
7 **IN AND FOR THE COUNTY OF WASHOE**

8 **FERRILL JOSEPH VOLPICELLI,**

9 **Appellant,**

10 **vs.**

**Case No. CR98-2160**

11 **THE STATE OF NEVADA,**

12 **Respondent,**

**Dept. No. 9**

13 \_\_\_\_\_ /  
14 **CASE APPEAL STATEMENT**

- 15
- 16 1. Ferrill Joseph Volpicelli is the Appellant.
  - 17 2. The appeal is from the Order/Judgment filed on or about February 9, 2004 by  
18 the Hon. James Hardesty.
  - 19 3. The parties below in District Court consisted of The State of Nevada, the  
20 Plaintiff, and Ferrill Joseph Volpicelli, the Defendant, in District Court.
  - 21 4. The parties herein in the Nevada Supreme Court consist of: Ferrill Joseph  
22 Volpicelli/Appellant and The State of Nevada/Respondent.
  - 23 5. Counsel on Appeal for Appellant, consists of Ferrill Joseph Volpicelli/Pro Per  
24 Appellant, #79565, Northern Nevada Correctional Center, P. O. Box 7000,  
25 Carson City, NV 89702. Counsel on appeal for Respondent is Gary Hatlestad,  
26 Chief Appellant Deputy, Office of the District Attorney, P.O.Box 30083. Reno,  
27 NV 89520.
  - 28 6. Appellant was represented in Proper Person in District Court.
  7. Appellant is represented in Proper Person in this appeal.


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8. N/A in this case.

9. The Information was filed on September 17, 1998.

Dated: February 27, 2004.

Ronald Longtin, Jr. Court Clerk

By:   
Cathy Kepler, Deputy Clerk  
Appeals Desk 328-3114

Case No: CR98-2160 Filed: 09/10/98 Type: CRIMINAL  
Title: STATE OF NEVADA VS. FERRILL VOLPICELLI At issue: 00/00/00  
Dept: 9 Adtl Info: 12/21/98 MOD DENIED Clerk: MB

Trial: 12/21/98 HEARING

Restored Date: 05/28/99

----- PARTIES -----

PLTF: STATE OF NEVADA  
DA: MAHAFFEY, MICHAEL L.

DEF: VOLPICELLI, FERRILL JOSEPH (D9)

Disposed: 12 21 98 OTHER

Custody: 03 Waiver of Speedy Trial: Credited Days: 87

\* CHARGES \* Doc Cnt Plea/Date F/M Charge

1. INF 1 G 9/24/98 F BURGLARY

DISP 9/24/98 (PLED GUILTY )

SENT 11/03/98 (NSP 24-72 MOS, \$5,000 FINE; CONSEC

FEDERAL TERM. \$250.00 DNA; \$25 AAF. )

2. INF 2 G 9/24/98 F BURGLARY

DISP 9/24/98 (PLED GUILTY )

SENT 11/03/98 (NSP 16-72 MOS; SUSP; PPROB N/E 3 YRS.

CONSEC TO CT 1 AND CONSEC FEDERAL

TERM. )

----- PROCEEDINGS -----

Dept Sched. Time Notice Event

1. 9 09/24/98 8:00 AM 00/00/00 ARRAIGNMENT

Pri: 3 Clerk: MB Reporter: J. SCHONLAU Est. Dur.: 00: 0: 0

Disposition - Clk: TW 09/24/98 (PLED GUILTY TO CTS. 1 & 2 )

2. 9 10/28/98 9:30 AM 00/00/00 SENTENCING

Pri: 9 Clerk: TW Reporter: Est. Dur.: 00: 0: 0

Disposition - Clk: SZ 10/27/98 (RESET TO 11/3/98 )

3. 9 11/03/98 8:30 AM 00/00/00 SENTENCING

Pri: 9 Clerk: SZ Reporter: D VIEIRA Est. Dur.: 00: 0: 0

Disposition - Clk: BJ 11/03/98 (SENTENCED )

4. 9 12/21/98 9:00 AM 00/00/00 MOTION FOR CLARIFICATION

Pri: 9 Clerk: TW Reporter: SCHONLAU Est. Dur.: 00: 0: 0

Disposition - Clk: GG 12/21/98 (DENIED )

5. 9 06/02/99 10:22 PM 00/00/00 MOTION SUBMITTED PENDING DECISION

(MTN FOR RECONSIDERATION)

Pri: 9 Clerk: PM Reporter: Est. Dur.: 00: 0: 0

Disposition - Clk: LW 08/16/99 (DENIED )

6. 9 08/18/99 10:22 PM 00/00/00 MOTION SUBMITTED PENDING DECISION

(MTN FOR RETURN OF PERSONAL PROPERTY)

Pri: 9 Clerk: PM Reporter: Est. Dur.: 00: 0: 0

Disposition - Clk: LW 12/10/99 (DENIED )

7. 9 10/21/99 10:22 PM 00/00/00 MOTION SUBMITTED PENDING DECISION

(MTN FOR EXPANSION OF TIME)

Pri: 9 Clerk: PM Reporter: Est. Dur.: 00: 0: 0

Case No: CR98-2160 Filed: 09/10/98 Type: CRIMINAL

Title: STATE OF NEVADA VS. FERRILL VOLPICELLI At issue: 00/00/00

## ACTIONS

Date	Action	Dept FC	
1. 00/00/00	DA# 159462, RJC 91,346 RPD 016628-98, PCN 88364812		MB
2. 09/10/98	APPLICATION FOR SETTING		9 MB
3. 09/14/98	PROCEEDINGS		MB
4. 09/17/98	WAIVER		MA
5. 09/17/98	INFORMATION		9 MA
6. 09/24/98	GUILTY PLEA MEMORANDUM		9 TW
7. 10/12/98	APPLICATION FOR SETTING		GO
8. 10/27/98	APPLICATION FOR SETTING		SA
9. 11/02/98	RESPONSE TO PRE-SENTENCE INVESTIGATION REPORT		JB
10. 11/03/98	JUDGMENT OF CONVICTION		9 BJ
11. 11/05/98	MOTION FOR CLARIFICATION OF JUDGMENT		MA
12. 11/09/98	ADDENDUM TO DEF'S REQUEST FOR CLARIFICATION OF JUDGMENT		TP
13. 12/07/98	TRANSCRIPT: SENTENCING 11/3/98		10 GO
14. 12/21/98	OPPOSITION TO MOTION FOR CLARIFICATION OF JUDGMENT		9 GG
15. 03/15/99	MOTION FOR RECONSIDERATION OF JUDGMENT		MA
16. 03/30/99	OPPOSITION TO MOTION FOR RECONSIDERATION OF JUDGMENT		GO
17. 03/31/99	TRANSCRIPT-ARRAIGNMENT-9/24/98		9 TP
18. 04/07/99	REPLY TO OPPOSITION TO MOTION FOR RECONSIDERATION OF JUDGMENT		SC
19. 05/28/99	REQUEST FOR SUBMISSION (MTN FOR RECONSIDERATION) (HERZCHEL)		SA
20. 06/02/99	** REQ FOR SUB -		PM
21. 08/17/99	ORDER DENYING MOTION FOR RECONSIDERATION OF JUDGMENT		9 SB
22. 08/18/99	DEF'S MOTION FOR RETURN OF PERSONAL PROPERTY		PM
23. 08/31/99	ORDER FOR RESPONSE		9 SB
24. 09/08/99	OPPOSITION TO DEF'S MOTION FOR RETURN OF PERSONAL PROPERTY		PM
25. 10/19/99	MOTION FOR EXPANSION OF TIME		TJ
26. 11/12/99	WITHDRAWAL OF ATTORNEY (DAVID HOUSTON)		GA
27. 12/01/99	RESPONSE TO PLAINTIFF'S OPPOS FOR MOTION OF RETURN OF PERSONAL PROPERTY		PM
28. 12/10/99	ORDER DENYING RETURN OF PERSONAL PROPERTY		9 LW

SECOND JUDICIAL DISTRICT COURT  
COUNTY OF WASHOE

Full Case History

DEPT. D9

HON. JAMES W. HARDESTY

Case Description: STATE VS. FERRILL JOSEPH VOLPICELLI (D9)

Case ID: CR98-2160

Case Type: CRIMINAL

Initial Filing Date: 9/10/1998

Parties

RESP	STATE OF NEVADA - STATE
APPE	FERRILL JOSEPH VOLPICELLI - @67988
PROP	FERRILL JOSEPH VOLPICELLI - @67988
PLTF	STATE OF NEVADA - STATE
DA	Michael L. Mahaffey, Esq. - 1436
DEFT	FERRILL JOSEPH VOLPICELLI - @67988
DATY	Gary Howard Hatlestad, Esq. - 1525

Charges

<i>Charge No.</i>	<i>Charge Code</i>	<i>Charge Date</i>	<i>Charge Description</i>
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Plea Information

<i>Charge No.</i>	<i>Plea Code</i>	<i>Plea Date</i>	<i>Plea Descriptio</i>
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Release Information

*Custody Status*

Hearings

	<i>Department</i>	<i>Event Description</i>	<i>Sched. Date &amp; Time</i>		<i>Disposed Date</i>
1	D9	MOTION TO SET TRIAL	10/23/2002	08:30:00	10/22/2002
		Extra Text:			
2	D9	STATUS HEARING	10/23/2002	08:30:00	10/23/2002
		Extra Text:			
3	D9	STATUS HEARING	2/26/2003	08:30:00	11/25/2002
		Extra Text:			

Agency Cross Reference

<i>Code</i>	<i>Agency Description</i>	<i>Case Reference I.D.</i>
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<i>Docket Entry Date</i>	<i>Code</i>	<i>Code Description</i>	<b>Docket</b>	<i>Docket Text</i>
11/3/1998	1315	** Case Closed		
9/29/2000	CMS	**See CMS Prior to 12/13/99		
9/29/2000	PAYRC	**Payment Received		A Payment of -\$1,055.19 was made on receipt DCDC25356.
6/6/2001	PAYRC	**Payment Received		A Payment of -\$25.00 was made on receipt DCDC45840.
7/6/2001	PAYRC	**Payment Received		A Payment of -\$25.00 was made on receipt DCDC48395.
8/6/2001	PAYRC	**Payment Received		A Payment of -\$25.00 was made on receipt DCDC50998.
9/6/2001	PAYRC	**Payment Received		A Payment of -\$20.00 was made on receipt DCDC53406.
10/3/2001	PAYRC	**Payment Received		A Payment of -\$20.00 was made on receipt DCDC55633.
7/9/2002	2840	Ord Denying ...		ORDER DENYING DEFENDANTS REQUEST FOR PRODUCTION OF FILE AT STATES EXPENSE OF PETITIONER
8/7/2002	1075	Affidavit ...		TO PROCEED IN FORMA PAUPERIS
8/7/2002	2490	Motion ...		FOR RELEASE OF COURT DOCUMENTS
8/7/2002	2490	Motion ...		DOCUMENT TITLE: MTN TO PROCEED PARTY SUBMITTING: VOLPICELLI DATE SUBMITTED: 8/7/02 SUBMITTED BY: P. MEACHAM DATE RECEIVED JUDGE'S OFFICE:
8/8/2002	3862	**Criminal Submit		FOR ATTORNEY TO PROVIDE COPIES OF DEFENSE FILE TO DEFENDANT
8/12/2002	3370	Order ...		OCTOBER 23, 2002 - MOTION TO SET TRIAL
10/23/2002	D845	Vacated		OF PET TO CORRECT ILLEGAL SENTENCE
11/6/2002	4185	Transcript ...		DOCUMENT TITLE: NTC OF PET TO CORRECT PARTY SUBMITTING: VOLPICELLI DATE SUBMITTED: 2/12/03 SUBMITTED BY: P. MEACHAM DATE RECEIVED JUDGE'S OFFICE: 2/13/03
2/10/2003	2610	Notice ...		FOR JUDGMENT ON THE PLEADINGS
2/12/2003	3862	**Criminal Submit		DOCUMENT TITLE: PET FOR JUDGMENT ON THE PLEADINGS PARTY SUBMITTING: VOLPICELLI DATE SUBMITTED: 4/8/03 SUBMITTED BY: P. MEACHAM DATE RECEIVED JUDGE'S OFFICE:
4/7/2003	3645	Petition ...		
4/8/2003	3862	**Criminal Submit		
4/22/2003	2525	Notice of Change of Address		
5/29/2003	1930	Letters ...		FROM DEFENDANT REQUESTING COPIES OF DOCUMENTS FILED: 1-NOTICE OF ADDRESS CHANGE 2-PETITION FOR JUDGMENT ON THE PLEADINGS NRS 34.738(3), NRS 176.555 5/29/03 COPIES OF DOCUMENTS REQUESTED SENT THIS DATE.
6/30/2003	3870	Request...		FOR HEARING
7/3/2003	1930	Letters ...		FROM DEFENDANT

<u>7/3/2003</u>	3862	**Criminal Submit	DOCUMENT TITLE: REQ. FOR HEARING PARTY SUBMITTING: VOLPICELLI DATE SUBMITTED: 7/3/03 SUBMITTED BY: P. MEACHAM DATE RECEIVED JUDGE'S OFFICE: 7/3/03
<u>7/3/2003</u>	3845	Request for Hearing	
<u>7/24/2003</u>	3860	Request for Submission	DOCUMENT TITLE: DECISION OR OPINION PARTY SUBMITTING: VOLPICELLI DATE SUBMITTED: 8/1/03 SUBMITTED BY: P. MEACHAM DATE RECEIVED JUDGE'S OFFICE:
<u>8/15/2003</u>	3860	Request for Submission	DOCUMENT TITLE: REQ. FOR SUBMISSION OF DECISION PARTY SUBMITTING: VOLPICELLI DATE SUBMITTED: 8/20/03 SUBMITTED BY: P. MEACHAM DATE RECEIVED JUDGE'S OFFICE:
<u>10/23/2003</u>	1930	Letters ...	FROM DEFENDANT
<u>12/10/2003</u>	1930	Letters ...	FROM DEFENDANT
<u>1/5/2004</u>	2525	Notice of Change of Address	
<u>1/20/2004</u>	2850	Ord Dishon/Terminate Prob	
<u>2/9/2004</u>	1930	Letters ...	FROM DEFENDANT
<u>2/9/2004</u>	2840	Ord Denying ...	PETITIONER'S PETITION TO CORRECT ILLEGAL SENTENCE
<u>2/27/2004</u>	1310	Case Appeal Statement	
<u>2/27/2004</u>	2515	Notice of Appeal Supreme Cour	
<u>2/27/2004</u>	1350	Certificate of Clerk	
<u>2/27/2004</u>	1365	Certificate of Transmittal	



ORIGINAL

FILED

FEB 09 2004

RONALD A. LONGTIN, JR., CLERK

By: *R. Swell*  
DEPUTY

✓ 1 2840

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IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR THE COUNTY OF WASHOE

FERRILL JOSEPH VOLPICELLI,  
Petitioner,

v.

Case No. CR98-2160  
Dept. No. 9

THE STATE OF NEVADA,  
Respondent.

\_\_\_\_\_ /

ORDER

The Court has reviewed and considered the points and authorities in support of Petitioner's Petition to Correct Illegal Sentence filed on February 10, 2003 and submitted for decision on April 7, 2003.

On November 3, 1998, Petitioner pled guilty to two (2) counts of burglary, pursuant to NRS 205.060. The Court sentenced Petitioner to imprisonment in the Nevada State Prison for a minimum term of twenty-four (24) months to a maximum term of seventy-two (72) months and by payment of a fine in the amount of five thousand (\$5,000.00) dollars on Count I; a minimum term of sixteen (16) months to a maximum term of seventy-two (72) months in Nevada State Prison on Count II, to run consecutively with Count I.

Petitioner claims that the sentence is working to the Petitioner's extreme detriment, and was illegally enhanced.

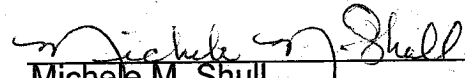


CERTIFICATE OF MAILING

Pursuant to NRCP 5(b), I hereby certify that I am an employee of the Second Judicial District Court, in and for the County of Washoe; and that on this 9th day of February, 2004, I deposited in the County mailing system for postage and mailing with the United States Postal Service in Reno, Nevada, a true and correct copy of the attached document addressed as follows:

Ferrill J. Volpicelli, #79565  
N.N.C.C.  
P. O. Box 7000  
Carson City, NV 89702

Tammy Riggs, Esq.  
Deputy District Attorney  
WASHOE COUNTY DISTRICT  
ATTORNEY'S OFFICE  
(via interoffice mail)

  
Michele M. Shull  
Administrative Assistant

CRIMINAL PROGRESS SHEET

Glmstead

Case No. CR98-2160

STATUS: Custody  NIC   
Bail  OR

FERRILL JOSEPH VOLPICELLI

Bail Amount: \_\_\_\_\_  
Date Inf/Ind filed: 9/17/98  
Amended Inf. filed: \_\_\_\_\_

Arraignment Date: 9/24/98

Dept. No: 9 Reporter: J. Schonlau

True Name:  Same

Handed Copy

Not Guilty  By: \_\_\_\_\_

Waived Reading

Requested Time to Plea

Waived PSI

Guilty  Nolo  To: Cts. 1 & 2 of Inf

Waived 60 Day: Yes

Juv. Ref. \_\_\_\_\_ P & P Ref. C. Webb

Date \_\_\_\_\_ No

Continued To: October 28, 1998 8:30 For: Sentencing

For: \_\_\_\_\_

For: \_\_\_\_\_

For: \_\_\_\_\_

For: \_\_\_\_\_

Sentencing Date: NOV 3 1998 Dept. No. 9 Reporter: DVIEIRA

Disposition: Ct 1: 24-72 mos NSP, \$5000 fine, comm to federal term; Ct 2: 16-72 mos NSP, comm to Ct 1, susp. Photo 4e 3 yrs, comm fed term \$250 DNA; \$25 AAF. Conditions imposed.

Time Served: 87 Bail Exonerated

Motions: J. Schonlau 12-21-98 Mtn for clarification/modification of sentence, denied.

DATE, JUDGE  
OFFICERS OF  
COURT PRESENT

APPEARANCES-HEARING

CONTINUED TO

12/21/98  
HONORABLE  
MARGARET  
SPRINGGATE  
DEPT. NO. 9  
G. Glide  
(Clerk)  
J. Schonlau  
(Reporter)

MOTION FOR CLARIFICATION

Deputy District Attorney Michael Mahaffey represented the State.  
Frederick Olmstead represented the Defendant who was not  
present.

Counsel for the Defendant addressed the Court regarding  
amending the judgment of conviction to reflect a twenty-four (24)  
gap between his Federal sentence and his State sentence with a  
voluntary surrender date; objection by counsel for the State.

COURT ORDERED: Motion denied.

DATE, JUDGE  
OFFICERS OF  
COURT PRESENT

APPEARANCES-HEARING

CONTINUED TO

11/3/98  
HONORABLE  
MARGARET  
SPRINGGATE  
DEPT.NO. 9  
B. Johnson  
(Clerk)  
D. Vieira  
(Reporter)

IMPOSITION OF SENTENCE

Deputy District Attorney Michael Mahaffey represented the State. Defendant was present with counsel, David Houston. Colin Webb was present on behalf of the Division of Parole and Probation. Respective counsel presented arguments. Defendant addressed the Court.

COURT ORDERED: Judgment entered. Ferrill Joseph Volpicelli is guilty of the crime of Burglary, a violation of NRS 205.060, a felony, as charged in Counts I and II of the Information, and that he be punished by imprisonment in the Nevada State Prison for a minimum term of twenty-four (24) months to a maximum term of seventy-two (72) months and by payment of a fine in the amount of Five Thousand Dollars (\$5,000.00) on Count I, to run consecutively to the Federal prison term he is obligated to serve; a minimum term of sixteen (16) months to a maximum term of seventy-two (72) months Nevada State Prison on Count II, to run consecutively to Count I. The sentence is suspended as to Count II and the Defendant is placed on probation for a period of time not to exceed three (3) years, to run consecutively to Count I and consecutively to the Federal prison term. The Defendant is given credit for eighty-seven (87) days time served. It is further ordered that the Defendant pay the statutory Twenty-Five Dollar (\$25.00) administrative assessment fee and pay the DNA fees of Two Hundred Fifty Dollars (\$250.00). Special conditions imposed. Defendant remanded to the custody of the Sheriff.

DATE, JUDGE  
OFFICERS OF  
COURT PRESENT

APPEARANCES-HEARING

CONTINUED TO

9/24/98  
HONORABLE  
MARGARET  
SPRINGGATE  
DEPT. NO. 9  
T. Wagnanski  
(Clerk)  
J. Schonlau  
(Reporter)

**ARRAIGNMENT**

Deputy District Attorney Michael Mahaffey represented the State. Defendant was present with counsel, David Houston and Frederick Olmstead. Probation Officer Colin Webb was present on behalf of the Division of Parole and Probation.

**TRUE NAME: FERRILL JOSEPH VOLPICELLI.**

Defendant handed a copy of the Information; waived the formal reading. Defendant waived time in which to enter a plea and entered a plea of Guilty to Counts I and II of the Information.

Counsel for the Defendant stated negotiations to the Court.

Counsel for the State recited elements of the crime.

The Court interrogated the Defendant, advised him of his rights, found that there was a factual basis for the plea and that the Defendant understood the elements of the offense and the possible punishment therefor; Court further found that the plea was knowing, voluntary and intelligent, that the Defendant was competent to enter the plea and accepted same.

**COURT ORDERED:** matter referred to the Division of Parole and Probation for a presentence investigation, matter continued for imposition of sentence.

Defendant remanded to the custody of the Sheriff.

10/28/98  
8:30 a.m.  
Sentencing

1 **CODE 1350**

**FILED**

2 2004 FEB 27 PM 3:10

3 RONALD A. LONGTIN, JR.

4 BY C. Kepler  
DEPUTY

5  
6 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**  
7 **IN AND FOR THE COUNTY OF WASHOE**

8  
9  
10 **FERRILL JOSEPH VOLPICELLI,**

**Appellant,**

11 **vs.**

**Case No. CR98-2160**

12 **THE STATE OF NEVADA,**

**Respondent,**

**Dept. No. 9**

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14 \_\_\_\_\_ /  
15  
16 **CERTIFICATE OF CLERK**

17 **I hereby certify that the enclosed documents are certified copies of the original**  
18 **pleadings on file with the Second Judicial District Court, in accordance with the**  
19 **Revised Rules of Appellant Procedure Rule D(1).**

20  
21 **Dated: February 27, 2004**

**Ronald Longtin, Jr., Court Clerk**

22  
23  
24 By: C. Kepler

**Cathy Kepler, Deputy Clerk**

**Appeals Desk 328-3114**



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CODE 1365

FILED

2004 FEB 27 PM 3:10

RONALD A. LONGTIN, JR.

BY C. Kepler  
DEPUTY

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR THE COUNTY OF WASHOE

FERRILL JOSEPH VOLPICELLI,  
Appellant,  
vs.

THE STATE OF NEVADA,  
Respondent,

Case No. CR89-2160  
Dept. No. 9

CERTIFICATE OF TRANSMITTAL

I hereby certify that the enclosed Notice of Appeal and other required documents (certified copies) were delivered to the Second Judicial District Court mailroom system for transmittal to the Nevada Supreme Court.

Dated: February 27, 2004

Ronald Longtin, Jr., Court Clerk

By: C. Kepler  
Cathy Kepler, Deputy Clerk  
Appeals Desk 328-3114