

FILED # 51353

Gene Allen
Appellant

MAR 26 7 31 PM '08

✓

State of Nevada
Appellees

CLERK OF THE COURT
24

N.R.A.P. 16(b)

FILED

C 177457

APR 01 2008

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY: A. Kaersou
DEPUTY CLERK

Notice of Appeal

That the cross appeal may be considered N.R.S. 177.060 (cf. N.R.S. 177.015 argument Doc. No. 01-F06359) that this court may take the appeal in good faith *Id.* Kaerschner v Warden 508 F Supp 2d 849 (D. Nev. 2007) the motion for a Remand was denied with the motion for P.S.I. and P.S.R. *See* US v Julian 108 Sct 1606 (U.S. Ariz 1988). With in the County of Clark the 6th of March the year, 2008.

Next page 3-21-08

WLS

CLERK OF THE COURT

MAR 26 2008

RECEIVED
MAR 31 2008

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
DEPUTY CLERK

Representation Statement

In addition -the appeal may demonstrate that a fundamental miscarriage of Justice occurred in the proceedings as a whole
See Mitchell v State 149 P3d 33 (Nev. 2006)

A manifest injustice we look to what was understood by the defendant when he entered his plea.
trial counsel you can all ways, withdraw at any-time See US v Fernandez 960 F2d 771-772-773. (9th Cir. 1991)

Trial and error as any Competency, credibility however is from the jury (the right to a fair trial) as the jury alone is the lie detector See US v Azure 801 F2d 336 (C.A. 8 (N.D.) 1986).

Selective Prosecution Claim
with prejudice in all P.C.R.
and appeal with holding
the transcript sentencing
and discovery assuming
discovery, was available
See US v Armstrong 116
Sct 1480 (U.S. Cal. 1996)
inter alia that the State and
the prosecution to permit
discovery that are material
to the defense or intended
for use in chief applies
for the preparation of a
defense before trial but
under the equal protection
of the due process clause
U.S.C.A. Const. Amend 5th,
14th disclosure may
not be based on any

arbitrary classification
such as race or religion
see Oyer v Boles 368 US
448-456. No latitude of
intention should be indul-
ged in a case like this as
the requirement is consis-
tent with equal protection
case law. US v Parham 16
F3d 844-846-847 (C.A. 8.
1994), US v Fares 978 F2d
52-59-60 (C.A. 2. 1992), US
v Peete 919 F2d 1168-1176
(C.A. 6. 1990), C.E. Carlson,
Inc. v Sec 859 F2d 1429.
1437-1438 (C.A. 10. 1988),
US v Greenwood 796 F2d
49-52-53 (C.A. 4. 1986), US
v Mitchell 778 F2d 1271-
1277 (C.A. 7. 1985), A three
judge panel dissenting
Id at 21 F3d 1436.

~~AT~~

Statement of the Case

The appellants may question the district court's further fact finding. See *Daily v State*, 665 P2d 798, when witnesses may have testified falsely to secure a conviction in a court of law as the facts of the case were clearly bolstered for the prosecution. See *State v Cerfoglio*, 46 Nev 332 (1922) when statements are hearsay against the confrontation clause weighed against the inferences. See *Ryan v Miller*, 303 F3d 231 (C.A.2 (N.Y.) 2002). The crime accused can not be proven beyond a reasonable doubt given a fair trial.

LIST OF PARTIES

[] All parties appear in the caption of the case on the cover page.

[x] All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

See
Division of Parole
and Probation
119 E. Long St.
Carson City, Nev 89706

VERIFICATION

Under penalty of perjury, the undersigned declares that he is the petitioner named in the foregoing petition and knows the contents thereof; that the pleading is true of his own knowledge, except as to those matters stated on information and belief, and as to such matters he believes them to be true.

[Signature]
Petitioner

D/A
Attorney for petitioner

CERTIFICATE OF SERVICE BY MAIL

I do certify that I mailed a true and correct copy of the foregoing PETITION FOR WRIT OF HABEAS CORPUS to the below addresses on this 27 day of March, 2008, by placing same into the hands of prison law library staff for posting in the U.S. Mail, pursuant to N.R.C.P. 5:

JACK PALMER, WARDEN
Lovelock Correctional Center
[via Interdepartmental Mail]

CATHERINE CORTEZ MASTO
Nevada Attorney General
100 North Carson Street
Carson City, Nevada 89701-4717

Gene Allen #76542
Lovelock Correctional Center
P.O. Box 359
Lovelock, NV 89419-
_____, Nevada 89_____

[Signature] C.E.O.
Signature of Petitioner In Pro Se

and Entrepreneur,

///
///
///

1 ASTA

FILED

2008 MAR 27 A 8:35

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Chris [Signature]
CLERK OF THE COURT

7 STATE OF NEVADA,
8 Plaintiff(s),

)
) Case No: C177427
) Dept No: XXIV

9 vs.

10 GENE A. ALLEN,
11 Defendant(s),

CASE APPEAL STATEMENT

- 15 1. Appellant(s): GENE A. ALLEN
- 16 2. Judge: JAMES BIXLER
- 17 3. All Parties, District Court:

18 Plaintiff, THE STATE OF NEVADA

19 Defendant(s), GENE A. ALLEN

- 20 4. All Parties, Appeal:

21 Appellant(s), GENE A. ALLEN

22 Respondent, THE STATE OF NEVADA

- 23 5. Appellate Counsel:

24 *Appellant/Proper Person*
Gene Allen #76542
25 P.O. Box 359
26 Lovelock, NV 89419

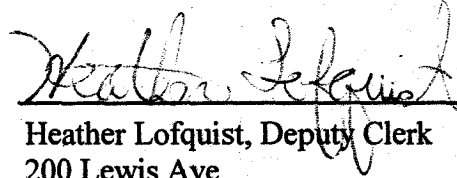
Respondent
David Roger, District Attorney
200 Lewis Ave.
Las Vegas, NV 89101
(702) 671-2700

- 1 6. District Court Attorney, Appointed
- 2 7. On Appeal, N/A
- 3 8. Forma Pauperis, Granted
- 4 9. Date Commenced in District Court: August 10, 2001

5 Dated This 27 day of March 2008.

6 Charles J. Short, Clerk of the Court

7
8 By:



9 Heather Lofquist, Deputy Clerk
10 200 Lewis Ave
11 PO Box 551601
12 Las Vegas, Nevada 89155-1601
13 (702) 671-0512

DATE: 03/27/08
CASE NO. 01-C-177427-C

I N D E X

TIME 8:16 AM
JUDGE: Bixler, James

STATE OF NEVADA

[] vs Allen, Gene A

[]

0001 D1 Gene A Allen Pro Se
P.O. Box 359
Lovelock, NV 89419

NO.	FILED/REC	CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0001	08/10/01	CBO	/CRIMINAL BINDOVER Fee \$0.00				
0002	08/10/01	ARRN	/INITIAL ARRAIGNMENT	0001		08/22/01	
0003	08/10/01	NOEV	/NOTICE OF EXHIBIT(S) IN THE VAULT			08/10/01	
0004	08/13/01	MOT	/DEFT'S PRO PER MOTION TO DISMISS COUNSEL	0001	DN	09/06/01	
			/2	0001			
0005	08/13/01	INFO	/INFORMATION	0001		08/13/01	
0006	08/21/01	MOT	/PUBLIC DEFENDER'S REQUEST TO WITHDRAW AS	0001	DN	09/06/01	
			COUNSEL/3	0001			
0007	08/22/01	MOT	/ALL PENDING MOTIONS 8-22-01	0001		08/22/01	
0008	08/22/01	ARRN	/ARRAIGNMENT CONTINUED	0001		09/06/01	
0009	08/24/01	MOT	/ALL PENDING MOTIONS 8-24-01	0001		08/24/01	
0010	08/28/01	MOT	/ALL PENDING MOTIONS 8/28/01	0001		08/28/01	
0011	08/31/01	MOT	/ALL PENDING MOTIONS 8/30/01	0001		08/30/01	
0012	09/06/01	MOT	/ALL PENDING MOTIONS 9/6/01	0001		09/06/01	
0013	09/06/01	JURY	/TRIAL BY JURY VJ 11/20/01	0001	VC	11/26/01	
0014	09/06/01	CALC	/CALENDAR CALL	0001		11/20/01	
0015	09/14/01	TRAN	/REPORTER'S TRANSCRIPT OF PRELIMINARY	0001		08/08/01	
			HEARING	0001			
0016	09/17/01	TRAN	/REPORTER'S TRANSCRIPT OF SEPT 6 2001			09/06/01	
0017	10/29/01	MOT	/STATE'S MTN TO ADMIT EVIDENCE OF OTHER	0001	GR	04/18/02	
			CRIMES WRONGS OR ACTS/12	0001			
0018	11/06/01	OPPS	/DEFENDANTS OPPOSITION TO STATES MOTION	0001			Y
			TO ADMIT EVIDENCE OF OTHER CRIMES	0001			
WRONGS OR ACTS							
0019	11/15/01	MOT	/DEFT'S MTN TO CONTINUE TRIAL DATE/13	0001	GR	11/20/01	
0020	11/20/01	JURY	/TRIAL BY JURY (RV 2-19-02)	0001	VC	02/25/02	
0021	11/20/01	CALC	/CALENDAR CALL	0001		02/19/02	
0022	11/20/01	MOT	/ALL PENDING MOTIONS 11/20/01	0001		11/20/01	
0023	01/30/02	LIST	/NOTICE OF WITNESSES AND NOTICE OF EXPERT	0001			
			WITNESSES	0001			
0024	02/12/02	LIST	/ADDENDUM TO NOTICE OF WITNESSES	0001			
0025	02/14/02	MOT	/DEFT'S MTN TO DISMISS COUNTS XI XII XIII	0001	OC	05/21/02	
			& XIV/17	0001			
0026	02/14/02	MOT	/DEFT'S MTN TO PRECLUDE PROSECUTION FROM	0001	GR	04/18/02	
			QUESTIONING STATE'S WITNESSES CONCERN/18	0001			
0027	02/14/02	MOT	/DEFT'S MTN FOR PSYCHOLOGICAL EXAMINATION	0001	GR	04/18/02	
			BY AN EXPERT EMPLOYED BY THE DEFT/19	0001			
0028	02/14/02	MOT	/DEFT'S MTN IN LIMINE TO PRECLUDE	0001	GR	04/18/02	
			PROSECUTION FROM REFERRING TO JANNA/20	0001			
0029	02/14/02	MOT	/DEFT'S MTN TO COMPEL DISCOVERY/21	0001	GR	02/19/02	
0030	02/19/02	MOT	/ALL PENDING MOTIONS 2-19-02	0001		02/19/02	
0031	02/19/02	HEAR	/HEARING: DEFT'S MOTION TO DISMISS COUNTS	0001	MH	04/18/02	
			XI, XII, XIII & XIV	0001			
0032	02/19/02	CALC	/CALENDAR CALL (VJ 5-21-02)	0001	VC	05/21/02	
0033	02/19/02	JURY	/TRIAL BY JURY (VJ 5-16-02)	0001	VC	05/28/02	
0034	02/27/02	ORDR	/ORDER GRANTING DEFENDANTS MOTION TO	0001		02/27/02	
			COMPEL DISCOVERY	0001			

(Continued to page 2)

NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0035	03/04/02	TRAN/REPORTER'S TRANSCRIPT OF HEARING	0001		02/19/02	
0036	03/14/02	OPPS/OPOSITION TO DEFENDANTS MOTION FOR PSYCHOLOGICAL EXAMINATION BY AN EXPERT EMPLOYED BY THE DEFENDANT	0001 0001			Y
0037	03/14/02	OPPS/OPOSITION TO MOTION IN LIMINE TO PRECLUDE THE PROSECUTION FROM REFERRING TO JANNA TAYLOR AS A VICTIM	0001 0001			Y
0038	03/14/02	REQT/NOTICE OF MOTION AND MOTION TO COMPEL HANDWRITING	0001 0001			
0039	03/14/02	OPPS/OPOSITION TO DEFENDANTS MOTION TO DISMISS COUNTS XI XII XIII AND XIV	0001 0001			
0040	03/26/02	MOT /ALL PENDING MOTIONS 3/26/02	0001		03/26/02	
0041	04/03/02	REQT/NOTICE OF MOTION AND MOTION TO RECONSIDER DEFENDANTS MOTION TO COMPEL DISCOVERY AND ORDER SHORTENING TIME	0001 0001			Y
0042	04/04/02	MOT /ALL PENDING MOTIONS 4-4-02	0001		04/04/02	
0043	04/16/02	OPPS/DEFENDANTS OPOSITION TO STATES MOTION TO RECONSIDER DEFENDANTS MOTION TO COMPEL DISCOVERY	0001 0001			Y
0044	04/18/02	MOT /ALL PENDING MOTIONS 4-18-02	0001		04/18/02	
0045	04/18/02	HEAR/PETROCELLI HEARING RE: (VJ 5-16-02) MOTION FOR BAD ACTS	0001 0001	VC	05/21/02	
0046	04/29/02	TRAN/REPORTER'S TRANSCRIPT OF HEARING	0001		04/18/02	
0047	05/01/02	ORDR/DEFENDANTS ORDER GRANTING PSYCHOLOGICAL EXAMINATION BY AN EXPERT AND IN LIMINE TO PRECLUDE PROSECUTION FROM REFERRING TO JANNA AS A VICTIM AND DEFENDANTS ORDER DENYING MOTION FOR DISCOVERY	0001 0001		05/01/02	Y
0048	05/08/02	HEAR/DEFT'S REQUEST FURTHER PROCEEDINGS REQUEST	0001 0001		05/16/02	
0049	05/16/02	CALC/CALENDAR CALL VJ 6/24/02	0001	VC	07/30/02	
0050	05/16/02	JURY/TRIAL BY JURY VJ 6/24/02	0001	VC	08/05/02	
0051	05/28/02	TRAN/REPORTER'S TRANSCRIPT OF HEARING FURTHER PROCEEDINGS ON PRETROCELLI HEARING	0001 0001		05/16/02	
0052	05/28/02	TRAN/REPORTER'S TRANSCRIPT OF HEARING STATUS CHECK ON SENTENCING (INPATIENT PROGRAM)	0001 0001		05/16/02	
0053	06/19/02	HEAR/STATE'S REQUEST TO CHANGE BRIEFING SCHEDULE/33	0001 0001	GR	06/24/02	
0054	06/24/02	CALC/CALENDAR CALL	0001		09/10/02	
0055	06/24/02	JURY/TRIAL BY JURY	0001		09/18/02	
0056	08/28/02	LIST/DEFENDANTS NOTICE OF EXPERT WITNESSES	0001			
0057	09/09/02	NOTC/DEFENDANTS NOTICE OF WITNESSES	0001			
0058	09/10/02	HEAR/PETROCELLI HEARING	0001		09/16/02	
0059	09/10/02	ORDR/ORDER GRANTING STATES MOTION TO COMPEL HANDWRITING SAMPLE	0001 0001	HG	04/18/02	
0060	09/11/02	LIST/SUPERCEEDING NOTICE OF WITNESSES AND EXPERT WITNESSES	0001 0001			
0061	09/16/02	TRB /TRIAL BEGINS				
0062	09/16/02	LIST/2ND SUPERCEDING NOTICE OF WITNESSES AND EXPERT WITNESSES	0001 0001			
0063	09/17/02	JLST/DISTRICT COURT JURY LIST	0001			
0064	09/19/02	SENT/SENTENCING	0001	GR	04/01/03	
0065	09/18/02	MEMO/GUILTY PLEA MEMORANDUM/AGREEMENT	0001			

(Continued to page 3)

NO.	FILED/REC	CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0066	09/18/02		INFO/AMENDED INFORMATION	0001		09/18/02	
0067	09/26/02		NOEV/NOTICE OF EXHIBIT(S) IN THE VAULT			09/16/02	
0068	10/08/02		TRAN/REPORTER'S TRANSCRIPT JURY TRIAL/GUILTY PLEA AGREEMENT	0001		09/18/02	
0069	10/08/02		TRAN/REPORTER'S TRANSCRIPT PETROCELLI HEARING	0001		09/16/02	
0070	11/13/02		MOT /DEFT'S PRO PER MOTION TO WITHDRAW PLEA	0001	DN	01/22/03	
0071	11/13/02		MOT /DEFT'S REQUEST FOR WITHDRAWAL OF COUNSEL -INEFFECTIVE ASSISTANCE OF COUNSEL	0001	DN	04/01/03	
0072	11/14/02		MOT /DEFT'S PRO PER MOTION TO WITHDRAW COUNSEL /40	0001	MC	11/27/02	
0073	09/18/02		TRE /TRIAL ENDS			09/18/02	
0074	11/27/02		OCAL/STATUS CHECK: FERRETTA CANVAS	0001		12/05/02	
0075	12/05/02		HEAR/CONFIRMATION OF COUNSEL (BOLTON)	0001	CM	12/09/02	
0076	12/18/02		MOT /DEFT'S PRO PER MTN TO INSPECT ALL EVID/43	0001	GR	01/22/03	
0077	12/30/02		OPPS/STATES OPPOSITION TO DEFENDANTS MOTION TO WITHDRAW GUILTY PLEA	0001			
0078	01/02/03		MOT /DEFT'S PRO PER APPLICATION TO PROCEED IN FORMA PAUPERIS/44	0001	DN	04/01/03	
0079	01/03/03		MOT /DEFT'S PRO PER MTN TO SUPPRESS CONTRIBUTORS/45	0001	DN	04/01/03	
0080	01/07/03		MOT /DEFT'S PRO PER MTN FOR NEW TRIAL/AQUITTAL/45	0001	DN	04/01/03	
0082	01/15/03		MOT /DEFT'S PRO PER MTN FOR INDEPENDANT TEST EVIDENCE/47	0001	DN	04/01/03	
0083	01/15/03		MOT /DEFT'S PRO PER MTN TO DISMISS STAND-BY COUNSEL/48	0001	DN	04/01/03	
0084	01/17/03		MOT /DEFT'S PRO PER MTN DISMISS CHARGES/49	0001	DN	04/01/03	
0085	01/22/03		HEAR/EVIDENTIARY HEARING	0001	OC	04/01/03	
0087	01/22/03		MOT /ALL PENDING MOTIONS 1/22/03	0001		01/22/03	
0088	01/22/03		MOT /DEFT'S PRO PER MTN FOR DISCOVERY /53	0001	DN	04/01/03	
0089	01/22/03		MOT /DEFT'S PRO PER MTN FOR DISCOVERY /54	0001	DN	04/01/03	
0090	01/23/03		MOT /DEFT'S PRO PER MTN TO WITHDRAW GUILTY PLEA/55	0001	DN	04/01/03	
0091	01/29/03		MOT /DEFT'S PRO PER MTN IN LIMINE /56	0001	DN	04/01/03	
0092	01/30/03		OPPS/STATES OPPOSITION TO DEFENDANTS MOTION FOR NEW TRIAL TO DISMISS STAND BY COUNSEL FOR INDEPENDENT TESTING OF EVIDENCE AND DEFENDANTS MOTION TO DISMISS	0001			Y
0093	02/06/03		MOT /ALL PENDING MOTIONS 2/6/03	0001		02/06/03	
0094	02/24/03		MOT /DEFT'S PRO PER MTN TO ANSWER STATES OPPOS/58	0001	DN	04/01/03	
0095	02/28/03		TRAN/REPORTER'S TRANSCRIPT DEFENDANTS PRO PER MOTIONS	0001		02/06/03	
0096	03/05/03		TRAN/REPORTER'S TRANSCRIPT OF HEARING MOTION TO WITHDRAW PLEA	0001		11/13/02	
0097	03/11/03		MOT /DEFT'S PRO PER MTN FOR CHANGE OF VENUE /59	0001	DN	04/01/03	
0098	03/11/03		MOT /DEFT'S PRO PER MTN IN LIMINE /60	0001	DN	04/01/03	
0099	03/12/03		TRAN/REPORTER'S TRANSCRIPT MOTION TO WITHDRAW GUILTY PLEA	0001		11/27/02	
0100	03/12/03		TRAN/REPORTER'S TRANSCRIPT DEFENDANTS PRO PER MOTION TO INSPECT ALL EVIDENCE	0001		01/22/03	Y

(Continued to page 4)

NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
FAVORABLE TO HIM DEFENDANTS MOTION TO WITHDRAW PLEA HEARINGS CONTINUED						
0101	03/24/03	MOT /DEFT'S PRO PER MTN TO SUPPRESS HERSEY/61	0001	DN	04/01/03	
0102	03/25/03	MOT /ALL PENDING MOTIONS 3/25/03	0001		03/25/03	
0103	03/25/03	MOT /DEFT'S PRO PER MTN TO SUPPRESS HEARSAY/63	0001	DN	04/01/03	
0104	04/01/03	MOT /ALL PENDING MOTIONS (4/1/03)	0001		04/01/03	
0105	04/04/03	ORDR/ORDER DENYING DEFENDANTS MOTIONS TO SUPPRESS HEARSAY CHANGE OF VENUE	0001	HG	04/01/03	Y
LIMINE NEW TRIAL DISMISS STAND BY COUNSEL INDEPENDENT TESTING OF EVIDENCE TO DISMISS DISCOVERY DEMURER OF CHARGES AND TO SUPPRESS CONTRIBUTORS						
0106	04/07/03	JMNT/ADMINISTRATION/ASSESSMENT FEE	0001		04/08/03	
0107	04/07/03	JMNT/GENETIC TESTING FEE	0001		04/08/03	
0108	04/07/03	JUDG/JUDGMENT OF CONVICTION - PLEA OF GUILTY	0001		04/07/03	
0109	04/01/03	CSCL/CASE CLOSED			04/01/03	
0110	04/11/03	TRAN/REPORTER'S TRANSCRIPT OF HEARING SENTENCING	0001		04/01/03	
0111	04/14/03	NOAS/NOTICE OF APPEAL	0001	AP	04/14/03	
0112	04/14/03	STAT/CASE APPEAL STATEMENT	0001			
0113	04/15/03	NOAS/DIRECT APPEAL TO THE SUPREME COURT	0001	AP	04/15/03	
0114	04/15/03	STAT/CASE APPEAL STATEMENT	0001			
0115	05/09/03	ORDR/ORDER FOR TRANSCRIPTS 9-17-02 09-18-02 11-13-02 01-06/03	0001		09/16/02	
0116	05/09/03	TRAN/REPORTER'S TRANSCRIPT OF HEARING MOTION TO WITHDRAW PLEA	0001		11/13/02	
0117	05/09/03	TRAN/REPORTER'S TRANSCRIPT OF HEARING DEFENDANTS PRO PER MOTION	0001		01/06/03	
0118	05/09/03	TRAN/REPORTER'S TRANSCRIPT OF JURY TRIAL GUILTY PLEA AGREEMENT	0001		09/18/02	
0119	05/09/03	TRAN/REPORTER'S TRANSCRIPT OF JURY TRIAL	0001		09/17/02	
0120	05/09/03	TRAN/REPORTER'S TRANSCRIPT OF HEARING PETROCELLI HEARING	0001		09/16/02	
0121	05/12/03	CASO/CASE (RE)OPENED			05/12/03	
0122	05/12/03	MOT /DEFT'S PRO PER MTN IN LIMINE /65	0001	DN	06/23/03	
0123	05/12/03	MOT /DEFT'S PRO PER CHANGE OF VENUE MTN/66	0001	DN	06/23/03	
0124	05/12/03	NOEV/NOTICE OF TRANSCRIPTS ON THE SHELVES 09-16-02 09-17-02 09-18-02 01-06-03			11/13/03	
0125	05/13/03	MOT /SUPREME COURT ORDER; APPONT COUNSEL	0001	MC	05/15/03	
0126	05/15/03	HEAR/CONFIRMATION COUNSEL (BOLTON J) VK 5/22/ 03	0001	VC	05/29/03	
0127	05/22/03	PLEA/DEFT'S PRO PER MTN WITHDRAW/REVOKE GUILTY PLEA/69	0001	DN	06/23/03	
0128	05/22/03	HEAR/CONFIRMATION OF COUNSEL (TAYLOR, W)	0001	VC	05/29/03	
0129	05/27/03	MOT /ALL PENDING MOTIONS 5/27/03	0001		05/27/03	
0130	05/30/03	NOTC/NOTICE OF APPOINTMENT OF COUNSEL	0001			
0131	06/06/03	MOT /DEFT'S PRO PER MTN TO PROCEED IN FORMA PAUPERIS/72	0001	DN	06/23/03	
0132	06/11/03	ORDR/ORDER	0001		06/11/03	
0133	06/11/03	PET /PETITION FOR WRIT OF HABEAS CORPUS POST-CONVICTION	0001			
0134	06/16/03	MOT /DEFT'S PRO PER MTN FOR LEAVE TO PROCEED IN FORMA PAUPERIS /73	0001	DN	06/30/03	
0135	06/16/03	AFFD/AFFIDAVIT IN SUPPORT OF MOTION TO PROCEED IN FORMA PAUPERIS	0001			

(Continued to page 5)

01-C-177427-C		(Continuation	Page	5)		
NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0136	06/19/03	TRAN/REPORTER'S TRANSCRIPT APPOINTMENT OF COUNSEL	0001		05/15/03	
			0001			
0137	06/23/03	PET /DEFT'S PRO P PTN FOR (VJ 7-28-03) WRIT OF HABEAS CORPUS/74	0001	VC	08/05/03	
			0001			
0138	06/23/03	MOT /ALL PENDING MOTIONS 6/23/03	0001		06/23/03	
0139	06/23/03	PPOW/ORDER FOR PETITION FOR A WRIT OF HABEAS CORPUS	0001	SC	08/05/03	
			0001			
0140	06/25/03	ORDR/ORDER DENYING DEFENDANTS MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS	0001	HG	06/23/03	Y
			0001			
		MOTION TO WITHDRAW REVOKE GUILTY PLEA MOTION IN LIMINE AND MOTION FOR CHANGE OF VENUE				
0141	06/30/03	TRAN/REPORTER'S TRANSCRIPT DEFENDANTS PRO PER MOTIONS	0001		05/27/03	
			0001			
0142	07/08/03	MOT /DEFT'S PRO PER MTN TO DISMISS COUNSEL/76	0001	MT	07/21/03	
0143	07/08/03	PET /PETITION FOR WRIT OF HABEAS CORPUS POST-CONVICTION	0001			
			0001			
0144	07/16/03	MOT /DEFT'S PRO PER MTN TO DISMISS COUNSEL/77	0001	OC	07/28/03	
0145	07/16/03	MOT /DEFT'S PRO PER MOTION FOR SENTENCE INVESTIGATION REPORT OR PSI/78	0001	OC	07/28/03	
			0001			
0146	07/16/03	MOT /DEFT'S PRO PER MTN FOR STATES EVIDENCE/79	0001	OC	07/28/03	
			0001			
0147	07/16/03	MOT /DEFT'S PRO PER MOITON FOR TRANSCRIPTS SENTENCING/80	0001	OC	07/28/03	
			0001			
0148	07/16/03	MOT /DEFT'S PRO PER MTN FOR SENTENCING TRANSCRIPTS/81	0001	OC	07/28/03	
			0001			
0149	07/16/03	MOT /DEFT'S MTN FOR EVIDENTIARY HEARING/82	0001	OC	07/28/03	
0150	07/16/03	TRAN/REPORTER'S TRANSCRIPT DEFENDANTS PRO PER MOTIONS	0001		06/23/03	
			0001			
0151	07/21/03	MOT /AT REQ. OF COURT/ WILLIAM TAYLOR ESQ. TO BE PRESENT	0001	OC	07/28/03	
			0001			
0152	07/23/03	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION FOR SENTENCING TRANSCRIPTS STATES EVIDENCE EVIDENTIARY HEARING TO DISMISS COUNSEL AND FOR P S I REPORT	0001			Y
			0001			
0153	07/23/03	OPPS/STATES OPPOSITION TO DEFENDANTS PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION)	0001			Y
			0001			
0154	07/28/03	MOT /ALL PENDING MOTIONS 7-28-03	0001		07/28/03	
0155	08/25/03	MOT /DEFT'S PRO PER MTN PRODUCTN TRANSCRIPTS/85	0001	DN	09/08/03	
			0001			
0156	08/25/03	AFFD/AFFIDAVIT IN SUPPORT OF MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATE EXPENSE	0001			Y
			0001			
0157	08/25/03	NOTC/NOTICE OF MOTION	0001			
0158	09/02/03	OPPS/STATES OPPOSITION FOR DEFENDANTS MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATES EXPENSE	0001			Y
			0001			
0159	09/08/03	CSCL/CASE CLOSED			09/08/03	
0160	09/11/03	CASO/CASE (RE)OPENED			09/11/03	
0161	09/11/03	MOT /DEFT'S PRO PER MTN TO PROCEED IN FORMA PAUPERIS /86	0001	GR	09/22/03	
			0001			
0162	09/11/03	MOT /DEFT'S PRO PER MTN FOR TRANSCRIPTS/87	0001	DN	09/22/03	
0163	09/11/03	ORDR/ORDER DENYING DEFENDANTS MOTION FOR PRODUCTION OF TRANSCRIPTS AT	0001	HG	09/08/03	Y
			0001			

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NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
STATES EXPENSE						
0164	09/16/03	MOT /DEFT'S PRO PER MTN TO DISMISS CNSL/88	0001	GR	09/25/03	
0165	09/16/03	PET /DEFT'S PRO PER PTN FOR PROTECTIVE ORD/89	0001	MT	12/01/03	
0166	09/18/03	BREF/BRIEF ON THE MERITS	0001			
0167	09/22/03	MOT /ALL PENDING MOTIONS 9/22/03	0001		09/22/03	
0168	09/25/03	MOT /ALL PENDING MOTIONS 09-25-03	0001		09/25/03	
0169	09/25/03	HEAR/HEARING/DECISION	0001	MH	12/08/03	
0170	10/07/03	HEAR/DEFT'S PRO PER REQUEST FOR ORDER/93	0001	DN	12/08/03	
0171	10/07/03	HEAR/DEFT'S PRO PER REQUEST FINAL DEPOSITION/94	0001	DN	12/08/03	
0172	10/16/03	MOT /ALL PENDING MOTIONS (10/16/03)	0001		10/16/03	
0173	10/20/03	MOT /ALL PENDING MOTIONS 10-20-03	0001		10/20/03	
0174	10/22/03	ORDR/ORDER GRANTING STATES MOTION FOR CLARIFICATION	0001		10/22/03	
0175	10/28/03	MOT /DEFT'S PRO PER MTN VOLUNTARY DISMISSAL/97	0001	MT	11/10/03	
0176	11/03/03	BREF/BRIEF ON THE MERITS III	0001			
0177	11/03/03	REQT/MOTION TO STATEMENT OF EVIDENCE	0001			
0178	11/14/03	ORDR/ORDER DENYING DEFENDANTS MOTION TO STATEMENT OF EVIDENCE AND MOTION FOR	0001	HG	11/10/03	Y
VOLUNTARY DISMISSAL						
0179	11/17/03	MOT /ALL PENDING MOTIONS 11-17-03	0001		11/17/03	
0180	11/17/03	MOT /DEFT'S PRO PER MTN TRANSMISSION TO SUPREME COURT/99	0001	DN	12/01/03	
0181	11/17/03	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION FOR TRANSCRIPTS AND PETITION FOR	0001			Y
PROTECTIVE AND MODIFYING ORDER						
0182	12/02/03	MOT /ALL PENDING MOTIONS (12/1/03)	0001		12/01/03	
0183	12/08/03	MOT /ALL PENDING MOTIONS 12/8/03	0001		12/08/03	
0184	12/08/03	TRAN/REPORTER'S TRANSCRIPT PRO PER MOTION	0001		11/10/03	
0185	12/24/03	MOT /DEFT'S PRO PER MTN TO DISMISS COUNSEL	0001	MT	01/14/04	
0186	12/26/03	PET /PETITION FOR WRIT OF HABEAS CORPUS POST CONVICTION	0001			
0187	01/06/04	PET /DEFT'S PRO PER PTN FOR WRIT OF HABEAS CORPUS/103 VJ 2/17/04	0001	VC	02/18/04	
0188	01/06/04	PPOW/ORDER FOR PETITION FOR A WRIT OF HABEAS CORPUS	0001	SH	02/18/04	
0189	01/12/04	MOT /DEFT'S PRO PER MTN FOR CHANGE OF VENUE/104 VJ 2/17/04	0001	VC	02/18/04	
0190	01/14/04	REQT/REQUEST FOR TRANSCRIPTS OF PROCEEDINGS	0001			
0191	01/21/04	HEAR/DEFT'S PRO PER EVIDENTIARY HEARING /105 VJ 2/17/04	0001	VC	02/18/04	
0192	01/23/04	MOT /DEFT'S PRO PER REQUEST OF ALL PROCEEDINGS/106 VJ 2/17/04	0001	VC	02/18/04	
0193	02/03/04	MOT /DEFT'S PRO PER MTN TO WITHDRAW TRIAL COUNSEL/107	0001	GR	02/17/04	
0194	01/23/04	MOT /DEFT'S PRO PER REQUEST FOR ROUGH DRAFT TRANSCRIPTS OF PROCEEDINGS IN DC/108	0001	VC	02/18/04	
0195	02/03/04	MOT /DEFT'S PRO PER MTN FOR EVIDENTARY HEARING II/	0001	DN	02/17/04	
0197	02/12/04	OPPS/STATES OPPOSITION TO DEFENDANTS PETITION FOR WRIT OF HABEAS CORPUS	0001			Y

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NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
POST CONVICTION						
0198	02/12/04	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION FOR EVIDENTIARY HEARING	0001			
0199	02/12/04	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION FOR CHANGE OF VENUE	0001			
0200	02/12/04	OPPS/STATES OPPOSITION TO DEFENDNATS MOTION FOR TRANSCRIPTS	0001			
0201	02/17/04	MOT /DEFT'S PRO PER MTN FOR CHANGE OF VENUE /110	0001	DN	03/03/04	
0202	02/17/04	MOT /DEFT'S PRO PER MTN FOR STATEMENT OF EVID/111	0001	DN	03/03/04	
0203	02/17/04	MOT /DEFT'S PRO PER MTN TO DISCHARGE/112	0001	DN	03/03/04	
0204	02/17/04	HEAR/DEFT'S PRO PER MTN FOR EVIDENTIARY HEARING/113	0001	DN	03/03/04	
0205	02/17/04	HEAR/DEFT'S PRO PER MTN FOR EVIDENTIARY HEARING II/114	0001	DN	03/03/04	
0206	02/17/04	BREF/BRIEF	0001			
0207	02/17/04	NOTC/NOTICE OF WITHDRAWAL OF APPEAL	0001			
0208	02/19/04	MOT /ALL PENDING MOTIONS 2/17/04	0001		02/17/04	
0209	02/24/04	MOT /DEFT'S PRO PER MTN TO VACATE JUDGMNT OF/116	0001	DN	03/03/04	
0210	02/23/04	JUDG/FINDINGS OF FACTS, CONCLUSIONS OF LAW AND ORDER DISMISSING DEFENDANTS PETITION FOR WRIT OF HABEAS CORPUS POST CONVICTION MOTION FOR CHANGE VENUE MOTION FOR EVIDENTIARY HEARING AND GRANTING DEFENDANTS MOTION TO WITHDRAW COUNSEL	0001	HG	02/17/04	Y
0211	02/24/04	NOED/NOTICE OF ENTRY OF DECISION AND ORDER	0001		02/23/04	
0212	02/25/04	TRAN/REPORTER'S TRANSCRIPT PRO PER MOTION FOR EVIDENTIARY HEARING	0001		02/17/04	
0213	03/03/04	MOT /ALL PENDING MOTIONS 3/3/04	0001		03/03/04	
0214	03/05/04	MOT /DEFT'S PRO PER MTN FOR VOLUNTARY DISMISSAL OF APPEAL/118	0001	GR	03/16/04	
0215	03/08/04	ORDR/ORDER DENYING DEFENDANTS PRO PER MOTION FOR EVIDENTIARY HEARING DEFENDANTS PRO PER MOTION FOR CHANGE OF VENUE DEFENDANTS PRO PER MOTION FOR EVIDENTIARY HEARING DEFENDANTS PRO PER MOTION TO VACATE JUDGMENT OF CONVICTION DEFENDANTS PRO PER MOTION FOR STATEMENT OF EVIDENCE DEFENDANTS PRO PER MOTION TO DISCHARGE	0001	HG	03/03/04	Y
0216	03/09/04	PET /PETITION FOR POST CONVICTION RELIEF	0001			
0217	03/11/04	MOT /DEFT'S PRO PER MTN TO AMEND WRIT OF POST CONVICTN/119	0001	DN	06/10/04	
0218	03/11/04	NOAS/NOTICE OF APPEAL	0001	AP	03/11/04	
0219	03/12/04	STAT/CASE APPEAL STATEMENT	0001			
0220	03/17/04	APCL/APPEAL TO SUPREME COURT: CLOSED 41274			03/17/04	
0221	03/22/04	ORDR/ORDER GRANTING DEFENDANTS MOTION TO DISMISS APPEAL	0001		03/22/04	
0222	03/23/04	MOT /DEFT'S PRO PER MTN TO VACATE JUDGMENT OF CONVICTION/120	0001	DN	06/10/04	
0223	03/19/04	PET /PETITION FOR POST CONVICTION RELIEF	0001			
0224	03/25/04	CASO/CASE (RE)OPENED			03/25/04	
0225	03/25/04	MOT /DEFT'S PRO PER MTN TO MODIFY SENTENCE /121	0001	DN	06/10/04	
0226	04/01/04	PET /DEFT'S PRO PER PTN FOR WRIT OF HABEAS CORPUS /122	0001	DN	06/10/04	

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NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0227	04/01/04	PPOW/ORDER FOR PETITION FOR A WRIT OF HABEAS CORPUS	0001	SH	06/09/04	
			0001			
0228	04/05/04	RSPN/STATES RESPONSE TO DEFENDANTS PETITION FOR POST CONVICTION RELIEF	0001			
			0001			
0229	04/06/04	MOT /ALL PENDING MOTIONS 4/6/04	0001		04/06/04	
0230	04/08/04	MOT /TAYLOR'S MTN TO WITHDRAW AS COUNSEL OF RECORD/124	0001	GR	04/19/04	
			0001			
0231	04/12/04	JMNT/CLERK'S CERTIFICATE JUDGMENT AFFIRMED	0001		04/13/04	
0232	04/12/04	CRTF/CERTIFICATE OF SERVICE	0001		04/12/04	
0233	04/12/04	CCJA/NEVADA SUPREME COURT CLERKS CERTIFICATE/JUDGMENT - AFFIRMED	0001		04/12/04	
			0001			
0234	04/20/04	MOT /DEFT'S PRO PER MTN FOR DISMISSAL/125	0001	DN	06/10/04	
0235	04/20/04	ORDR/ORDER	0001		04/20/04	
0236	04/20/04	REQT/MOTION FOR COURT ORDER PRESENTENCING INVESTIGATION DISCLOSURE COPY	0001		05/04/04	Y
			0001			
		TO THE DEFENDANT				
0237	04/27/04	MOT /DEFT'S PRO PER MTN TO COMPEL DISCOVERY/126	0001	DN	06/10/04	
			0001			
0238	04/27/04	HEAR/DEFT'S PRO PER MTN REQUEST EVIDENTIARY HEARI/127	0001	DN	06/10/04	
			0001			
0239	04/23/04	NOTC/NOTICE OF ENTRY OF ORDER	0001		04/20/04	
0240	05/03/04	MOT /DEFT'S PRO PER MTN TO DISMISS CNSL/128	0001	DN	06/10/04	
0241	05/03/04	MOT /DEFT'S PRO PER MTN CRIMINAL MINUTES/129	0001	DN	06/10/04	
0242	05/04/04	MOT /ALL PENDING MOTIONS FOR 5/4/04	0001		05/04/04	
0243	05/11/04	MOT /DEFT'S PRO PER MTN TO SUPPRESS PETROCELLI/131	0001	DN	06/10/04	
			0001			
0244	05/13/04	MOT /DEFT'S PRO PER MTN FOR CONCLUSION/FINAL/132	0001	DN	06/10/04	
			0001			
0245	05/13/04	MOT /DEFT'S PRO PER MTN SPEEDY TRIAL/133	0001	DN	06/10/04	
0246	05/20/04	MOT /DEFT'S PRO PER MOTION TO WITHDRAW PLEA /134	0001	DN	06/10/04	
			0001			
0247	05/21/04	MOT /STATE'S RESPONSE & MTN TO DISMISS DEFT'S REQUEST FOR AN EVIDENTIARY HEARING/135	0001	DN	06/10/04	
			0001			
0248	05/24/04	MOT /DEFT'S PRO PER MTN TO SUPPRESS PRELIMINARY HEARING/136	0001	DN	06/10/04	
			0001			
0249	05/20/04	RSPN/STATES RESPONSE TO DEFENDANTS MOTION TO SUPPRESS PETROCELLI EVIDENCE	0001			
			0001			
0250	05/20/04	RSPN/STATES RESPONSE TO DEFENDANTS MOTION FOR SENTENCE MODIFICATION	0001			
			0001			
0251	05/21/04	RSPN/STATES RESPONSE TO DEFENDANTS MOTION FOR SPEEDY TRIAL	0001			
			0001			
0252	05/21/04	RSPN/STATES RESPONSE TO DEFENDANTS MOTION TO COMPEL DISCOVERY				
0253	05/21/04	RSPN/STATES RESPONSE AND MOTION TO DISMISS DEFENDANTS REQUEST FOR AN EVIDENTIARY HEARING	0001			Y
			0001			
0254	05/21/04	RSPN/STATES RESPONSE AND MOTION TO DISMISS DEFENDANTS MOTION TO VACATE JUDGMENT OF CONVICTION	0001			Y
			0001			
0255	05/24/04	REQT/MOTION TO SUPPRESS PRELIMINARY HEARING	0001			
0256	06/10/04	MOT /ALL PENDING MOTIONS 6/9/04	0001		06/09/04	
0257	06/11/04	MOT /ALL PENDING MOTIONS 6-10-04	0001		06/10/04	

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NO.	FILED/REC	CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0259	02/25/02		ORDR/EX PARTE ORDER				
0260	06/22/04		TRAN/REPORTER'S TRANSCRIPT DEFENDANTS PRO PER MOTIONS	0001 0001		06/09/04	
0261	05/09/03		TRAN/REPORTER'S TRANSCRIPT OF JURY TRIAL			09/16/02	
0262	06/24/04		TRAN/REPORTER'S TRANSCRIPT DEFENDANTS PRO PER MOTIONS	0001 0001		06/10/04	
0263	06/25/04		ORDR/ORDER DENYING DEFENDANTS MOTIONS	0001	GR	06/25/04	
0264	07/02/04		CASO/CASE (RE)OPENED			07/02/04	
0265	07/01/04		HEAR/DEFT'S PRO PER REQUEST FOR STATES OPPOSITION FOR PSI/139	0001 0001	DN	09/01/04	
0266	07/08/04		MOT /DEFT'S PRO PER MTN FOR PRODUCTION OF TRANSCRIPTS/140	0001 0001	DN	09/01/04	
0267	07/08/04		MOT /DEFT'S PRO PER MTN FOR LEAVE TO AMEND WRIT OF HABEAS CORPUS/141	0001 0001	DN	09/28/04	
0268	07/08/04		NOAS/NOTICE OF APPEAL	0001	AP	07/08/04	
0269	07/09/04		STAT/CASE APPEAL STATEMENT	0001			
0270	07/09/04		NOAS/NOTICE OF APPEAL	0001	AP	07/09/04	
0271	07/14/04		MOT /ALL PENDING MOTIONS - 7/14/04	0001		07/14/04	
0272	07/12/04		STAT/CASE APPEAL STATEMENT	0001			
0273	07/20/04		EXPR/EX PARTE ORDER GRANTING ATTORNEYS FEES IN EXCESS OF THE STATUTORY LIMIT	0001 0001		07/20/04	
0274	07/22/04		NOTC/NOTICE OF ENTRY OF ORDER	0001		07/20/04	
0275	07/29/04		CASO/CASE (RE)OPENED			07/29/04	
0276	07/29/04		MOT /DEFT'S PRO PER MTN FOR STATES OPPOSITION/143	0001 0001	DN	09/01/04	
0277	07/29/04		MOT /DEFT'S PRO PER MTN FOR STATES OPPOSITION/144	0001 0001	DN	09/01/04	
0278	08/02/04		MOT /DEFT'S MTN FOR PRODUCTION OF SENTENCING TRANSCRIPTS & FORMA PAUPERIS/145	0001 0001	DN	09/01/04	
0279	08/02/04		NOTC/CONTENTS AND NOTICE OF ORDER FINALLY DISPOSING OF PETITION	0001 0001			
0280	08/06/04		MOT /DEFT'S PRO PER MTN FOR TRANSCRIPTS/146	0001	DN	09/01/04	
0281	08/06/04		MOT /DEFT'S PRO PER MTN FOR EXCEPTION/147	0001	DN	09/01/04	
0282	08/06/04		AFFD/AFFIDAVIT IN SUPPORT OF MOTION FOR TRANSCRIPTS	0001 0001			
0283	08/06/04		NOTC/NOTICE OF MOTION	0001			
0284	08/11/04		MOT /ALL PENDING MOTIONS - 8/11/04	0001		08/11/04	
0285	08/10/04		PET /PETITION FOR WRIT OF HABEAS CORPUS	0001			
0286	08/10/04		CRTF/CERTIFICATE OF INMATES INSTITUTIONAL ACCOUNT	0001 0001			
0287	08/10/04		REQT/MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS	0001 0001			
0288	08/18/04		MOT /ALL PENDING MOTIONS - 8/18/04	0001		08/18/04	
0289	08/12/04		PROF/PROOF OF SERVICE BY MAIL	0001			
0290	08/17/04		NOTC/NOTICE OF ENTRY OF DECISION AND ORDER	0001		08/17/04	
0291	08/17/04		PET /HABEAS CORPUS AMENDED PETITION	0001			
0292	08/27/04		PET /DEFT'S PRO PER PTN FOR WRIT OF HABEAS CORPUS /150	0001 0001	DN	09/28/04	
0293	08/24/04		OPPS/STATES OPPOSITION TO DEFENDANTS VARIOUS PROPER PERSON MOTIONS	0001 0001			
0294	08/23/04		PET /PETITION FOR WRIT OF HABEAS CORPUS	0001			
0295	08/31/04		MOT /DEFT'S PRO PER MTN FOR LEAVE TO PROCEED IN FORMA PAUPERIS/151	0001 0001	DN	09/28/04	

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NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0296	08/27/04	PPOW/ORDER FOR PETITION FOR A WRIT OF HABEAS CORPUS	0001	SH	09/28/04	
			0001			
0297	08/31/04	STAT/CASE APPEAL STATEMENT	0001			
0298	08/31/04	NOAS/NOTICE OF APPEAL	0001	AP	08/31/04	
0299	09/07/04	CASO/CASE (RE)OPENED			09/07/04	
0300	09/07/04	MOT /DEFT'S PRO PER MTN FOR TRANSCRIPTS OF PROCEEDINGS/152	0001	DN	09/28/04	
			0001			
0301	09/14/04	MOT /DEFT'S PRO PER MTN FOR QUALIFIED IMMUNIT/153	0001	DN	09/28/04	
			0001			
0302	09/10/04	ANSW/ANSWER	0001			
0303	09/01/04	MOT /ALL PENDING MOTIONS - 9/1/04	0001		09/01/04	
0304	09/16/04	MOT /DEFT'S PRO PER MTN FOR COURT MINUTES/155	0001	DN	09/28/04	
0305	09/14/04	REQT/MOTION FOR AN EVIDENTIARY HEARING	0001			
0306	09/21/04	MOT /STATE'S MTN TO DISMISS PTN FOR WRIT/156	0001	GR	09/28/04	
0307	09/20/04	ORDR/ORDER DENYING DEFENDANTS VARIOUS PROPER PERSON MOTION HEARD ON SEPTEMBER 1 2004	0001	HG	09/01/04	
			0001			
0308	09/22/04	APCL/APPEAL TO SUPREME COURT: CLOSED 42969			09/17/04	
0309	09/28/04	MOT /ALL PENDING MOTIONS 9/28/04	0001		09/28/04	
0310	07/08/04	CERT/CERTIFICATE OF SERVICE BY MAIL	0001			
0311	07/08/04	REQT/NOTICE OF MOTION	0001			
0312	08/23/04	CERT/CERTIFICATE OF SERVICE BY MAIL	0001			
0313	08/23/04	REQT/MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS	0001			
			0001			
0314	08/23/04	CERT/CERTIFICATE OF INMATE'S INSTITUTIONAL ACCOUNT	0001			
			0001			
0315	08/31/04	AFFD/AFFIDAVIT IN SUPPORT IF REQUEST TO PROCEED IN FORMA PAUPERIS	0001			
			0001			
0316	10/11/04	JUDG/FINDINGS OF FACTS, CONCLUSIONS OF LAW AND ORDER	0001	GR	10/11/04	
			0001			
0317	10/11/04	NOED/NOTICE OF ENTRY OF DECISION AND ORDER	0001		10/11/04	
0318	10/11/04	REQT/MOTION OF CONSIDERATION OF THE MERIT	0001			
0319	10/13/04	CASO/CASE (RE)OPENED			10/13/04	
0320	10/12/04	MOT /DEFT'S PRO PER MTN FOR CONTENTS & NTC OF ORDER FINALLY DISPOSING OF PTN HABE/158	0001	OC	11/01/04	
			0001			
0321	10/21/04	JMNT/CLERK'S CERTIFICATE/JUDGMENT AFFIRMED	0001		10/25/04	
0322	10/21/04	CCJA/NEVADA SUPREME COURT CLERKS CERTIFICATE/JUDGMENT - AFFIRMED	0001		10/21/04	
			0001			
0323	10/22/04	NOAS/NOTICE OF APPEAL	0001	AP	10/22/04	
0324	10/25/04	STAT/CASE APPEAL STATEMENT	0001			
0325	10/26/04	RSPN/RESPONSE	0001			
0326	12/09/04	APCL/APPEAL TO SUPREME COURT: CLOSED 43599		GR	12/06/04	
0327	12/13/04	CASO/CASE (RE)OPENED RECORD ON APPEAL	0001		12/13/04	
0328	12/14/04	CSCL/CASE CLOSED	0001		12/14/04	
0329	12/14/04	CASO/CASE (RE)OPENED			12/14/04	
0330	12/14/04	MOT /DEFT'S PRO PER MTN FOR COURT MINUTES/159	0001	GR	12/29/04	
0331	12/16/04	PET /DEFT'S PRO PER PTN FOR WRIT OF HABEAS CORPUS /160	0001	DN	02/03/05	
			0001			
0332	11/19/04	PET /PETITION FOR WRIT OF HABEAS CORPUS	0001			
0333	11/19/04	APPL/APPLICATION TO PROCEED IN FORMA PAUPERIS	0001			
			0001			
0334	01/03/05	AMEN/AMENDED PLEADING	0001			
0335	01/10/05	HEAR/DEFT'S PRO PER MTN EVIDENTIARY HEARING /161	0001	DN	01/27/05	
			0001			

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NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0336	01/06/05	CCJA/NEVADA SUPREME COURT CLERKS CERTIFICATE/ JUDGMENT - AFFIRMED AND DISMISS APPEAL	0001 0001		01/06/04	Y
IN PART						
0337	01/06/05	JMNT/CLERK'S CERTIFICATE JUDGMENT AFFIRMED	0001		01/18/05	
0338	01/13/05	ORDR/ORDER GRANTING DEFENDANTS MOTION FOR COURT MINUTES FROM JUNE 6 2003	0001 0001	HG	12/29/04	
0339	01/13/05	OPPS/STATES OPPOSITION AND MOTION TO DISMISS DEFENDANTS PETITION FOR WRIT OF	0001 0001			Y
HABEAS CORPUS POST CONVICTION						
0340	01/13/05	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION FOR EVIDENTIARY HEARING	0001 0001			
0341	01/19/05	ARGU/CLOSING ARGUMENT	0001			
0342	01/19/05	NCA /HARMLES AND REVERSABLE ERROR	0001			
0343	01/24/05	MOT /DEFT'S PRO PER MTN FOR CRIMINAL COURT MINUTES/162	0001 0001	DN	03/02/05	
0344	01/24/05	MOT /DEFT'S PRO PER MTN FOR SENTENCING TRANSCRIPTS/163	0001 0001	DN	03/02/05	
0345	01/24/05	APPL/APPLICATION TO PROCEED IN FORMA PAUPERIS	0001 0001			
0346	01/24/05	NOAS/NOTICE OF APPEAL	0001	AP	01/24/05	
0347	01/24/05	STAT/CASE APPEAL STATEMENT	0001			
0348	02/03/05	MOT /ALL PENDING MOTIONS (2/3/05)	0001		02/03/05	
0349	02/04/05	RSPN/ANSWER AND RESPONSE TO A WRIT OF HABEAS CORPUS FOR POST CONVICTION	0001 0001			
0350	02/09/05	CASO/CASE (RE)OPENED			02/09/05	
0351	02/08/05	MOT /DEFT'S PRO PER MTN FOR TRANSCRIPTS/165	0001	DN	03/02/05	
0352	02/08/05	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION FOR CRIMINAL COURT MINUTES MOTION FOR	0001 0001			Y
SENTENCING TRANSCRIPT HARMLESS AND REVERSIBLE ERROR AND CLOSING ARGUMENT						
0353	02/18/05	APCL/APPEAL TO SUPREME COURT: CLOSED 44597			02/15/05	
0354	02/23/05	MOT /DEFT'S PRO PER MTN FOR FINAL ORDER FACTS CONCLUSION OF LAW TO WRIT OF HABEAS/166	0001 0001	DN	03/07/05	
0355	02/17/05	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION TRANSCRIPTS TO PROCEEDINGS	0001 0001			
0356	02/24/05	MOT /DEFT'S PRO PER MTN FOR CONCLUSION OF LAW ANSWER & STATES OPP TO WRIT OF HABEA/167	0001 0001	DN	03/07/05	
0357	02/23/05	MOT /ALL PENDING MOTIONS - 2/23/05	0001		02/23/05	
0358	03/02/05	MOT /ALL PENDING MOTIONS (3/2/05)	0001		03/02/05	
0359	03/03/05	MOT /DEFT'S PRO PER MTN FOR DOCUMENTS/170	0001	DN	03/21/05	
0360	03/03/05	MOT /DEFT'S PRO PER MTN FOR DOWNWARD DEPARTURE/171	0001 0001	DN	03/21/05	
0361	03/07/05	APCL/APPEAL TO SUPREME COURT: CLOSED 44180			03/04/05	
0362	03/02/05	JUDG/FINDINGS OF FACTS, CONCLUSIONS OF LAW AND ORDER	0001 0001	HG	02/03/05	
0363	03/03/05	RSPN/STATES RESPONSE TO DEFENDANTS MOTION FOR CONCLUSION OF LAW ANSWER AND	0001 0001			Y
STATES OPPOSITION TO WRIT OF HABEAS CORPUS						
0364	03/11/05	MOT /DEFT'S PRO PER MTN FOR SENTENCING TRANSCRIPT/172	0001 0001	DN	03/21/05	
0365	03/10/05	OPPS/STATES OPPOSITION TO DEFENDANT MOTION FOR DOCUMENTS AND MOTION FOR	0001 0001			Y
DOWNWARD DEPARTURE						

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NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0366	03/07/05	MOT /ALL PENDING MOTIONS - 3/7/05	0001		03/07/05	
0367	03/14/05	NOED/NOTICE OF ENTRY OF DECISION AND ORDER	0001		03/02/05	
0368	03/18/05	MOT /DEFT'S PRO PER MTN FOR FINAL DISPOSITION/174	0001	MT	04/25/05	
0369	03/21/05	MOT /ALL PENDING MOTIONS (3/21/05)	0001		03/21/05	
0370	03/17/05	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION FOR SENTENCING TRANSCRIPTS	0001			
0371	03/21/05	PET /DEFT'S PRO PER NTC OF EXHAUSTED PTN FOR WRIT OF HABEAS CORPUS /176	0001	MT	04/25/05	
0372	03/18/05	NSCO/NEVADA SUPREME COURT JUDGMENT / ORDERED APPEAL DISMISSED	0001		03/18/05	
0373	03/25/05	MOT /DEFT'S PRO PER APPLICATION TO PROCEED IN FORMA PAUPERIS/177	0001	GR	04/25/05	
0374	03/28/05	MOT /ALL PENDING MOTIONS (3/28/05)	0001		03/28/05	
0375	03/24/05	NOAS/NOTICE OF APPEAL	0001	AP	03/24/05	
0376	03/29/05	MOT /DEFT'S PRO PER MTN FOR FINAL ORDER & JUDGMENT/179	0001	MT	04/25/05	
0377	03/25/05	STAT/CASE APPEAL STATEMENT	0001			
0378	03/28/05	NOAS/NOTICE OF APPEAL	0001	AP	03/28/05	
0379	03/28/05	APPL/APPLICATION TO PROCEED IN FORMA PAUPERIS	0001			
0380	03/28/05	STAT/CASE APPEAL STATEMENT	0001			
0381	03/29/05	STAT/CASE APPEAL STATEMENT	0001			
0382	03/29/05	ORDR/ORDER DENYING DEFENDANTS PRO PER MOTION FOR DOCUMENTS DOWNWARD DEPARTURE AND SENTENCING TRANSCRIPTS	0001		03/29/05	Y
0383	04/01/05	CASO/CASE (RE)OPENED			04/01/05	
0384	04/01/05	MOT /DEFT'S PRO PER APPLICATION TO PROCEED IN FORMA PAUPERIS/180	0001	GR	04/25/05	
0385	04/04/05	MOT /ALL PENDING MOTIONS (04/04/05)	0001		04/04/05	
0386	04/01/05	NOAS/NOTICE OF APPEAL	0001	AP	04/01/05	
0387	04/01/05	APPL/APPLICATION TO PROCEED IN FORMA PAUPERIS	0001			
0388	04/04/05	STAT/CASE APPEAL STATEMENT	0001			
0389	04/11/05	MOT /ALL PENDING MOTIONS (4/11/05)	0001		04/11/05	
0390	04/11/05	MOT /DEFT'S PRO PER MTN FOR TRANSCRIPTS/183	0001	MT	04/21/05	
0391	04/13/05	CASO/CASE (RE)OPENED			04/13/05	
0392	04/11/05	NOAS/NOTICE OF APPEAL	0001	AP	04/11/05	
0393	04/11/05	STAT/CASE APPEAL STATEMENT	0001			
0394	04/11/05	STAT/CASE APPEAL STATEMENT	0001			
0395	04/19/05	CASO/CASE (RE)OPENED			04/19/05	
0396	04/18/05	MOT /DEFT'S PRO PER MTN FOR COURT INDEX/184	0001	DN	04/28/05	
0397	04/18/05	MOT /DEFT'S PRO PER APPLICATION TO PROCEED IN FORMA PAUPERIS/185	0001	GR	04/28/05	
0398	04/13/05	APPL/APPLICATION TO PROCEED IN FORMA PAUPERIS	0001			
0399	03/18/05	JMNT/CLERK'S CERTIFICATE APPEAL DISMISSED	0001		04/22/05	
0400	04/18/05	NOAS/NOTICE OF APPEAL	0001	AP	04/18/05	
0401	04/25/05	MOT /ALL PENDING MOTIONS (4/25/05)	0001		04/25/05	
0402	04/19/05	STAT/CASE APPEAL STATEMENT	0001			
0403	04/18/05	APPL/APPLICATION TO PROCEED IN FORMA PAUPERIS	0001			

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NO.	FILED/REC	CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0404	04/18/05	CRTF/CERTIFICATE OF INMATES INSTITUTIONAL ACCOUNT	0001				
			0001				
0405	04/20/05	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION FOR SENTENCING TRANSCRIPTS	0001				
			0001				
0406	04/28/05	MOT /ALL PENDING MOTIONS (4/28/05)	0001			04/28/05	
0407	04/29/05	CASO/CASE (RE)OPENED				04/29/05	
0408	04/28/05	MOT /DEFT'S PRO PER MTN FOR COURT TO DISQUALIFY ITSELF APPLICATION TO/188	0001	DN		06/08/05	
			0001				
0409	04/28/05	MOT /DEFT'S PRO PER APPLICATION TO PROCEED IN FORMA PAUPERIS/189	0001	GR		05/09/05	
			0001				
0410	04/26/05	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION FOR COURT INDEX ET AL	0001				
			0001				
0411	05/09/05	MOT /ALL PENDING MOTIONS (5/9/05)	0001			05/09/05	
0412	04/28/05	CRTF/CERTIFICATE OF INMATES INSTITUTIONAL ACCOUNT	0001				
			0001				
0413	05/10/05	MOT /DEFT'S PRO PER MTN TO CORRECT ILLEGAL SENTENCE/191	0001	DN		06/08/05	
			0001				
0414	05/02/05	NOAS/NOTICE OF APPEAL	0001	AP		05/02/05	
0415	05/02/05	APPL/APPLICATION TO PROCEED IN FORMA PAUPERIS	0001				
			0001				
0416	05/05/05	ORDR/ORDER GRANTING DEFENDANTS APPLICATION TO PROCEED IN FORMA PAUPERIS	0001			05/05/05	
			0001				
0417	05/09/05	NOTC/NOTICE	0001				
0418	05/03/05	STAT/CASE APPEAL STATEMENT	0001				
0419	05/05/05	ORDR/ORDER DENYING DEFENDANTS PRO PER MOTION FOR FINAL DEPOSITION ORDER DENYING DEFENDANTS PRO PER MOTION FOR FINAL ORDER AND JUDGMENT AND ORDER DENYING DEFENDANTS NOTICE OF EXHAUSTED PETITION FOR WRIT OF HABEAS CORPUS	0001	HG		04/25/05	Y
			0001				
0420	05/11/05	CASO/CASE (RE)OPENED RECORD ON APPEAL				05/11/05	
0421	05/13/05	APSC/APPEAL TO THE SUPREME COURT		AP		05/13/05	
0422	05/10/05	NOED/NOTICE OF ENTRY OF DECISION AND ORDER	0001			05/05/05	
0423	05/13/05	NOAS/NOTICE OF APPEAL	0001	AP		05/13/05	
0424	05/16/05	STAT/CASE APPEAL STATEMENT	0001				
0425	05/17/05	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION TO CORRECT AN ILLEGAL SENTENCE	0001				
			0001				
0426	05/17/05	RSPN/STATES RESPONSE TO DEFENDANTS MOTION FOR COURT TO DISQUALIFY ITSELF	0001				
			0001				
0427	05/27/05	PET /DEFTS PRO PER PERSONAL RESTRAINT PTN/192	0001	DN		06/08/05	
			0001				
0428	05/27/05	CASO/CASE (RE)OPENED				05/27/05	
0429	05/27/05	MOT /DEFT'S PRO PER TO PROCEED IN FORMA PAUPERIS/193	0001	PG		06/08/05	
			0001				
0430	05/27/05	MOT /DEFT'S PRO PER CERTIFICATE OF INMATE'S INSTITUTIONAL ACCT/194	0001	DN		06/08/05	
			0001				
0431	05/27/05	CRTF/CERTIFICATE INMATES INSTITUTIONAL ACCOUNT	0001				
			0001				
0432	05/27/05	PET /PERSONAL RESTRAINT PETITION	0001				
0433	06/08/05	MOT /ALL PENDING MOTIONS (6/8/05)	0001			06/08/05	
0434	06/20/05	APCL/APPEAL TO SUPREME COURT: CLOSED 44991		AP		06/14/05	
0435	06/22/05	MOT /DEFT'S PRO PER MTN FOR ANSWER RESPONSE OR	0001	DN		07/06/05	
			0001				
0436	06/23/05	APCL/APPEAL TO SUPREME COURT: CLOSED 45220		AP		06/16/05	

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NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0437	06/30/05	ORDR/ORDER GRANTING DEFENDANTS PRO PER APPLICATION TO PROCEED IN FORMA PAUPERIS	0001		06/30/05	
0438	06/30/05	ORDR/ORDER DENYING DEFENDANTS PRO PER PERSONAL RESTRAINT PETITION ORDER	0001	HG	06/08/05	Y
		DENYING DEFENDANTS PRO PER APPLICATION TO CORRECT ILLEGAL SENTENCE ORDER				
		DENYING DEFENDANTS PRO PER MOTION FOR COURT TO DISQUALIFY ITSELF AND ORDER				
		DENYING DEFENDANTS PRO PER CERTIFICATE OF INMATES INSTITUTIONAL ACCOUNT				
0439	07/01/05	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION FOR ANSWER RESPONSE OR OPPOSITION	0001			
0440	07/08/05	APPL/APPLICATION TO PROCEED IN FORMA PAUPERIS	0001			
0441	07/06/05	CSCL/CASE CLOSED			07/06/05	
0442	07/13/05	ORDR/ORDER DENYING DEFENDANTS PRO PER MOTION FOR ANSWER RESPONSE OR OPPOSITION	0001	HG	07/06/05	
0443	07/19/05	APCL/APPEAL TO SUPREME COURT: CLOSED 44991		AP	07/12/05	
0444	07/18/05	CCJA/NEVADA SUPREME COURT CLERKS CERTIFICATE/JUDGMENT - AFFIRMED/APPEAL DISMISSED IN	0001		07/18/05	Y
PART						
0445	07/20/05	STAT/CASE APPEAL STATEMENT	0001			
0446	07/20/05	APPL/APPLICATION TO PROCEED IN FORMA PAUPERIS	0001			
0447	07/20/05	NOAS/NOTICE OF APPEAL	0001	AP	07/20/05	
0448	08/01/05	CCJA/NEVADA SUPREME COURT CLERKS CERTIFICATE/JUDGMENT - AFFIRMED/REHEARING DENIED	0001		08/01/05	
0449	07/18/05	JMNT/CLERK'S CERT JUDGMENT AFFIRMED/DISMISSED	0001		08/15/05	
0450	08/01/05	JMNT/CLERK'S CERTIFICATE/JUDGMENT AFFIRMED	0001		08/17/05	
0451	08/01/05	JMNT/CLERK'S CERTIFICATE/REHEARING DENIED	0001		08/17/05	
0452	08/19/05	PET /PETITION FOR POST CONVICTION RELIEF	0001			
0453	08/25/05	CASO/CASE (RE)OPENED			08/25/05	
0454	08/24/05	MOT /DEFT'S PRO PER MTN FOR AN EVIDENTIARY/197	0001		09/07/05	
0455	08/26/05	PET /DEFT'S PTN FOR WRIT OF HABEAS CORPUS /198	0001	DN	10/11/05	
0456	08/26/05	PPOW/ORDER FOR PETITION FOR A WRIT OF HABEAS CORPUS	0001	SH	10/11/05	
0457	08/29/05	MOT /DEFT'S PRO PER MTN FOR COURT MINUTES /199	0001	DN	09/12/05	
0458	08/30/05	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION FOR EVIDENTIARY HEARING	0001		09/07/05	
0459	06/13/05	CERT/CERTIFICATE OF MAILING	0001		06/09/05	
0460	09/07/05	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION FOR COURT MINUTES	0001			
0461	09/12/05	HEAR/DEFT'S PRO PER EVIDENTIARY HEARING /200	0001	DN	10/11/05	
0462	09/12/05	RSPN/ANSWER AND RESPONSE	0001			
0463	09/13/05	OPPS/STATES OPPOSITION AND MOTION TO DISMISS DEFENDANTS PETITION FOR WRIT OF	0001			Y
HABEAS CORPUS POST CONVICTION						
0464	09/26/05	MOT /STATE'S MTN TO DISMISS	0001	DN	10/11/05	
0465	09/26/05	NOAS/NOTICE OF APPEAL	0001	AP	09/26/05	
0466	09/26/05	STAT/CASE APPEAL STATEMENT	0001			
0467	09/26/05	AFFT/AFFIDAVIT	0001			
0468	09/29/05	REQT/REQUEST FINAL ORDER OF THE COURT	0001			

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NO.	FILED/REC	CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0469	10/11/05	MOT	/ALL PENDING MOTIONS (10/11/05)	0001		10/11/05	
0470	10/11/05	CSCL	/CASE CLOSED			10/11/05	
0471	11/02/05	APCL	/APPEAL TO SUPREME COURT: CLOSED 45643		AP	10/25/05	
0472	11/10/05	APCL	/APPEAL TO SUPREME COURT: CLOSED 46035		AP	11/07/05	
0473	11/22/05	CASO	/CASE (RE)OPENED			11/22/05	
0474	11/22/05	MOT	/DEFT'S PRO PER MTN FOR CRIMINAL COURT INDEX /203	0001	DN	12/06/05	
0475	11/29/05	JMNT	/CLERK'S CERTIFICATE JUDGMENT AFFIRMED	0001		11/30/05	
0476	11/29/05	CCJA	/NEVADA SUPREME COURT CLERKS CERTIFICATE/ JUDGMENT - AFFIRMED	0001		11/29/05	
0477	12/01/05	OPPS	/STATES OPPOSITION TO DEFENDANTS MOTION FOR CRIMINAL COURT INDEX	0001			
0478	12/06/05	JUDG	/FINDINGS OF FACTS, CONCLUSIONS OF LAW AND ORDER	0001	HG	10/11/05	
0479	12/06/05	JMNT	/CLERK'S CERTIFICATE APPEAL DISMISSED	0001		12/07/05	
0480	12/06/05	NSCO	/NEVADA SUPREME COURT JUDGMENT / ORDERED APPEAL DISMISSED	0001		12/06/05	
0481	12/12/05	NOTC	/NOTICE OF ENTRY OF ORDER	0001		12/06/05	
0482	12/22/05	APPL	/APPLICATION TO PROCEED IN FORMA PAUPERIS	0001			
0483	12/22/05	MOT	/DEFT'S PRO PER MTN TO CORRECT OF ILLEGAL SENTENCE /204	0001	DN	01/11/06	
0484	12/27/05	AMEN	/AMENDED WRIT	0001			
0485	01/09/06	OPPS	/STATES OPPOSITION TO DEFENDANTS MOTION TO CORRECT ILLEGAL SENTENCE	0001			
0486	01/10/06	BREF	/TRAVERSE BRIEF	0001			
0487	01/19/06	BREF	/TRAVERSE BRIEF	0001			
0488	01/20/06	NOAS	/NOTICE OF APPEAL	0001	AP	01/20/06	
0489	01/20/06	STAT	/CASE APPEAL STATEMENT	0001			
0490	01/24/06	ORDR	/ORDER DENYING DEFENDANTS PRO PER MOTION TO CORRECT ILLEGAL SENTENCE	0001		01/24/06	
0491	03/04/06	ASSG	/Reassign Case From Judge McGroarty To Judge Bell				
0492	03/28/06	MOT	/DEFT'S PRO PER MTN FOR TRANSFER ORDER IN THE ABOVE CASE /205	0001	DN	04/11/06	
0493	04/05/06	OPPS	/STATES OPPOSITION TO DEFENDANTS MOTION FOR TRANSFER ORDER IN THE ABOVE CASE	0001			
0494	04/11/06	MOT	/DEFT'S PRO PER MTN FOR VOLUNTARY DISMISSAL /206	0001	DN	05/04/06	
0495	04/11/06	MOT	/DEFT'S POR PER MTN FOR VOLUNTARY DISMISSAL /207	0001	DN	05/04/06	
0496	04/17/06	CASO	/CASE (RE)OPENED			04/13/06	
0497	04/13/06	MOT	/DEFT'S PRO PER MTN FOR A TRANSFER ORDER F.R.A.P. RULE/208	0001	DN	04/24/06	
0498	04/14/06	ORDR	/ORDER DENYING DEFENDANTS PRO PER MOTION FOR TRANSFER ORDER IN THE ABOVE CASE	0001	HG	04/11/06	
0499	04/13/06	PIFP	/APPLICATION TO PROCEED IN FORMA PAUPERIS	0001			
0500	04/20/06	OPPS	/STATES OPPOSITION TO DEFENDANT MOTION FOR A TRANSFER ORDER	AL		04/24/06	
0501	04/24/06	MOT	/DEFT'S PRO PER MOTION TO QUIRE THE JURISDICTION DEFECT/209	0001	DN	05/08/06	
0502	04/24/06	PET	/PETITION FOR WRIT OF HABEAS CORPUS POST CONVICTION	0001			

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NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0503	04/26/06	STAT/AMENDED STATEMENT	0001			
0504	04/27/06	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION TO QUIRE THE JURISDICTIONAL DEFECT	0001			
0505	04/27/06	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION FOR VOLUNTARY DISMISSAL	0001			
0506	05/01/06	MOT /DEFT'S PRO PER MOTION FOR AN FULL EVIDENTIARY HEARING/210	0001	DN	05/09/06	
0507	05/01/06	PET /PTN FOR WRIT OF HABEAS CORPUS	0001	DN	06/13/06	
0508	05/01/06	PPOW/ORDER FOR PETITION FOR A WRIT OF HABEAS CORPUS	0001	SH	06/13/06	
0509	05/01/06	REQT/REQUEST FOR A JUDGMENT AS A MATTER OF LAW	0001			
0510	05/02/06	ORDR/ORDER DENYING DEFENDANTS PRO PER MOTION FOR A TRANSFER ORDER F R A P RULE 22(B)	0001	HG	04/24/06	
0511	05/04/06	MOT /ALL PENDING MOTIONS 5-4-06	0001		05/04/06	
0512	05/03/06	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION FOR JUDGMENT AS A MATTER OF LAW	0001			
0513	05/03/06	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION FOR A FULL EVIDENTIARY HEARING	0001			
0514	05/09/06	ORDR/ORDER DENYING DEFENDANTS MOTION TO QUIRE THE JURISDICTIONAL DEFECT	0001	HG	05/08/06	
0515	05/10/06	NOAS/NOTICE OF APPEAL	0001	AP	05/10/06	
0516	05/10/06	PIFP/APPLICATION TO PROCEED IN FORMA PAUPERIS	0001			
0517	05/10/06	STAT/CASE APPEAL STATEMENT	0001			
0518	05/11/06	STAT/CASE APPEAL STATEMENT	0001			
0519	05/15/06	ORDR/ORDER DENYING DEFENDANTS MOTION FOR VOLUNTARY DISMISSAL	0001	HG	05/04/06	
0520	05/16/06	MOT /DEFT'S PRO PER MTN FOR AN EVIDENTIARY HEARING /213	0001	DN	05/30/06	
0521	05/23/06	RSPN/STATES RESPONSE AND MOTION TO DISMISS DEFENDANTS PETITION FOR WRIT OF HABEAS CORPUS POST CONVICTION	0001			Y
0522	05/24/06	MOT /DEFT'S PRO PER MTN TO REQUEST ANOUTHER JUDGE TO BE ASSIGNED /214	0001	DN	06/06/06	
0523	06/05/06	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION TO REQUEST ANOTHER JUDGE TO BE ASSIGNED	0001			
0524	06/08/06	ORDR/ORDER DENYING DEFENDANTS PRO PER MOTION FOR AN EVIDENTIARY HEARING	0001	HG	05/30/06	
0525	06/08/06	STAT/CASE APPEAL STATEMENT	0001			
0526	06/08/06	NOAS/NOTICE OF APPEAL	0001	AP	06/08/06	
0527	06/08/06	ORDR/ORDER DENYING DEFENDANT'S PRO PER MOTION TO REQEUST ANOTHER JUDGE TO BE	0001		06/08/06	Y
ASSIGNED						
0528	06/08/06	PIFP/APPLICATION TO PROCEED IN FORMA PAUPERIS	0001			
0529	06/08/06	STAT/CASE APPEAL STATEMENT	0001			
0530	06/22/06	APCL/APPEAL TO SUPREME COURT: CLOSED 47311		AP	06/19/06	
0531	06/30/06	PIFP/APPLICATION TO PROCEED IN FORMA PAUPERIS	0001			
0532	07/17/06	JMNT/CLERK'S CERTIFICATE APPEAL DISMISSED	0001		07/18/06	
0533	04/24/06	WRIT/WRIT OF HABEAS CORPUS	0001			
0534	07/26/06	CASO/(RE)OPENED RECORD ON APPEAL			07/26/06	
0535	07/27/06	APCL/APPEAL TO SUPREME COURT: CLOSED 46666		AP	07/25/06	
0536	08/01/06	JUDG/FINDINGS OF FACTS, CONCLUSIONS OF LAW AND ORDER	0001	HG	06/13/06	

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NO.	FILED/REC	CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0537	08/01/06		NOED/NOTICE OF ENTRY OF DECISION AND ORDER	0001		08/01/06	
0538	08/01/06		IAPD/CASE INACTIVE PER DEPARTMENT			08/01/06	
0539	08/01/06		JUDG/FINDINGS OF FACTS, CONCLUSIONS OF LAW AND ORDER	0001	HG	06/13/06	
0540	08/02/06		NOED/NOTICE OF ENTRY OF DECISION AND ORDER	0001		08/01/06	
0541	08/10/06		PIFP/APPLICATION TO PROCEED IN FORMA PAUPERIS	0001			
0542	08/11/06		STAT/CASE APPEAL STATEMENT	0001			
0543	08/10/06		NOAS/NOTICE OF APPEAL	0001	AP	08/10/06	
0544	08/16/06		STAT/STATEMENT OF THE CASE	0001			
0545	08/25/06		JMNT/CLERK'S CERTIFICATE JUDGMENT AFFIRMED	0001		08/28/06	
0546	09/20/06		MOT /DEFT'S PRO PER MOTION FOR PRODUCTION OF TRANSCRIPTS/215	0001	DN	10/10/06	
0547	09/20/06		PIFP/APPLICATION TO PROCEED IN FORMA PAUPERIS	0001			
0548	10/04/06		OPPS/STATES OPPOSITION TO DEFENDANTS MOTION FOR PRODUCTION OF SENTENCING TRANSCRIPTS	0001			
0549	10/16/06		ORDR/ORDER DENYING DEFENDANTS PRO PER MOTION FOR PRODUCTION OF TRANSCRIPTS	0001	HG	10/10/06	
0550	10/18/06		NOAS/NOTICE OF APPEAL	0001	AP	10/18/06	
0551	10/19/06		STAT/CASE APPEAL STATEMENT	0001			
0552	11/29/06		APCL/APPEAL TO SUPREME COURT: CLOSED 48289		AP	11/27/06	
0553	12/16/06		ASSG/Reassign Case From Judge Bell To Judge BIXLER				
0554	12/26/06		JMNT/CLERK'S CERTIFICATE/APPEAL DISMISSED	0001		12/28/06	
0555	01/16/07		APCL/APPEAL TO SUPREME COURT: CLOSED 47501		AP	01/10/07	
0556	02/06/07		CASO/CASE (RE)OPENED			02/06/07	
0557	02/05/07		MOT /DEFT'S PRO PER MOTION TO PROCEED IN FORMA PAUPERIS /216	0001	GR	02/20/07	
0558	02/05/07		PET /PETITION FOR WRIT OF HABEAS CORPUS POST CONVICTION	0001			
0559	02/12/07		JMNT/CLERK'S CERTIFICATE JUDGMENT AFFIRMED	0001		02/13/07	
0560	02/13/07		HEAR/DEFT'S PRO PER MOTION FOR AN EVIDENTIARY HEARING/217 (VJ/2/20/07)	0001	VC	02/27/07	
0561	02/15/07		PET /PTN FOR WRIT OF HABEAS CORPUS	0001	DN	04/03/07	
0562	02/15/07		PPOW/ORDER FOR PETITION FOR A WRIT OF HABEAS CORPUS	0001	SH	02/27/07	
0563	02/20/07		HEAR/EVIDENTIARY HEARING VC 4/3/07	0001	VC	04/24/07	
0564	02/20/07		OPPS/STATES OPPOSITION TO DEFENDANTS MOTION FOR EVIDENTIARY HEARING	0001			
0565	02/21/07		NOTC/NOTICE OF HEARING	0001		04/03/07	
0566	02/23/07		ORDR/ORDER FOR PRODUCTION OF INMATE	0001	SH	04/03/07	
0567	03/05/07		AMEN/AMENDED	0001			
0568	03/07/07		REQT/STATES MOTION TO DISMISS AND RESPONSE TO DEFENDANTS PETITION FOR WRIT OF HABEAS CORPUS POST CONVICTION	0001			Y
0569	03/20/07		AMEN/AMENDED	0001			
0570	03/26/07		NOAS/NOTICE OF APPEAL (SC 49167)	0001	AP	03/26/07	
0571	03/26/07		STAT/CASE APPEAL STATEMENT	0001			
0572	03/26/07		PIFP/APPLICATION TO PROCEED IN FORMA PAUPERIS	0001			
0573	03/27/07		STAT/CASE APPEAL STATEMENT	0001			
0574	04/05/07		MOT /PLTF'S MTN TO AMEND FINDINGS OF FACT/220	0001	GR	05/03/07	
0575	04/03/07		JUDG/FINDINGS OF FACTS, CONCLUSIONS OF LAW AND ORDER DISMISSING DEFENDANTS PETITION	0001		04/03/07	Y

(Continued to page 18)

NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
FOR WRIT OF HABEAS CORPUS POST CONVICTION						
0576	04/12/07	STAT/CASE APPEAL STATEMENT	0001			
0577	04/12/07	NOAS/NOTICE OF APPEAL (SC 49167)	0001	AP	04/12/07	
0578	04/13/07	STAT/CASE APPEAL STATEMENT	0001			
0579	04/13/07	NOED/NOTICE OF ENTRY OF DECISION AND ORDER	0001		04/03/07	
0580	05/02/07	MOT /DEFT'S PRO PER MOTION FOR A TRANSCRIPT OF SENTENCING/221	0001	DN	05/15/07	
0581	05/08/07	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION FOR TRANSCRIPTS AT STATE EXPENSE	0001			
0582	05/11/07	JUDG/AMENDED FINDINGS OF FACTS, CONCLUSIONS OF LAW AND ORDER	0001		05/11/07	
0583	05/14/07	NOED/NOTICE OF ENTRY OF DECISION AND ORDER	0001		05/11/07	
0584	05/15/07	JMNT/SECOND AMENDED JUDGMENT OF CONVICTION	0001		05/16/07	
0585	05/15/07	JMNT/AMENDED JUDGMENT OF CONVICTION	0001		05/16/07	
0586	05/23/07	ORDR/ORDER DENYING DEFENDANTS MOTION FOR TRANSCRIPTS AT STATE EXPENSE	0001	GR	05/23/07	
0587	06/04/07	NOAS/NOTICE OF APPEAL (SC 49612)	0001	AP	06/04/07	
0588	06/06/07	STAT/CASE APPEAL STATEMENT	0001			
0589	07/06/07	BREF/BRIEF	0001			
0590	07/06/07	PIFP/APPLICATION TO PROCEED IN FORMA PAUPERIS	0001			
0591	07/09/04	STAT/CASE APPEAL STATEMENT	0001			
0592	08/19/05	PIFP/APPLICATION TO PROCEED IN FORMA PAUPERIS	0001			
0593	07/08/04	STAT/CASE APPEAL STATEMENT	0001			
0594	03/28/06	PIFP/APPLICATION TO PROCEED IN FORMA PAUPERIS	0001			
0595	07/19/07	CASO/(RE)OPENED RECORD ON APPEAL			07/19/07	
0596	07/25/07	IAPD/CASE INACTIVE PER DEPARTMENT			07/25/07	
0597	08/02/07	NOAS/NOTICE OF APPEAL (SC 49612)	0001	AP	08/02/07	
0598	08/03/07	STAT/CASE APPEAL STATEMENT	0001			
0599	08/14/07	CASO/CASE (RE)OPENED			08/14/07	
0600	08/14/07	MOT /DEFT'S PRO PER MTN REQ FOR CASE DOCUMENTS/222	0001	DN	08/28/07	
0601	08/21/07	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION FOR TRANSCRIPTS	0001			
0602	08/23/07	MOT /DEFT'S PRO PER MTN FOR MINUTES/223	0001	MT	09/06/07	
0603	08/28/07	TRAN/REPORTER'S TRANSCRIPT DEFENDANTS PETITION FOR WRIT OF HABEAS CORPUS	0001		04/03/07	Y
AND SENTENCING						
0604	08/29/07	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION FOR MINUTES	0001			
0605	09/05/07	ORDR/ORDER DENYING DEFENDANTS MOTION FOR TRANSCRIPTS AT STATES EXPENSE	0001	HG	08/28/07	
0606	09/12/07	NOAS/NOTICE OF APPEAL (SC 50188)	0001	AP	09/12/07	
0607	09/13/07	STAT/CASE APPEAL STATEMENT	0001			
0608	09/13/07	AFFD/AFFIDAVIT OF MR ALLEN IN SUPPORT OF APPEAL	0001			
0609	09/14/07	APCL/APPEAL TO SUPREME COURT: CLOSED 49612			09/12/07	
0610	09/14/07	APCL/APPEAL TO SUPREME COURT: CLOSED 49167			09/12/07	
0611	09/19/07	ANSW/ANSWER AND RESPONSE	0001			
0612	10/12/07	JMNT/CLERK'S CERTIFICATE/JUDGMENT AFFIRMED	0001		10/15/07	
0613	10/12/07	JMNT/CLERK'S CERTIFICATE/APPEAL DISMISSED	0001		10/15/07	
0614	10/12/07	JMNT/CLERK'S CERTIFICATE/JUDGMENT AFFIRMED	0001		10/15/07	
0615	10/12/07	JMNT/CLERK'S CERTIFICATE/APPEAL DISMISSED	0001		10/15/07	

(Continued to page 19)

NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0616	10/18/07	APCL/APPEAL TO SUPREME COURT: CLOSED (50188)				10/15/07
0617	10/29/07	NOAS/NOTICE OF APPEAL (SC 50477)	0001	AP		10/29/07
0618	11/01/07	STAT/CASE APPEAL STATEMENT		AL		11/01/07
0619	11/14/07	JMNT/CLERK'S CERTIFICATE/APPEAL DISMISSED	0001			11/15/07
0620	12/26/07	NOAS/NOTICE OF APPEAL (SC 50809)	0001	AP		12/26/07
0621	12/27/07	STAT/CASE APPEAL STATEMENT	0001			
0622	01/04/08	APCL/APPEAL TO SUPREME COURT: CLOSED (50477)				12/10/07
0623	02/05/08	APCL/APPEAL TO SUPREME COURT: CLOSED (50809)				02/01/08
0624	02/06/08	JMNT/CLERK'S CERTIFICATE/APPEAL DISMISSED	0001			02/07/08
0625	02/06/08	JMNT/CLERK'S CERTIFICATE/REHEARING DENIED	0001			02/07/08
0626	02/20/08	CASO/CASE (RE)OPENED				02/20/08
0627	02/19/08	MOT /DEFT'S PRO PER MTN FOR REMAND/224	0001	DN		03/06/08
0628	02/22/08	MOT /DEFT'S PRO PER MTN FOR P.S.I AND P.S.R./225	0001	DN		03/06/08
0629	02/22/08	PIFP/APPLICATION TO PROCEED IN FORMA PAUPERIS	0001			
0630	02/22/08	CRTF/FINANCIAL CERTIFICATE	0001			
0631	02/27/08	JMNT/CLERK'S CERTIFICATE/APPEAL DISMISSED	0001			02/28/08
0632	02/29/08	OPPS/STATES OPPOSITION TO DEFTS MOTION FOR REMAND	0001			03/06/08
0633	03/03/08	NOAS/NOTICE OF APPEAL (SC 51219)	0001	AP		03/03/08
0634	03/03/08	MOT /DEFT'S PRO PER MTN TO SUPPRESS INITIAL ARRAIGNMENT /226	0001	DN		03/18/08
0635	03/03/08	MOT /DEFT'S PRO PER MTN TO REMAND /227	0001	DN		03/13/08
0636	03/04/08	STAT/CASE APPEAL STATEMENT	0001			
0637	03/06/08	MOT /DEFT'S PRO PER MTN FOR APPT OF COUNSEL/228	0001	DN		03/18/08
0638	03/10/08	CASO/CASE (RE)OPENED				03/10/08
0639	03/06/08	MOT /ALL PENDING MOTIONS (3/6/08)	0001			03/06/08
0640	03/19/08	MOT /DEFT'S PRO PER MTN FOR TRANSCRIPTS/230	0001			04/01/08
0641	03/17/08	PET /PETITION FOR POST CONVICTION RELIEF	0001			
0642	03/20/08	ORDR/ORDER DENYING DEFENDANTS MOTION FOR REMAND	0001	HG		03/13/08

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ORDER
DAVID ROGER
Clark County District Attorney
Nevada Bar #002781
THOMAS M. CARROLL
Chief Deputy District Attorney
Nevada Bar #004232
200 Lewis Avenue
Las Vegas, NV 89155-2212
(702) 671-2500
Attorney for Plaintiff

Chief Clerk
CLERK OF THE COURT
ORIGINAL MAR 20 11 29 AM '08
FILED

**DISTRICT COURT
CLARK COUNTY, NEVADA**

STATE OF NEVADA,
Plaintiff,

-vs-

GENE ALLEN,
#1052416

Defendant.

Case No. C177427
Dept No. XXIV

ORDER DENYING DEFENDANT'S MOTION FOR REMAND

DATE OF HEARING: MARCH 13, 2008
TIME OF HEARING: 8:30 A.M.

THIS MATTER having come on for hearing before the above entitled Court on the 13TH day of March, 2008, the Defendant not being present, IN PROPER PERSON, the Plaintiff being represented by DAVID ROGER, District Attorney, through THOMAS M. CARROLL, Chief Deputy District Attorney, and the Court having heard the arguments of counsel and good cause appearing therefor,

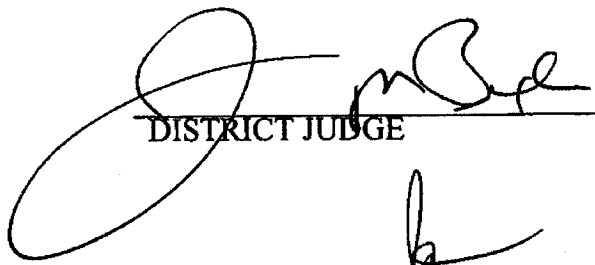

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CLERK OF THE COURT
MAR 20 2008
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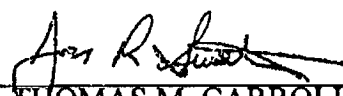
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IT IS HEREBY ORDERED that the DEFENDANT'S MOTION FOR REMAND,
shall be, and is DENIED.

DATED this 19th day of March, 2008.


DISTRICT JUDGE


DAVID ROGER
DISTRICT ATTORNEY
Nevada Bar #002781

 for
THOMAS M. CARROLL
Chief Deputy District Attorney
Nevada Bar #004232

hjc/SVU

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA vs Allen, Gene A

08/22/01 08:45 AM 00 ALL PENDING MOTIONS 8-22-01

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Annette Duncan, Court Clerk
Tina Hurd/th, Relief Clerk
Diann Prock, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	006088 Peterson, Clark A.	Y
	0001 D1 Allen, Gene A	Y
	PUBDEF Public Defender	Y
	006098 Quillin, Elizabeth	Y

DEFT'S PRO PER MOTION TO DISMISS COUNSEL...JEFF BANKS' MOTION TO WITHDRAW AS COUNSEL...ARRAIGNMENT

Ms. Quillin advised Mr. Banks is in North Las Vegas. State advised it is a pro per motion as Deft. Allen does not like his attorney and argued the Public Defender has represented Deft. competently. Ms. Quillin advised Mr. Banks also filed a motion. State advised he does not have that motion. COURT ORDERED, matter CONTINUED two days.

CUSTODY

CONTINUED TO: 8-24-01 8:45 AM

08/24/01 08:45 AM 00 ALL PENDING MOTIONS 8-24-01

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: ANNETTE DUNCAN, Court Clerk
DIANN PROCK, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	006088 Peterson, Clark A.	Y
	0001 D1 Allen, Gene A	Y
	PUBDEF Public Defender	Y
	006625 Coffee, Amy A.	Y

PUBLIC DEFENDER'S REQUEST TO WITHDRAW AS COUNSEL...DEFT'S PRO PER MOTION TO DISMISS COUNSEL/2...ARRAIGNMENT CONTINUED

Statement by Mr. Peterson. Statement by Deft. CONFERENCE AT THE BENCH with Ms. Dreifus only. COURT ORDERED, matters CONTINUED for Mr. Banks presence.

CUSTODY

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA

vs Allen, Gene A

CONTINUED FROM PAGE: 001

CONTINUED TO: 8-28-01 8:45 AM

08/28/01 08:45 AM 00 ALL PENDING MOTIONS 8/28/01

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Barbara Karp, Court Clerk
GEORGETTE BYRD/GB, Relief Clerk
MARGARET CARDWELL, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	006293 Ferguson, Patrick A.	Y
	0001 D1 Allen, Gene A	Y
	PUBDEF Public Defender	Y
	005863 Banks, Jeffrey M.	Y

PUBLIC DEFENDERS REQUEST TO WITHDRAW AS COUNSEL..DEFT'S PRO PER MOTION TO DISMISS COUNSEL/2..ARRAIGNMENT CONTINUED

Counsel approached. COURT ORDERED, matter continued to Thursday for Mr. Peterson's presence.

CUSTODY

08/30/01 8:45 AM PUBLIC DEFENDER & DEFT'S PRO PER MOTIONS/ARRAIGNMENT CONT

08/30/01 08:45 AM 00 ALL PENDING MOTIONS 8/30/01

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Barbara Karp, Court Clerk
Margaret Cardwell, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	006088 Peterson, Clark A.	Y
	0001 D1 Allen, Gene A	Y
	PUBDEF Public Defender	Y
	005863 Banks, Jeffrey M.	Y

PUBLIC DEFENDERS REQUEST TO WITHDRAW AS COUNSEL...DEFT'S PRO PER MOTION TO DISMISS COUNSEL...ARRAIGNMENT CONTINUED

COURT ORDERED, matter CONTINUED for Deft. to put into affavdavit form with facts of bases for Motion.

CUSTODY

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA

vs Allen, Gene A

CONTINUED FROM PAGE: 002

CONTINUED TO: 9/6/01 8:45 AM

09/06/01 08:45 AM 00 ALL PENDING MOTIONS 9/6/01

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Barbara Karp, Court Clerk
Diann Prock, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	006088 Peterson, Clark A.	Y
	0001 D1 Allen, Gene A	Y
	PUBDEF Public Defender	Y
	005672 Hua, Jeannie N.	Y

DEFT'S PRO PER MOTION TO DISMISS COUNSEL...PUBLIC DEFENDERS REQUEST TO WITHDRAW AS COUNSEL...ARRAIGNMENT CONTINUED

Colloquy between Court, Counsel and Deft. as to Motion to Dismiss Counsel and Request to Withdraw as Counsel. COURT ORDERED, MOTIONS DENIED. DEFT. ALLEN ARRAIGNED, PLED NOT GUILTY and INVOKED THE 60-DAY RULE. COURT ORDERED, matter set for trial. Mr. Banks requested a limited waiver as to setting trial date out alittle further as he will not be available and 21 days to file any writs from date transcripts are filed. COURT SO ORDERED.

CUSTODY

11/20/01 8:45 AM CALENDAR CALL

11/26/01 10:00 AM JURY TRIAL

CRIMINAL COURT MINUTES

01-C-177427-C

STATE OF NEVADA

vs Allen, Gene A

CONTINUED FROM PAGE: 003

11/20/01 08:45 AM 00 ALL PENDING MOTIONS 11/20/01

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Barbara Karp, Court Clerk
Amber Farley/af, Relief Clerk
Margaret Caldwell, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	006163 Weckerly, Pamela C.	Y
	0001 D1 Allen, Gene A	Y
	PUBDEF Public Defender	Y
	005863 Banks, Jeffrey M.	Y

DEFT'S MOTION TO CONTINUE TRIAL...STATE'S MOTION TO ADMIT EVIDENCE OF OTHER CRIMES, WRONGS OR ACTS...CALENDAR CALL

There being no objection, COURT ORDERED, Defendant's motion to continue GRANTED. Trial date VACATED and RESET. State's motion CONTINUED to date of calendar call.

CUSTODY

2/19/02 8:45 AM STATE'S MOTION TO ADMIT EVIDENCE OF OTHER CRIMES, WRONGS OR ACTS...CALENDAR CALL

2/25/02 10:00 AM JURY TRIAL

02/19/02 08:45 AM 00 ALL PENDING MOTIONS 2-19-02

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Annette Duncan, Court Clerk
Diann Prock, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	004630 Hendricks, Craig L.	Y
	0001 D1 Allen, Gene A	Y
	PUBDEF Public Defender	Y
	005863 Banks, Jeffrey M.	Y
	005416 Lemcke, Nancy L.	Y

STATE'S MOTION TO ADMIT EVIDENCE OF OTHER CRIMES, WRONGS OR ACTS...DEFENDANT'S MOTION TO PRECLUDE PROSECUTION FROM QUESTIONING STATE'S WITNESSES...DEFENDANT'S MOTION FOR PSYCHOLOGICAL EXAMINATION BY AN EXPERT EMPLOYED BY THE DEFENDANT...DEFENDANT'S MOTION TO COMPEL DISCOVERY...DEFENDANT'S MOTION TO DISMISS COUNTS XI, XII, XIII AND

CONTINUED ON PAGE: 005

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA

vs Allen, Gene A

CONTINUED FROM PAGE: 004

XIV...DEFENDANT'S MOTION IN LIMINE TO PRECLUDE PROSECUTION FROM REFERRING TO JANNA TAYLOR AS A VICTIM...CALENDAR CALL

Mr. Hendricks advised the State was ready to go on Friday, however, received 5 seperate Motions and requested time to respond. Colloquy among Court and counsel regarding Deft's Motion for Discovery. Mr. Hendricks advised the State would provide everything to Defense. Upon representations by the State, COURT ORDERED, Motion for Discovery, GRANTED. Statement by Deft. The State requested time to respond to Deft's Motion to Dismiss. The COURT set the following breifing schedule: State's Response due 3-12-02; Defense Reply due 3-19-02 with hearing set thereafter. Colloquy among Court and counsel regarding scheduling of other Motions and resetting of trial. COURT ORDERED, trial date VACATED and RESET; Motions CONTINUED.

CUSTODY

3-26-02 8:45 AM HEARING: DEFT'S MOTION TO DISMISS...STATE'S MOTION TO ADMIT EVIDENCE OF OTHER CRIMES, WRONGS OR ACTS, DEFENDANT'S MOTION TO PRECLUDE PROSECUTION FROM QUESTIONING STATE'S WITNESSES...DEFENDANT'S MOTION FOR PSYCHOLOGICAL EXAMINATION BY AN EXPERT EMPLOYED BY THE DEFENDANT...DEFENDANT'S MOTION IN LIMINE TO PRECLUDE PROSECUTION FROM REFERRING TO JANNA TAYLOR AS A VICTIM

5-21-02 8:45 AM CALENDAR CALL

5-27-02 10:00 AM JURY TRIAL

03/26/02 08:45 AM 00 ALL PENDING MOTIONS 3/26/02

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Barbara Karp, Court Clerk
Dorothy Kelly/dk, Relief Clerk
Margaret Eison, Reporter/Recorder

PARTIES: STATE OF NEVADA
006163 Weckerly, Pamela C.
0001 D1 Allen, Gene A
PUBDEF Public Defender
005863 Banks, Jeffrey M.

Y
Y
Y
Y
Y

STATE'S MOTION TO ADMIT EVIDENCE OF OTHER CRIMES, WRONGS, OR ACTS...DEFENDANT'S MOTION TO PRECLUDE PROSECUTION FROM QUESTIONING STATE'S WITNESSES...DEFENDANT'S MOTION FOR PSYCHOLOGICAL EXAMINATION BY AN EXPERT EMPLOYED BY THE DEFENDANT...DEFENDANT'S MOTION IN LIMINE TO PRECLUDE PROSECUTION FROM REFERRING TO JANNA...DEFENDANT'S MOTION TO DISMISS COUNTS XI, XII, XIII AND XIV...HEARING: DEFT'S MOTION TO DISMISS COUNTS

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA

vs Allen, Gene A

CONTINUED FROM PAGE: 005

Ms. Weckerly requested a continuance, stating there was a mistake made whereby the Court was not given courtesy copies on time; COURT, SO ORDERED.

Deft. stated he has done research and cited a case from Brighton, Colorado, #CW901402109. Mr. Banks stated it is a case that involves his client in another jurisdiction. Court stated that matter will be dealt with at a later time.

CUSTODY

04-04-02 8:45 A.M. MOTIONS AND HEARING (AS REFLECTED ABOVE)

04/04/02 08:45 AM 00 ALL PENDING MOTIONS 4-4-02

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Annette Duncan, Court Clerk
Diann Prock, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	006163 Weckerly, Pamela C.	Y
	0001 D1 Allen, Gene A	Y
	PUBDEF Public Defender	Y
	005863 Banks, Jeffrey M.	Y

STATE'S MOTION TO ADMIT EVIDENCE OF OTHER CRIMES, WRONGS, OR ACTS...DEFENDANT'S MOTION TO PRECLUDE PROSECUTION FROM QUESTIONING STATE'S WITNESSES...DEFENDANT'S MOTION FOR PSYCHOLOGICAL EXAMINATION BY AN EXPERT EMPLOYED BY THE DEFENDANT...DEFENDANT'S MOTION IN LIMINE TO PRECLUDE PROSECUTION FROM REFERRING TO JANNA TAYLOR AS A VICTIM...DEFENDANT'S MOTION TO DISMISS COUNTS XI, XII, XIII AND XIV...HEARING: DEFENDANT'S MOTION TO DISMISS COUNTS

Counsel requested a one week continuance to respond/reply. COURT ORDERED, matters CONTINUED.

CUSTODY

CONTINUED TO: 4-18-02 8:45 AM

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA vs Allen, Gene A

CONTINUED FROM PAGE: 006

04/18/02 08:45 AM 00 ALL PENDING MOTIONS 4-18-02

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Annette Duncan, Court Clerk
Diann Prock, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
006163 Weckerly, Pamela C. Y
0001 D1 Allen, Gene A Y
PUBDEF Public Defender Y
005863 Banks, Jeffrey M. Y

1) STATE'S MOTION TO ADMIT EVIDENCE OF OTHER CRIMES, WRONGS, OR ACTS...2) DEFENDANT'S MOTION TO PRECLUDE PROSECUTION FROM QUESTIONING STATE'S WITNESSES...3) DEFENDANT'S MOTION FOR PSYCHOLOGICAL EXAMINATION BY AN EXPERT EMPLOYED BY THE DEFENDANT...4) DEFENDANT'S MOTION IN LIMINE TO PRECLUDE PROSECUTION FROM REFERRING TO JANNA AS A VICTIM...5) DEFENDANT'S MOTION TO DISMISS COUNTS XI, XII, XIII AND XIV...6) HEARING: DEFT'S MOTION TO DISMISS COUNTS

Arguments by counsel. Statement by Deft. As to Motion #1, COURT ORDERED, matter set for Petrocelli Hearing; Motion #2, GRANTED; Motion #3, GRANTED; Motion #4, GRANTED and the State to refer to her as Janna or alleged victim, but preferrably, Janna; Motion #5, UNDER ADVISEMENT with ruling to be given at Calendar Call; #6 Hearing, matter HEARD. Ms. Weckerly requested the State be allowed to file a Motion to Compell Handwriting. COURT SO ORDERED. Mr. Banks requested State subopeona all school records of victim. Arguments by counsel. COURT ORDERED, request UNDER ADVISEMENT and counsel to be notified of decision by phone. Mr. Banks requested psychological records. Arguments by counsel. COURT ORDERED, request DENIED. Arguments by counsel regarding colposcopic exam. The State advised if an expert witness is noticed by the Defense then the report will be provided to the expert witness. COURT SO ORDERED. FURTHER ORDERED, trial date of 5-28-02, STANDS.

LATER: COURT ORDERED, State's Motion for Reconsideration, GRANTED and Deft's Motion for Discovery, DENIED.

CUSTODY

5-21-02 8:45 AM PETROCELLI HEARING

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA vs Allen, Gene A

CONTINUED FROM PAGE: 007

05/14/02 08:45 AM 00 DEFT'S REQUEST FURTHER PROCEEDINGS
REQUEST

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Annette Duncan, Court Clerk
Diann Prock, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	004630 Hendricks, Craig L.	Y
	0001 D1 Allen, Gene A	Y
	006098 Quillin, Elizabeth	Y

Ms. Quillen requested matter trailed for Mr. Banks presence. SO ORDERED.
LATER: COURT ORDERED, matter CONTINUED for Mr. Banks to be present.

CUSTODY

CLERK'S NOTE: Mr. Banks appeared following proceedings and was informed of
the continuance date/ad.

CONTINUED TO: 05/16/02 08:45 AM 01

05/16/02 08:45 AM 01 DEFT'S REQUEST FURTHER PROCEEDINGS
REQUEST

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Annette Duncan, Court Clerk
Diann Prock, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	004630 Hendricks, Craig L.	Y
	0001 D1 Allen, Gene A	Y
	PUBDEF Public Defender	Y
	005863 Banks, Jeffrey M.	Y
	003447 Immerman, Stephen M.	Y

Mr. Immerman advised Deft. would only talk to counsel by telephone and they
could not proceed without the Deft's cooperation; requested the Court order
Deft. to speak with counsel in person at the jail. Upon Court's inquiry,
Deft. advised he was unhappy with counsel, however, he would cooperate and
meet with counsel. COURT ORDERED, Deft. to cooperate with counsel to
prepare for trial; trial date RESET and Wednesday Hearing VACATED. Counsel
to renote Wednesday Hearing on a date which is convenient for all counsel
and the Court.

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CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA

vs Allen, Gene A

CONTINUED FROM PAGE: 008

CUSTODY

7-30-02 8:45 AM CALENDAR CALL

8-5-02 10:00 AM JURY TRIAL

05/21/02 08:45 AM 04 DEPT'S MTN TO DISMISS COUNTS XI XII XIII
& XIV/17

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Annette Duncan, Court Clerk
Margaret Isom, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	006947 Brown, Mary D.	Y
	0001 D1 Allen, Gene A	Y
	005863 Banks, Jeffrey M.	Y

Matter on in error. COURT ORDERED, matter OFF CALENDAR.

06/24/02 08:45 AM 01 STATE'S REQUEST TO CHANGE BRIEFING
SCHEDULE/33

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Carole D'Aloia, Court Clerk
Diann Prock, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	006163 Weckerly, Pamela C.	Y
	0001 D1 Allen, Gene A	Y
	PUBDEF Public Defender	Y
	006098 Quillin, Elizabeth	Y

Ms. Weckerly advised this matter is set for trial in August and her witnesses will not be available at that time. Ms. Weckerly further advised she spoke to Mr. Immerman, who had no objection to trial being reset. COURT ORDERED, calendar call and trial date VACATED and RESET.

CUSTODY

9/10/02 8:45 AM CALENDAR CALL

9/16/02 1:30 PM JURY TRIAL

CONTINUED ON PAGE: 010

CRIMINAL COURT MINUTES

01-C-177427-C

STATE OF NEVADA

vs Allen, Gene A

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09/10/02 08:45 AM 00 CALENDAR CALL

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Annette Duncan/ad, Court Clerk
Tina Hurd, Relief Clerk
Peggy Isom, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	006163 Weckerly, Pamela C.	Y
	0001 D1 Allen, Gene A	Y
	PUBDEF Public Defender	Y
	005863 Banks, Jeffrey M.	Y

Counsel announced ready for a 3-4 day trial with 12 total witnesses and 10 out-of-state witnesses; requested a Petrocelli hearing the morning before trial. COURT ORDERED, matter set for trial at 1:30 pm and hearing set for 11:00 am. Upon inquiry, Ms. Weckerly advised her co-counsel would be Craig Hendricks and Mr. Banks advised Mr. Immerman would be his co-counsel. SO NOTED.

CUSTODY

9-16-02 11:00 AM PETROCELLI HEARING

09/16/02 11:00 AM 00 PETROCELLI HEARING

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Alan Castle, Relief Clerk
Christine Spraggins, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	006163 Weckerly, Pamela C.	Y
	004630 Hendricks, Craig L.	Y
	0001 D1 Allen, Gene A	Y
	PUBDEF Public Defender	Y
	005863 Banks, Jeffrey M.	Y
	003447 Immerman, Stephen M.	Y

State submitted proof of Judgment of Conviction regarding testimony of victim "Esther" and only needed the presentation of victim "Pina" for the purposes of the proceedings. COURT ORDERED, BOTH victims will give testimony in these proceedings to insure the full preservation of Deft's rights. Argument by counsel regarding introduction of testimony of these victims. Testimony presented. (See worksheets.) Further arguments by counsel following testimony of witnesses as to intent and motis operandi. Court

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CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA

vs Allen, Gene A

CONTINUED FROM PAGE: 010

FINDS as testimony goes to intent, and ORDERED, WITNESSES WILL BE ALLOWED TO TESTIFY.

CUSTODY

1:30 P.M. JURY TRIAL

09/16/02 01:30 PM 00 TRIAL BY JURY

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Georgette Byrd/gb, Relief Clerk
Cindy Magnussen, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	006163 Weckerly, Pamela C.	Y
	004630 Hendricks, Craig L.	Y
	0001 D1 Allen, Gene A	Y
	003447 Immerman, Stephen M.	Y
	005863 Banks, Jeffrey M.	Y

During Voir Dire side bar discussion. Court thanked and excused the prospective jury panel for the evening.

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURORS: Discussion regarding side bar discussion. Mr. Hendricks DA advised the State thanked and excused prospective juror number seven, then there was side bar discussion regarding Defendant's objection to excusing the only African American on the panel. The clerk then asked the Judge if prospective juror number 7 is excused in front of him and where the Judge orders him to remain on the panel. Now the prospective juror thinks the State did not want him as a juror and therefore the State will not get a fair judgment from this juror. Mr. Immerman stated if this prospective juror was excused and left, he could have been brought back. Secondly the State does not articulate the Batchin case correctly. The State has been asking any race neutral questions. The reason this prospective juror was excused by the State is because he is the only minority we have on this jury. Mr. Hendricks stated prospective juror is not the only minority if you include the Hispanics on the panel. COURT ORDERED, there is no pattern in the Courts mind and no charge to the Batchin case therefore DENIED.

CONTINUED TO: 09/17/02 11:00 AM 01

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA vs Allen, Gene A

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09/17/02 11:00 AM 01 TRIAL BY JURY

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Georgette Byrd/gb, Relief Clerk
Cindy Magnussen, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
004630 Hendricks, Craig L. Y
006163 Weckerly, Pamela C. Y
0001 D1 Allen, Gene A Y
003447 Immerman, Stephen M. Y
005863 Banks, Jeffrey M. Y

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURORS: Mr. Immerman advised Defense understands Courts ruling yesterday regarding the Batchin ruling. As to the appeal in this case, Defense would like to put a comma on the ruling. There was not a requirement to prove a systematic discrimination by the Defense and the Court denied that request. Batchin statute cited by Mr. Immerman. The State has not offered any racial ratio. Mr. Hendricks DA advised the State will not get a fair trial now after yesterday. This individual (prospective juror #7) is not married and obviously not educated and that is why the State kicked him off the panel. Also he was confused as to the question by both counsel. Mr. Immerman misstated the statute of minorities. The Defense has created a pattern of excluding white males however the State has not raised that issued. Mr. Banks stated as to Defense excluding white males, the point is the defendant is a minority and the State steals the only person in the panel who is the same race and our client is the member of that protective class. Mr. Immerman advised the State has brought this up three times they will not get a fair trial, however this black gentleman (prospective juror #7) was going to leave until I went to the bench and tried to convince the Court. COURT ORDERED, it finds the State was positive and racially neutral therefore prospective juror #7 will be excused from jury duty.

Clerk read the information to the jury and stated the defendant's plea thereto. Testimony and exhibits presented. (See worksheets.) OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURORS. Arguments as to State's objection to defendant's cross examination. Mr. Immerman stated the best evidence is the video tape. Mr. Hendricks stated this is not an official transcript, and the State has not had the benefit to look at defendant's transcript that they refered to on cross examination. Mr. Hendricks requested sanctions and thinks this transcript is not proper and taints the jurors. Mr. Immerman stated the police department taped a video conversation between detective Stephen, counselor Fly and the victim. The video tape was given to the defense by the State where it was sent to Bonanza Court Reporting. Defense has proof from the court reporter that the transcript was taken from the video and was signed, attested to and notarized. State and Court's inquiry if defense provided a copy of the transcript to the State. Mr. Immerman

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA

vs Allen, Gene A

CONTINUED FROM PAGE: 012

stated this is prosecutions evidence. Because the State did not get this tape typed is not defendant's burden. Mr. Hendricks stated the transcript would be reciprocal discovery. Mr. Immerman stated it is a work product. Court noted it does not see the transcript as work product. Mr. Immerman stated the term of reciprocal discovery where both parties have the evidence and one party in this case typed the tape and now prosecution is saying defense is unethical. According to the transcript this child told the detective that the victim was raped by her mothers friends and the defense can show the State and the jurors where it is on the tape. Mr. Hendricks advised the State was not going to play the tape because it showed prior bad acts. Objections by Mr. Immerman. Ms. Weckerly DA advised the State does not know if the transcript matches the tape, we do not have a copy of the transcript and the State is entitled to a copy of the transcript and now we will have to match it to the tape which could take three hours. Mr. Immerman stated he would provide counsel with a copy of the transcript to review however the defense would request the State billed for half the transcript, \$250.00. COURT ORDERED, that is a post trial issue. FURTHER ORDERED, counsel will terminate any questions based upon that line and based upon the transcript. Ms. Weckerly advised the she does not want to put on a witness until she has looks at the transcript. Mr. Immerman stated he would provide a copy of the transcript to correlate with the tape. Ms. Weckerly requested a copy of the transcript and the State would be ready to proceed tomorrow. COURT ORDERED, Mr. Immerman to surrender the transcript to the bailiff to make copies for counsel.

PROSPECTIVE JURORS PRESENT: Court excused the jurors for the evening.

CONTINUED TO: 09/18/02 10:30 AM 02

09/18/02 10:30 AM 02 TRIAL BY JURY

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Annette Duncan, Court Clerk
 Jennifer Lott, Relief Clerk
 Cindy Magnussen, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	004630 Hendricks, Craig L.	Y
	006163 Weckerly, Pamela C.	Y
	0001 D1 Allen, Gene A	Y
	PUBDEF Public Defender	Y
	003447 Immerman, Stephen M.	Y
	005863 Banks, Jeffrey M.	Y

Annette Duncan, Court Clerk present at 11:00 AM. OUTSIDE THE PRESENCE OF THE JURY: Argument by the State regarding a portion of the transcript read into the record and possible remedies. Arguments by counsel. Mr. Hendricks

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CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA

vs Allen, Gene A

CONTINUED FROM PAGE: 013

stated he would not agree to take the Defense Expert witness out of order. Argument by Mr. Banks and Mr. Immerman. At 11:35 AM, the Court excused the Jury for lunch and requested their return at 1:30 PM. Mr. Hendricks requested the Court review the video tape. COURT SO ORDERED. Following review of a portion of the tape, COURT ORDERED, counsel to meet with the Court in chambers to review matter at 1:30 PM.

Jennifer Lott, Court Clerk present at 2:40 P.M. OUTSIDE THE PRESENCE OF THE JURY: Counsel met with Court IN CHAMBERS to discuss transcript provided by Bonanza Reporting regarding a portion of transcript read into the record. Court reviewed the videotape and clarified statement: "I was worried about my Mom's friends." Court indicated statement "I was raped by my Mom's friends" WAS NOT MADE. Court indicated doctor's videotape deposition will be taken this afternoon at 4:30 p.m. JURY PRESENT: Court READ ADMONISHMENT to the jury to DISREGARD alleged statements made by Janna Taylor thus far. Court inquired if proceeding with jury trial next week will create a problem for the jurors. Juror #6 stated he has a flight to New England 9/27/02. Juror #12 has a problem with late nights, however, she will look into it for next week. Court ADMONISHED the jury and ORDERED evening recess.

4:30 P.M. MATTER RECALLED: Amended Information and Guilty Plea Agreement FILED IN OPEN COURT. Defendant Allen WITHDREW his not guilty plea and ENTERED A PLEA OF GUILTY to COUNT I - SEXUAL ASSAULT WITH A MINOR UNDER SIXTEEN YEARS OF AGE (F) and COUNT II - LEWDNESS WITH A CHILD UNDER THE AGE OF 14 (F). COURT ACCEPTED plea and ORDERED, matter referred to the Division of Parole and Probation (P & P) and set for sentencing.

CUSTODY

10/30/02 9:00 A.M. SENTENCING

11/13/02 09:00 AM 01 SENTENCING

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Alan Castle, Relief Clerk
Cindy Magnussen, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	006163 Weckerly, Pamela C.	Y
	0001 D1 Allen, Gene A	Y
	PUBDEF Public Defender	Y
	003447 Immerman, Stephen M.	Y
	005863 Banks, Jeffrey M.	Y

Officer Tatten of Parole and Probation (P & P) present. Deft. stated he has been attempting to file a motion to withdraw plea and has now filed a motion to withdraw counsel, but it has not been set. DEFT'S MOTION TO

CRIMINAL COURT MINUTES

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vs Allen, Gene A

CONTINUED FROM PAGE: 014

WITHDRAW/REVOKE GUILTY PLEA FILED IN OPEN COURT. Colloquy regarding Deft's motion to withdraw counsel and hearing on plea motion. COURT stated the trial transcripts need to be reviewed and Deft. will have to be canvassed to represent himself. COURT ORDERED, Sentencing and other matters CONTINUED. FURTHER, set for hearing.

CUSTODY

1/22/03 9:00 AM DEFT'S REQUEST TO WITHDRAW COUNSEL...HEARING: DEFT'S MOTION TO WITHDRAW/REVOKE GUILTY PLEA...SENTENCING...

CONTINUED TO: 01/22/03 . 09:00 AM 02

11/27/02 09:00 AM 00 DEFT'S PRO PER MOTION TO WITHDRAW COUNSEL /40

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Georgette Byrd/GB, Relief Clerk
Cindy Magnussen, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	004353 Pace, Barter G.	Y
	0001 D1 Allen, Gene A	Y
	006625 Coffee, Amy A.	Y

Mr. Pace DA advised his understanding was defendant's motion to withdraw would be argued on 1/22. Ms. Coffee advised the defendant is requesting to proceed in pro per and represent himself at time of sentencing. COURT ORDERED, matter continued for Ferretta Canvas; January 22 date for defendant's motions stands.

NDC

12/05/02 9:00 AM STATUS CHECK: FERRETTA CANVAS

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA vs Allen, Gene A

CONTINUED FROM PAGE: 015

12/05/02 09:00 AM 00 STATUS CHECK: FERRETTA CANVAS

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Georgette Byrd/GB, Relief Clerk
Margaret Isom, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	006163 Weckerly, Pamela C.	Y
	0001 D1 Allen, Gene A	Y

Arguments by defendant as to counsel and his Pro Per Motions. Ms. Weckerly stated defendant's Pro Per Motion to Withdraw His Guilty Plea is set for January 22, 2003. Ferretta canvas done by the Court. COURT ORDERED, Defendant appears competent to waive his rights to an attorney and is freely, voluntarily and knowingly waiving his rights. FURTHER ORDERED, Ms. Bolton appointed as STAND-BY COUNSEL. Matter set for confirmation of counsel.

CUSTODY

12/09/02 9:00 AM CONFIRMATION OF COUNSEL (BOLTON)

12/09/02 09:00 AM 00 CONFIRMATION OF COUNSEL (BOLTON)

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Georgette Byrd/GB, Relief Clerk
Cindy Magnussen, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	006955 Di Giacomo, Marc P.	Y
	0001 D1 Allen, Gene A	Y

Ms. Bolton confirmed as stand-by counsel and will get defendant's file from Mr. Banks office, COURT SO ORDERED.

NDC

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA vs Allen, Gene A

CONTINUED FROM PAGE: 016

01/06/03 09:00 AM 00 DEFT'S PRO PER MTN TO INSPECT ALL EVID/43

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Barbara Karp, Court Clerk
Judy McFadden/jm, Relief Clerk
Cindy Magnussen, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
004353 Pace, Barter G. Y
0001 D1 Allen, Gene A Y

Deft. made statements listing organizations he has been involved in and ineffective representation from counsel. Court noted there was no opposition and it was inclined to grant the motion. Mr. Pace stated the State had not received the motion and suggested it be heard with Deft's Motions to Withdraw on January 22nd. COURT SO ORDERED; all Motions continued.

NDC

CONTINUED TO: 01/22/03 09:00 AM 01

01/22/03 09:00 AM 00 ALL PENDING MOTIONS 1/22/03

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Barbara Karp, Court Clerk
Jo Scott, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
006639 Fattig, John T Y
0001 D1 Allen, Gene A Y
003095 Kocka, Francis Y

SENTENCING...DEFT'S PRO PER MOTION TO INSPECT ALL EVIDENCE FAVORABLE TO HIM...DEFT'S MOTION TO WITHDRAW PLEA...DEFT'S REQUEST FOR WITHDRAWAL OF COUNSEL-INEFFECTIVE ASSISTANCE OF COUNSEL...DEFT'S PRO PER MOTION FOR NEW TRIAL/ACQUITTAL...DEFT'S PRO PER MOTION TO SUPPRESS CONTRIBUTORS...DEFT'S PRO PER APPLICATION TO PROCEED IN FORMA PAUPERIS...DEFT'S PRO PER MOTION FOR INDEPENDENT TEST OF EVIDENCE...DEFT'S PRO PER MOTION TO DISMISS STANDBY COUNSEL

Mr. Kocka advised the Deft. has not yet received any of the boxes of hearing paper work from Mr. Banks. Mr. Kocka also advised Court he found no legal or factual reason to challenge the Guilty Plea Agreement. Upon Court's

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA

vs Allen, Gene A

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inquired it was decided a hearing would be needed. COURT ORDERED, Deft's Motion to Inspect all Evidence Favorable to Him GRANTED; Deft's Motion to Withdraw Guilty Plea DENIED; remaining matters SET for HEARING; Brief Schedule SET as follows: State to reply by 2/13; Deft. to respond by 3/13; State to reply by 3/20 and Hearing SET thereafter. Mr. Kocka inquired as to how the Deft. would see his evidence. COURT ORDERED, Public Defender's Office to bring evidence to Deft. to look inspect. Court noted the jail has a room they can do this in. FURTHER, Sentencing CONTINUED.

3/27/03 9:00 AM HEARING (DEFT'S PRO PER MOTIONS)

CONTINUED TO: 3/27/03 9:00 AM

02/06/03 09:00 AM 00 ALL PENDING MOTIONS 2/6/03

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Barbara Karp, Court Clerk
Janness Slabe, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	004630 Hendricks, Craig L.	Y
	0001 D1 Allen, Gene A	Y
	006572 Bolton, Jennifer	Y

DEFT'S PRO PER MOTION FOR DISCOVERY...DEFT'S PRO PER MOTION TO WITHDRAW GUILTY PLEA

Ms. Bolton advised this matter is on in error; todays date is the day the State's response is due to be given to Deft. Allen. Deft. requested the Transcripts he asked for reproduction of. COURT ORDERED, Deft. is entitle and to be provided copies. FURTHER, 3/27/03 STANDS, at which time Deft's calendared Motions will be heard.

CUSTODY

CONTINUED TO: 3/24/03 9:00 AM

CRIMINAL COURT MINUTES

01-C-177427-C

STATE OF NEVADA

vs Allen, Gene A

CONTINUED FROM PAGE: 018

03/25/03 09:00 AM 00 ALL PENDING MOTIONS 3/25/03

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Barbara Karp, Court Clerk
Peggy Isom, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	004353 Pace, Barter G.	Y
	0001 D1 Allen, Gene A	Y
	PRO SE Pro Se	Y

DEFT'S PRO PER MOTION FOR VENUE...DEFT'S PRO PER MOTION IN LIMINE

COURT ORDERED, all matters CONTINUED to 4/1/03 including those Calendared for upcoming dates.

CUSTODY

CONTINUED TO: 4/1/03 9:00 AM (ALL MOTIONS CALENDARED) (SENTENCING)

CLERK'S NOTE: Clerk continued Motions calendared for 3/27/03 and 4/3/03 to 4/1/03. Court will be absent on 3/27/03. /bjk

04/01/03 09:00 AM 00 ALL PENDING MOTIONS (4/1/03)

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Annette Duncan, Court Clerk
Melissa Davis/md, Relief Clerk
Jeness Slabe, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	004630 Hendricks, Craig L.	Y
	0001 D1 Allen, Gene A	Y
	PRO SE Pro Se	Y
	003095 Kocka, Francis	Y

DEFT'S PRO PER MOTION FOR DISCOVERY . . . DEFT'S PRO PER MOTION FOR DISCOVERY . . . DEFT'S PRO PER MOTION TO WITHDRAW GUILTY PLEA . . . DEFT'S REQUEST FOR WITHDRAWAL OF COUNSEL - INEFFECTIVE ASSISTANCE OF COUNSEL . . . DEFT'S PRO PER MOTION FOR NEW TRIAL/ACQUITTAL . . . DEFT'S PRO PER MOTION TO SUPPRESS CONTRIBUTORS . . . DEFT'S PRO PER APPLICATION TO PROCEED IN FORMA PAUPERIS . . . DEFT'S PRO PER MOTION FOR INDEPENDENT TEST EVIDENCE . . . DEFT'S PRO PER MOTION TO DISMISS STAND BY COUNSEL . . . DEFT'S PRO PER MOTION IN LIMINE . . . DEFT'S PRO PER MOTION IN LIMINE . . . DEFT'S PRO PER MOTION TO SUPPRESS HERSEY . . . DEFT'S PRO PER MOTION TO ANSWER STATE'S

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA

vs Allen, Gene A

CONTINUED FROM PAGE: 019

OPPOSITION . . . DEFT'S PRO PER MOTION FOR CHANGE OF VENUE . . . DEFT'S PRO PER MOTION TO DISMISS CHARGES . . . EVIDENTIARY HEARING

Officer Yanishiro from the Division of Parole and Probation. Statements by Defendant and State. COURT ORDERED, all above motions DENIED and Evidentiary Hearing VACATED. COURT ADJUDGED DEFENDANT GUILTY OF COUNT I SEXUAL ASSAULT WITH A MINOR UNDER SIXTEEN YEARS OF AGE (F) and COUNT II LEWDNESS WITH A CHILD UNDER THE AGE OF 14 (F). COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$150.00 DNA Fee, Defendant SENTENCED as to Count I - to a MAXIMUM of TWENTY (20) YEARS and a MINIMUM of FIVE (5) YEARS in the Nevada Department of Corrections (NDC) and as to Count II - SENTENCED to a MAXIMUM of LIFE in the Nevada Department of Corrections (NDC) MONTHS with a MINIMUM parole eligibility after TEN (10) YEARS. Count II CONCURRENT with Count I with 634 days Credit for Time Served and COURT ORDERED, a SPECIAL SENTENCE of LIFETIME SUPERVISION is imposed to commence upon release from any term of probation, parole or imprisonment. Additionally, the Deft. is ORDERED to submit to a blood or saliva test to determine genetic status. Mr. Kocka relieved as stand by counsel.

NDC

05/15/03 09:00 AM 00 SUPREME COURT ORDER; APPONT COUNSEL

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Billie Jo Craig/bjc, Court Clerk
Jennifer Kimmel, Relief Clerk
Jeness Slabe, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
002781 Roger, David J. Y
005391 Kollins, Stacy L. Y

COURT ORDERED, matter SET for Confirmation of Counsel (Bolton J.).

NDC

5/22/03 9:00 AM CONFIRMATION OF COUNSEL (BOLTON J.)

CLERK'S NOTE: The Clerk advised Jessica in Ms. Bolton's office of the next Court date. (BJC)

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA vs Allen, Gene A

CONTINUED FROM PAGE: 020

05/22/03 09:00 AM 00 CONFIRMATION COUNSEL (BOLTON J) VK 5/22/03

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Annette Duncan, Court Clerk
Nora Pena/np, Relief Clerk
Peggy Isom, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
005391 Kollins, Stacy L. Y
0001 D1 Allen, Gene A N
PRO SE Pro Se Y

In absence of Ms. Bolton, COURT ORDERED, matter CONTINUED.

NDC

CLERK'S NOTE: Vivian, secretary at Ms. Bolton's office was advised of the continuance date for counsel to appear./np Thereafter, Confirmation for Ms. Bolton was vacated and reset for Mr. Bill Taylor and he was advised to be present for Confirmation of counsel.

5/29/03 9:00 AM CONFIRMATION OF COUNSEL (W TAYLOR)

CONTINUED TO: 05/29/03 09:00 AM 01

05/27/03 09:00 AM 00 ALL PENDING MOTIONS 5/27/03

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Barbara Karp, Court Clerk
Jennifer Kimmel/jk, Relief Clerk
Cindy Caldwell, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
006947 Brown, Mary D. Y
0001 D1 Allen, Gene A N
PRO SE Pro Se Y
005521 Taylor, William J. Y

DEFENDANT'S PRO PER MOTION IN LIMINE...DEFENDANT'S PRO PER MOTION FOR CHANGE OF VENUE

William Taylor, Esq., advised he will CONFIRM as Counsel of Record and COURT SO ORDERED; 5-29-03 date for confirmation of counsel, previously set, VACATED. FURTHER, 6-3-03 Pro Per Motion and Motions set on calendar today,

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA

vs Allen, Gene A

CONTINUED FROM PAGE: 021

CONTINUED.

NDC

CONTINUED TO: 6-23-03 9:00 AM

06/16/03 09:00 AM 00 DEFT'S PRO PER MTN TO PROCEED IN FORMA PAUPERIS/72

HEARD BY: David Wall, Judge; Dept. 20

OFFICERS: Annette Duncan, Court Clerk
Peggy Isom, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	007996 Bonaventure, Joseph M.	Y
	0001 D1 Allen, Gene A	N
	005521 Taylor, William J.	Y

Mr. Taylor requested a continuance of matter as he has just been appointed and may need to file supplemental pleadings on Deft's behalf. COURT ORDERED, matter CONTINUED; Deft's Motions currently set on June 23rd, STAND.

NDC

CONTINUED TO: 06/23/03 09:00 AM 01

06/23/03 09:00 AM 00 ALL PENDING MOTIONS 6/23/03

HEARD BY: David Wall, Judge; Dept. 20

OFFICERS: Jennifer Lott/jl, Court Clerk
Nora Pena, Relief Clerk
Diane Prock, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	004630 Hendricks, Craig L.	Y

DEFT'S PRO PER MOTION IN LIMINE.....DEFT'S PRO PER MOTION FOR CHANGE OF VENUE.....DEFT'S PRO PER MOTION TO WITHDRAW/REVOKE GUILTY PLEA.....DEFT'S PRO PER MOTION TO PROCEED IN FORMA PAUPERIS

Mr. Hendricks noted William Taylor previously confirmed as counsel and Mr. Hendricks believes Court already ruled on motions. COURT ORDERED, Motion in Limine is DENIED; Motion for Change of Venue is DENIED; Motion to Withdraw/Revoke Guilty Plea is DENIED; Motion to Proceed in Forma Pauperis is DENIED; Deft's Pro Per Motion for Leave to Proceed in Forma Pauperis

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CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA

vs Allen, Gene A

CONTINUED FROM PAGE: 022

scheduled 6/30/03 STANDS as the Court has not reviewed the motion.

NDC

06/30/03 09:00 AM 00 DEFT'S PRO PER MTN FOR LEAVE TO PROCEED
IN FORMA PAUPERIS /73

HEARD BY: Kathy Hardcastle, Chief Judge; Dept. 4

OFFICERS: Annette Duncan, Court Clerk
Jennifer Lott/jl, Relief Clerk
Carrie Hansen, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
007996 Bonaventure, Joseph M. Y

COURT ORDERED, motion is DENIED; Court PREVIOUSLY DENIED motion 6/23/03;
8/5/03 date STANDS (Petition for Writ of Habeas Corpus.)

NDC

07/21/03 09:00 AM 00 DEFT'S PRO PER MTN TO DISMISS COUNSEL/76

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Barbara Karp, Court Clerk
Tina Hurd/th, Relief Clerk
Diann Prock, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
007996 Bonaventure, Joseph M. Y

State advised Deft. Allen attempted to proceed in proper person before and that was denied. COURT ORDERED, motion DENIED as moot. COURT FURTHER ORDERED, matter set for status check in one week and defense counsel William Taylor is to be present.

NDC

7-28-03 9:00 AM AT REQUEST OF COURT

CLERK'S NOTE: William Taylor, Esq, notified at 2:55 p.m. this date. Hearing date changed from July 24 to July 28 as Mr. Taylor is also the prosecutor for Boulder City and must appear there on Thursday mornings. th

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA vs Allen, Gene A

CONTINUED FROM PAGE: 023

07/28/03 09:00 AM 00 ALL PENDING MOTIONS 7-28-03

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Annette Duncan/ad, Court Clerk
Barbara Karp, Relief Clerk
Peggy Isom, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
007996 Bonaventure, Joseph M. Y
0001 D1 Allen, Gene A N
003575 Reed, Nathaniel J. Y

DEFT'S PRO PER MOTION FOR EVIDENTIARY HEARING...DEFT'S PRO PER MOTION FOR SENTENCING TRANSCRIPTS...DEFT'S PRO PER MOTION FOR TRANSCRIPTS SENTENCING...DEFT'S PRO PER MOTION TO STATE'S EVIDENCE...DEFT'S PRO PER MOTION TO DISMISS COUNSEL...DEFT'S PRO PER MOTION FOR SENTENCE INVESTIGATION REPORT OR PSI...AT REQUEST OF COURT: WILLIAM TAYLOR TO BE PRESENT

Mr. Reed present on behalf of Mr. Taylor and advised case is on Appeal to the Supreme Court and requested matters OFF CALENDAR and COURT SO ORDERED. FURTHER, Motion set August 5th, VACATED.

NDC

09/08/03 09:00 AM 00 DEFT'S PRO PER MTN PRODUCTN TRANSCRIPTS/85

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Barbara Karp, Court Clerk
Nancy Noble/mn, Relief Clerk
Peggy Isom, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
007996 Bonaventure, Joseph M. Y

Court stated deft. presented no grounds upon which to grant him production of the transcripts. COURT ORDERED motion DENIED.

NDC

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA vs Allen, Gene A

CONTINUED FROM PAGE: 024

09/22/03 09:00 AM 00 ALL PENDING MOTIONS 9/22/03

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Annette Duncan, Court Clerk
Jennifer Lott/jl, Relief Clerk
Margaret Isom, Reporter/Recorder

PARTIES: STATE OF NEVADA
007996 Bonaventure, Joseph M.

Y

Y

DEFENDANT'S PRO PER MOTION FOR TRANSCRIPTS.....DEFENDANT'S PRO PER MOTION TO PROCEED IN FORMA PAUPERIS

Court WAIVED Mr. Taylor's presence as Court understood counsel was no longer attorney of record. COURT ORDERED, Motion for Transcripts is DENIED on the same grounds as Court previously DENIED motion; Motion to Proceed in Forma Pauperis is GRANTED; 9/25/03 motions STAND.

NDC

09/25/03 09:00 AM 00 ALL PENDING MOTIONS 09-25-03

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Annette Duncan/ad, Court Clerk
Sharry Frascarelli, Relief Clerk
Peggy Isom, Reporter/Recorder

PARTIES: STATE OF NEVADA
005391 Kollins, Stacy L.

Y

Y

DEFT'S PRO PER MOTION TO DISMISS COUNSEL...DEFT'S PRO PER PETITION FOR PROTECTIVE ORDER

COURT ORDERED, Motion to Dismiss Counsel, GRANTED.

RE DEFT'S PETITION FOR PROTECTIVE ORDER: COURT ORDERED, State to respond in writing; matter set for hearing/decision.

NDC

10-16-03 9:00 AM HEARING: DEFT'S PRO PER PETITION FOR PROTECTIVE ORDER

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA vs Allen, Gene A

CONTINUED FROM PAGE: 025

10/16/03 09:00 AM 00 ALL PENDING MOTIONS (10/16/03)

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Barbara Karp, Court Clerk
April Watkins/aw, Relief Clerk
Diann Prock, Reporter/Recorder

PARTIES: STATE OF NEVADA
007996 Bonaventure, Joseph M.

Y
Y

HEARING/DECISION...DEFT'S PRO PER MOTION FOR PROTECTIVE ORDER

COURT ORDERED, matters CONTINUED.

NDC

CONTINUED TO: 10/20/03 9:00 AM

10/20/03 09:00 AM 00 ALL PENDING MOTIONS 10-20-03

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Annette Duncan/ad, Court Clerk
Nora Pena, Relief Clerk
Peggy Isom, Reporter/Recorder

PARTIES: STATE OF NEVADA
004630 Hendricks, Craig L.

Y
Y

DEFT'S PRO PER PETITION FOR A PROTECTIVE AND MODIFYING ORDER...DEFT'S PRO PER REQUEST FOR ORDER ENTITLED TO DOCUMENTS SOUT...DEFT'S PRO PER REQUEST FOR FINAL DISPOSITION...HEARING/DECISION

Mr. Hendricks advised he does not understand what the Deft. is asking for and moved for clarification. The COURT NOTED Deft. does request to proceed in Forma Pauperis and ORDERED, GRANTED. State's oral Motion for Clarification, GRANTED; Deft. to clarify; matters CONTINUED.

NDC

CONTINUED TO: 11-17-03 9:00 AM

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA vs Allen, Gene A

CONTINUED FROM PAGE: 026

11/10/03 09:00 AM 00 DEFT'S PRO PER MTN VOLUNTARY
DISMISSAL/97

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Barbara Karp, Court Clerk
Diann Prock, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
004630 Hendricks, Craig L. Y

COURT ORDERED, MOTION DENIED as MOOT; 11/17/03 COURT DATE STANDS.

NDC

11/17/03 09:00 AM 00 ALL PENDING MOTIONS 11-17-03

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Annette Duncan, Court Clerk
Peggy Isom, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
004630 Hendricks, Craig L. Y

DEFT'S PRO PER PETITION FOR A PROTECTIVE AND MODIFYING ORDER...DEFT'S PRO
PER REQUEST FOR ORDER ENTITLED TO DOCUMENTS SOUT...DEFT'S PRO PER REQUEST
FOR FINAL DISPOSITION...HEARING/DECISION

Mr. Hendricks requested a continuance of 3 weeks. COURT ORDERED, matters
CONTINUED.

NDC

CONTINUED TO: 12-8-03 9:00 AM

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA vs Allen, Gene A

CONTINUED FROM PAGE: 027

12/01/03 09:00 AM 00 ALL PENDING MOTIONS (12/1/03)

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Annette Duncan, Court Clerk
Greer Jennison/gj, Relief Clerk
Peggy Isom, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
004630 Hendricks, Craig L. Y

DEFT'S PRO PER PETITION FOR PROTECTIVE ORDER ... DEFT'S PRO PER MTN FOR TRANSMISSION TO THE SUPREME COURT OF THE STATE OF NEVADA

Argument by Mr. Hendricks. COURT ORDERED, Deft's motion for transmission to the Supreme Court of the State of Nevada is DENIED. FURTHER, Deft's petition for protective order is, therefore, MOOT and OFF CALENDAR. The State to prepare the order within ten days and distribute a filed copy to all parties involved in this matter.

12/08/03 09:00 AM 00 ALL PENDING MOTIONS 12/8/03

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Barbara Karp, Court Clerk
Diann Prock, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
004630 Hendricks, Craig L. Y
0001 D1 Allen, Gene A N
PRO SE Pro Se Y

DEFT'S PRO PER PETITION FOR A PROTECTIVE AND MODIFYING ORDER...DEFT'S PRO PER REQUEST FOR FINAL DEPOSITION...HEARING/DECISION

COURT ORDERED, Deft. failed to set firm grounds therefore, Deft's Pro Per Request for Final Deposition DENIED. FURTHER, Deft's Pro Per Petition for a Protective and Modifying Order MOOT, previously ruled on. State to prepare Order.

NDC

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA vs Allen, Gene A

CONTINUED FROM PAGE: 028

01/07/04 09:00 AM 00 DEFT'S PRO PER MTN TO DISMISS COUNSEL

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Barbara Karp, Court Clerk
Billie Jo Craig/bjc, Relief Clerk
Diann Prock, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
002781 Roger, David J. Y
006246 Campbell, Cara L. Y

Colloquy regarding case and that Mr. Hendricks had no objection to defendant's Motion. As the Court was not clear which counsel defendant wished to dismissed, COURT ORDERED, matter CONTINUED for clarification.

NDC

CONTINUED TO: 01/14/04 09:00 AM 01

01/14/04 09:00 AM 01 DEFT'S PRO PER MTN TO DISMISS COUNSEL

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Barbara Karp, Court Clerk
Jennifer Lott/jl, Relief Clerk
Peggy Isom, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
007595 Bawa, Ravindar N. Y

COURT ORDERED, Motion to Dismiss is MOOT; Petition for Writ STANDS 2/18/04.

NDC

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA vs Allen, Gene A

CONTINUED FROM PAGE: 029

01/26/04 09:00 AM 00 DEFT'S PRO PER MTN FOR CHANGE OF
VENUE/104 VJ 2/17/04

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Barbara Karp, Court Clerk
Peggy Isom, Reporter/Recorder

PARTIES: STATE OF NEVADA
008365 Ballou, Erika D

Y

Y

Ms. Ballou advised she is appearing for Mr. Simon and requesting a copy of Motion and time to respond. Colloquy between Court, Counsel and Clerk as to documents and motions set. COURT ORDERED, matter CONTINUED as well as any Motions Calendar by Deft. to 2/18/04.

NDC

CLERK'S NOTE: Clerk copied motion and sent inter-office to Appeal Division, Attention Ms. Ballou./bjk

CONTINUED TO: 02/18/04 09:00 AM 01

02/17/04 09:00 AM 00 ALL PENDING MOTIONS 2/17/04

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Barbara Karp, Court Clerk
Diann Prock, Reporter/Recorder

PARTIES: STATE OF NEVADA
004630 Hendricks, Craig L.

Y

Y

0001 D1 Allen, Gene A
PRO SE Pro Se

N

Y

DEFT'S PRO PER MOTION FOR EVIDENTIARY HEARING...DEFT'S PRO PER MOTION TO WITHDRAW OF TRIAL COUNSEL.

State advised Court has ruled on Deft's Motions several times and he continues to file them. COURT ORDERED, Deft. Motion to Withdraw Trial Counsel GRANTED; ALL OTHER MOTIONS SET FOR 2/17/04 AND 2/18/04 DENIED; Clerk to vacate 2/18/04 dates. State to prepare Order.

NDC

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA vs Allen, Gene A

CONTINUED FROM PAGE: 030

03/03/04 09:00 AM 00 ALL PENDING MOTIONS 3/3/04

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Barbara Karp, Court Clerk
Jennifer Kimmel/jk, Relief Clerk
Diann Prock, Reporter/Recorder

PARTIES: STATE OF NEVADA
004630 Hendricks, Craig L.

Y
Y

DEFENDANT'S PRO PER MOTION FOR EVIDENTIARY HEARING...DEFENDANT'S PRO PER MOTION FOR CHANGE OF VENUE...DEFENDANT'S PRO PER MOTION FOR EVIDENTIARY HEARING...DEFENDANT'S PRO PER MOTION TO VACATE JUDGMENT OF CONVICTION...DEFENDANT'S PRO PER MOTION FOR STATEMENT OF EVIDENCE...DEFENDANT'S PRO PER MOTION TO DISCHARGE

COURT ORDERED, Defendant's presence WAIVED. Court stated its findings and ORDERED, Motions DENIED. State directed to prepare the Order.

03/16/04 09:00 AM 00 DEFT'S PRO PER MTN FOR VOLUNTARY DISMISSAL OF APPEAL/118

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Annette Duncan, Relief Clerk
Diann Prock, Reporter/Recorder

PARTIES: STATE OF NEVADA
007866 Peterson, Seth W.

Y
Y

There being no Opposition filed, COURT ORDERED, Motion GRANTED; State to prepare the Order. FURTHER, Deft's Motion to Amend Writ of Post Conviction set March 23rd, STANDS.

NDC

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA vs Allen, Gene A

CONTINUED FROM PAGE: 031

03/23/04 09:00 AM 00 DEFT'S PRO PER MTN TO AMEND WRIT OF POST CONVICTN/119

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Annette Duncan, Relief Clerk
Peggy Isom, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
003649 Kephart, William D. Y

Mr. Kephart advised this is Mr. Hendricks case and there are no representations in the file; requested a CONTINUANCE for Mr. Hendricks to be present and COURT SO ORDERED. FURTHER ORDERED, State to determine if a Response is needed in this matter.

NDC

CONTINUED TO: 04/06/04 09:00 AM 01

04/06/04 09:00 AM 00 ALL PENDING MOTIONS 4/6/04

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Annette Duncan, Court Clerk
Jennifer Lott/jl, Relief Clerk
Peggy Isom, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
004630 Hendricks, Craig L. Y

DEFT'S PRO PER MOTION TO AMEND WRIT OF POST CONVICTION.....DEFT'S PRO PER MOTION FOR SENTENCING MODIFICATION.....DEFT'S PRO PER MOTION TO VACATE JUDGMENT OF CONVICTION

COURT ORDERED, State to respond; motions CONTINUED.

NDC

CONTINUED TO: 6/9/04 9:00 A.M. (SAME AS ABOVE)

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA vs Allen, Gene A

CONTINUED FROM PAGE: 032

04/19/04 09:00 AM 00 TAYLOR'S MTN TO WITHDRAW AS COUNSEL OF RECORD/124

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Annette Duncan, Relief Clerk
Peggy Isom, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
008001 Brian, Kam Y

COURT ORDERED, Motion GRANTED; Mr. Taylor to prepare the Order.

NDC

05/04/04 09:00 AM 00 ALL PENDING MOTIONS FOR 5/4/04

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Barbara Karp, Court Clerk
Barbara Blankenship/bb, Relief Clerk
Peggy Isom, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
004630 Hendricks, Craig L. Y

DEFT'S PRO PER MOTION FOR DISMISSAL OF APPEAL...DEFT'S PRO PER MOTION FOR COURT ORDER PRESENTENCING INVESTIGATION DISCLOSURE

COURT ORDERED, All Pending Motions CONTINUED, along with motions now set for 5/10/04.

NDC

6/9/04 9:00 AM DEFT'S PRO PER MOTION FOR DISMISSAL OF APPEAL...DEFT'S PRO PER MOTION FOR COURT ORDER PRESENTENCING INVESTIGATION DISCLOSURE

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA

vs Allen, Gene A

CONTINUED FROM PAGE: 033

06/09/04 09:00 AM 00 ALL PENDING MOTIONS 6/9/04

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Barbara Karp, Court Clerk
Diann Prock, Reporter/Recorder

PARTIES: STATE OF NEVADA
004630 Hendricks, Craig L.

Y
Y

DEFT'S PRO PER MOTION FOR SPEEDY TRIAL VIOLATION...DEFT'S PRO PER MOTION FOR CONCLUSION AND FINAL DEPOSITION...DEFT'S PRO PER MOTION FOR CRIMINAL COURT MINUTES...DEFT'S PRO PER MOTION TO SUPPRESS PETROCELLI...DEFT'S PRO PER MOTION TO COMPEL DISCOVERY...DEFT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS...DEFT'S PRO PER MOTION FOR DISMISSAL..DEFT'S PRO PER MOTION TO AMEND WRIT OF POST CONVICTION ...DEFT'S PRO PER MOTION FOR SENTENCING MODIFICATION...DEFT'S PRO PER MOTION TO VACATE JUDGMENT OF CONVICTION... STATES RESPONSE AND MOTION TO DISMISS DEFT'S REQUEST FOR AN EVIDENTIARY HEARING... DEFT'S PRO PER MOTION TO SUPPRESS PRELIMINARY HEARING

Court asked Counsel to indicate on record tomorrow which of these motions are duplicates. COURT ORDERED, ALL MATTERS CONTINUED TO TOMORROW.

NDC

CONTINUED TO: 6/10/04 9:00 AM

06/10/04 09:00 AM 00 ALL PENDING MOTIONS 6-10-04

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Annette Duncan, Relief Clerk
Peggy Isom, Reporter/Recorder

PARTIES: STATE OF NEVADA
004630 Hendricks, Craig L.

Y
Y

DEFT'S PRO PER MOTION TO WITHDRAW PLEA...DEFT'S PRO PER MOTION FOR SPEEDY TRIAL VIOLATION...DEFT'S PRO PER MOTION FOR CONCLUSION AND FINAL DEPOSITION...DEFT'S PRO PER MOTION FOR CRIMINAL COURT MINUTES...DEFT'S PRO PER MOTION TO SUPPRESS PETROCELLI...DEFT'S PRO PER MOTION TO COMPEL DISCOVERY...DEFT'S PRO PER MOTION FOR EVIDENTIARY HEARING...DEFT'S PRO PER MOTION FOR SENTENCING MODIFICATION...DEFT'S PRO PER MOTION TO VACATE JUDGMENT OF CONVICTION...DEFT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS...DEFT'S PRO PER MOTION TO AMEND WRIT OF POST CONVICTION RELIEF...DEFT'S PRO PER MOTION FOR DISMISSAL... STATES RESPONSE AND MOTION TO DISMISS DEFT'S REQUEST FOR AN EVIDENTIARY HEARING... DEFT'S PRO PER MOTION TO SUPPRESS PRELIMINARY HEARING

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA

vs Allen, Gene A

CONTINUED FROM PAGE: 034

Mr. Hendricks advised Deft's Pro Per Motion to Withdraw Plea has been filed 5 times and Denied 5 times; COURT ORDERED, Motion to Withdraw Plea DENIED. Regarding Deft's Motion for Speedy Trial Violation COURT ORDERED, DENIED; regarding Deft's Motion for Final Deposition (Disposition), The COURT FINDS an Order was signed for clarification and clarification has not been received and ORDERED, Motion DENIED. All Motions listed in capital letters from Deft's Motion to Dismiss Counsel to and through Deft's Motion for Dismissal are duplicative, have been previously denied and COURT ORDERED, all Motions, DENIED. As to Deft's Motion to Suppress Preliminary Hearing, the COURT FINDS Motion MOOT and ORDERED, Motion DENIED. State's Response and Motion to Dismiss Deft's request for an Evidentiary Hearing is Moot as Motion has been denied.

07/14/04 09:00 AM 00 ALL PENDING MOTIONS - 7/14/04

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Jennifer Kimmel, Relief Clerk
Peggy Isom, Reporter/Recorder

PARTIES: STATE OF NEVADA
003649 Kephart, William D.

Y
Y

DEFENDANT'S PRO PER REQUEST FOR LEAVE TO AMEND WRIT OF HABEAS CORPUS DUE TO EVIDENCE NOT DISCLOSED...DEFENDANT'S PRO PER MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATE'S EXPENSE...DEFENDANT'S PRO PER REQUEST FOR STATE'S OPPOSITION FOR P.S.I.

COURT ORDERED, Defendant's presence is WAIVED. FURTHER ORDERED, matter CONTINUED to allow State time to respond to Defendant's Motions.

NDC

CONTINUED TO: 8/18/04 9:00 A.M.

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA vs Allen, Gene A

CONTINUED FROM PAGE: 035

08/11/04 09:00 AM 00 ALL PENDING MOTIONS - 8/11/04

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Jennifer Kimmel, Relief Clerk
Peggy Isom, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
003649 Kephart, William D. Y

DEFENDANT'S PRO PER MOTION FOR STATE'S OPPOSITION...DEFENDANT'S PRO PER MOTION FOR STATE'S OPPOSITION

Mr. Kephart advised matters are assigned to Mr. Hendricks who was under the impression matters will be heard on 8/18. Therefore COURT ORDERED, matters CONTINUED.

NDC

CONTINUED TO: 8/18/04 9:00 A.M.

08/18/04 09:00 AM 00 ALL PENDING MOTIONS - 8/18/04

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Annette Duncan, Court Clerk
Diann Prock, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
006204 DiGiacomo, Sandra Y

DEFT'S PRO PER REQUEST FOR LEAVE TO AMEND WRIT OF HABEAS CORPUS DUE TO EVIDENCE NOT DISCLOSED...DEFT'S PRO PER MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATE'S EXPENSE...DEFT'S PRO PER REQUEST FOR STATE'S OPPOSITION FOR PSI...DEFT'S PRO PER MOTION FOR PRODUCTION OF SENTENCING TRANSCRIPTS AND FORMA PAUPERIS...DEFT'S PRO PER MOTION FOR TRANSCRIPTS...DEFT'S PRO PER MOTION FOR A BILL OF EXCEPTION...DEFT'S PRO PER MOTION FOR STATE'S OPPOSITION

Upon Court's inquiry, Ms. DiGiacomo advised the State had not filed Oppositions on all motions. COURT ORDERED, matter CONTINUED 2 weeks for State to file Oppositions.

NDC

CONTINUED TO: 9-1-04 9:00 AM

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA vs Allen, Gene A

CONTINUED FROM PAGE: 036

09/01/04 09:00 AM 00 ALL PENDING MOTIONS - 9/1/04

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Jennifer Kimmel, Relief Clerk
Diann Prock, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
003649 Kephart, William D. Y

DEFENDANT'S PRO PER MOTION FOR STATE'S OPPOSITION...DEFENDANT'S PRO PER MOTION FOR STATE'S OPPOSITION...DEFENDANT'S PRO PER MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATE'S EXPENSE...DEFENDANT'S PRO PER REQUEST FOR STATE'S OPPOSITION FOR P.S.I....DEFENDANT'S PRO PER MOTION FOR PRODUCTION OF SENTENCING TRANSCRIPTS AND FORMA PAUPERIS...DEFENDANT'S PRO PER MOTION FOR TRANSCRIPTS...DEFENDANT'S PRO PER MOTION FOR A BILL OF EXCEPTION...DEFENDANT'S PRO PER MOTION FOR STATE'S OPPOSITION

COURT ORDERED, Defendant's presence WAIVED. Court stated its findings and ORDERED, Motions are DENIED. State shall prepare the Order.

NDC

09/16/04 09:00 AM 00 DEFT'S PRO PER MTN FOR LEAVE TO PROCEED IN FORMA PAUPERIS/151

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Annette Duncan, Court Clerk
Greer Jennison/gj, Relief Clerk
Diann Prock, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
004630 Hendricks, Craig L. Y

Court stated it did not receive the State's opposition, which Mr. Hendricks represented was filed electronically on 8/24/04. COURT ORDERED, matter CONTINUED.

NDC

CONTINUED TO: 09/28/04 09:00 AM 01

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA vs Allen, Gene A

CONTINUED FROM PAGE: 037

09/28/04 09:00 AM 00 ALL PENDING MOTIONS 9/28/04

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Jennifer Kimmel/jk, Court Clerk
Elaine York, Relief Clerk
Diann Prock, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
006526 Turner, Robert B. Y

DEFENDANT'S PRO PER MOTION FOR TRANSCRIPTS OF PROCEEDINGS...DEFENDANT'S PRO PER MOTION FOR QUALIFIED IMMUNITY...DEFENDANT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS...DEFENDANT'S PRO PER MOTION FOR COURT MINUTES...DEFENDANT'S PRO PER MOTION FOR LEAVE TO AMEND WRIT OF HABEAS CORPUS...DEFENDANT'S PRO PER MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS...STATE'S MOTION TO DISMISS PETITION FOR WRIT

Court stated its findings and ORDERED, Defendant's Motions are DENIED and State's Motion to Dismiss Petition for Writ is GRANTED. State shall prepare the Order.

NDC

11/01/04 09:00 AM 00 DEFT'S PRO PER MTN FOR CONTENTS & NTC OF ORDER FINALLY DISPOSING OF PTN HABE/158

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Jennifer Kimmel, Court Clerk
Peggy Isom, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
004630 Hendricks, Craig L. Y

COURT ORDERED, Defendant's presence is WAIVED. COURT STATED an order was signed on 10/6 wherein the final disposition is done therefore matter is MOOT and OFF CALENDAR. Mr. Hendricks directed to send a Receipt of Copy to Defendant.

NDC

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA vs Allen, Gene A

CONTINUED FROM PAGE: 038

12/29/04 09:00 AM 00 DEFT'S PRO PER MTN FOR COURT MINUTES/159

HEARD BY: Jackie Glass, Judge; Dept. 5

OFFICERS: Jennifer Kimmel/jk & Dorothy Kelly, Court Clerk
Sharon Chun, Relief Clerk
Liz Garcia, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
008001 Brian, Kam Y

COURT ORDERED, Motion GRANTED.

NDC

CLERK'S NOTE: Deft's Motion requests a copy of a minute order from 6/6/03, which does not exist therefore a copy of minutes, Pages 21 & 22 & 23, was mailed to Deft. on 1/5/05 at: ID #76542 Lovelock Corrections Center, P.O. Box 399, Lovelock, NV 89419. jk

01/27/05 09:00 AM 00 DEFT'S PRO PER MTN EVIDENTIARY HEARING /161

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Jennifer Kimmel, Court Clerk
Peggy Isom, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
007842 Nelson III, Roy L. Y

Court stated its findings and ORDERED, Deft's Pro Per Motion is DENIED as there is no basis. State shall prepare the Order.

NDC

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA vs Allen, Gene A

CONTINUED FROM PAGE: 039

02/03/05 09:00 AM 00 ALL PENDING MOTIONS (2/3/05)

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: April Watkins, Relief Clerk
Peggy Isom, Reporter/Recorder

PARTIES: STATE OF NEVADA
007421 Lee, Christopher K.

Y
Y

DEFT'S PRO PER MOTION FOR SENTENCING TRANSCRIPTS...DEFT'S PRO PER MOTION FOR CRIMINAL COURT MINUTES...DEFT'S PRO PER MOTION FOR WRIT OF HABEAS CORPUS

Court noted no opposition has been filed. Mr. Lee stated he is not sure why this is on calendar and advised opposition has been filed. Further, this Court denied Deft's motion for evidentiary hearing. COURT ORDERED, Deft's Motion for Writ DENIED as excessive and no good cause showing concerning procedural bar. FURTHER ORDERED, Deft's Motion for Sentencing Transcripts and Deft's Motion for Criminal Minutes CONTINUED.

NDC

CONTINUED TO: 2/10/05 9:00 AM

CLERK'S NOTE: Above minute order sent to Deft. Allen #76542, Lovelock Correction, P.O. Box 359, Lovelock, NV 89419 aw

02/23/05 09:00 AM 00 ALL PENDING MOTIONS - 2/23/05

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Jennifer Kimmel, Court Clerk
Peggy Isom, Reporter/Recorder

PARTIES: STATE OF NEVADA
007480 Pate, Susan

Y
Y

DEFENDANT'S PRO PER MOTION FOR TRANSCRIPTS TO PROCEEDINGS...DEFENDANT'S PRO PER MOTION FOR SENTENCING TRANSCRIPTS...DEFENDANT'S PRO PER MOTION FOR CRIMINAL COURT MINUTES

COURT ORDERED, matter CONTINUED, State to Respond.

NDC

CONTINUED TO: 3/2/05 9:00 A.M.

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA vs Allen, Gene A

CONTINUED FROM PAGE: 040

03/02/05 09:00 AM 00 ALL PENDING MOTIONS (3/2/05)

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: April Watkins, Relief Clerk
Peggy Isom, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
002415 Moreo, Thomas J. Y

DEFT'S PRO PER MOTION FOR TRANSCRIPTS TO PROCEEDINGS...DEFT'S PRO PER MOTION FOR SENTENCING TRANSCRIPTS...DEFT'S PRO PER MOTION FOR CRIMINAL MINUTES

Court stated he has read motions and is not sure exactly what Deft. is requesting. COURT ORDERED, motions DENIED.

CLERK'S NOTE: Above minute order sent to Deft. Gene Allen #76542, Lovelock Correction Center, P.O. Box 359, Lovelock, NV 89419. aw

03/07/05 09:00 AM 00 ALL PENDING MOTIONS - 3/7/05

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Jennifer Kimmel, Court Clerk
Peggy Isom, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
007421 Lee, Christopher K. Y
0001 D1 Allen, Gene A N
002415 Moreo, Thomas J. Y

DEFENDANT'S PRO PER MOTION FOR FINAL ORDER FACTS CONCLUSION OF LAW TO A WRIT OF HABEAS CORPUS...DEFENDANT'S PRO PER MOTION FOR CONCLUSION OF LAW ANSWER AND STATE'S OPPOSITION WRIT OF HABEAS CORPUS FOR N.R.S. 347.30

COURT ORDERED, Deft's Motions are DENIED as MOOT. COURT STATED ORDER was filed 3/2/05.

NDC

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA vs Allen, Gene A

CONTINUED FROM PAGE: 041

03/21/05 09:00 AM 00 ALL PENDING MOTIONS (3/21/05)

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: April Watkins, Court Clerk
Peggy Isom, Reporter/Recorder

PARTIES: STATE OF NEVADA
007842 Nelson III, Roy L.

Y
Y

DEFT'S PRO PER MOTION FOR DOCUMENTS...DEFT'S PRO PER MOTION FOR DOWENWARD DEPARTURE...DEFT'S PRO PER MOTION FOR SENTENCING TRANSCRIPTS

Court stated per pleadings these matters have already been decided and ORDERED, motions DENIED.

NDC

CLERK'S NOTE: Above minute order sent to Deft. Gene Allen #76542, Lovelock Corrections Center, P.O. Box 359, Lovelock, NV 89419. aw

03/28/05 09:00 AM 00 ALL PENDING MOTIONS (3/28/05)

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: April Watkins, Court Clerk
Peggy Isom, Reporter/Recorder

PARTIES: STATE OF NEVADA
002415 Moreo, Thomas J.
007842 Nelson III, Roy L.

Y
Y
Y

DEFT'S PRO PER MOTION FOR FINAL DISPOSITION WITH CONCLUSION OF LAW...DEFT'S PRO PER NOTICE OF AN UNEXASTED PETITION OF WRIT OF HABEAS CORPUS

Mr. Moreo advised he has never seen writ and requested matter be continued to deal with all motions together. COURT ORDERED, matters CONTINUED.

NDC

CONTINUED TO: 4/4/05 9:00 AM

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA vs Allen, Gene A

CONTINUED FROM PAGE: 042

04/04/05 09:00 AM 00 ALL PENDING MOTIONS (04/04/05)

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: April Watkins, Court Clerk
Nancy Noble/nn, Relief Clerk
Peggy Isom, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
002415 Moreo, Thomas J. Y
0001 D1 Allen, Gene A Y

DEFT'S PRO PER MOTION FOR FINAL DESPOSETION WITH CONCLUSION OF LAW....DEFT'S
PRO PER NOTICE OF AN UNEXHAUSTED PETITION FOR WRIT OF HABEAS
CORPUS....DEFT'S APPLICATION TO PROCEED IN FORMA PAUPERIS....

At request of Mr. Moreo, COURT ORDERED matters CONTINUED.

NDC

04/11/05 09:00 AM 00 ALL PENDING MOTIONS (4/11/05)

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: April Watkins, Court Clerk
Peggy Isom, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
007421 Lee, Christopher K. Y

DEFT'S PRO PER MOTION FOR FINAL ORDER & JUDGEMENT...DEFT'S PRO PER
APPLICATION TO PROCEED IN FORMA PAUPERIS

COURT ORDERED, matters CONTINUED.

NDC

CONTINUED TO: 4/25/05 9:00 AM

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA vs Allen, Gene A

CONTINUED FROM PAGE: 043

04/21/05 09:00 AM 00 DEFT'S PRO PER MTN FOR TRANSCRIPTS/183

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: April Watkins, Court Clerk
Nancy Noble/nn, Relief Clerk
Peggy Isom, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
002415 Moreo, Thomas J. Y
0001 D1 Allen, Gene A Y

Court advised this is the third time defendant has requested this motion and the Court previously denied the motion. Therefore, motion is MOOT.

NDC

CLERK'S NOTE: A copy of the minutes has been sent to Pro Per defendant./nn

04/25/05 09:00 AM 00 ALL PENDING MOTIONS (4/25/05)

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: April Watkins, Court Clerk
Nancy Noble/nn, Relief Clerk
Peggy Isom, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
002415 Moreo, Thomas J. Y

DEFT'S PRO PER MOTION FOR FINAL DEPOSITION....DEFT'S PRO PER MOTION FOR FINAL ORDER & JUDGEMENT....DEFT'S PRO PER APPLICATION TO PROCEED IN FORMA PAUPERIS....DEFT'S PRO PER NTC OF EXHAUSTED PTN FOR WRIT OF HABEAS CORPUS....

As to Motion for Final Deposition, COURT ORDERED motion DENIED as MOOT. Previous order filed 3/2/05.

As to Motion for Final Order & Judgement, COURT ORDERED motion DENIED as MOOT.

As to Application to Proceed in Forma Pauperis, COURT ORDERED application GRANTED.

As to Notice of Exhausted Petition for Writ of Habeas Corpus, COURT ORDERED, Petition MOOT.

NDC

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA vs Allen, Gene A

CONTINUED FROM PAGE: 044

04/28/05 09:00 AM 00 ALL PENDING MOTIONS (4/28/05)

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: April Watkins/aw, Court Clerk
Nancy Noble, Relief Clerk
Peggy Isom, Reporter/Recorder

PARTIES: STATE OF NEVADA
002804 Villegas, Victoria A.

Y
Y

DEFT'S PRO PER MOTION FOR COURT INDEX...DEFT'S PRO PER APPLICATION TO PROCEED IN FORMA PAUPERIS

Court FINDS no basis for Court Index and ORDERED, motion DENIED. FURTHER ORDERED, Application to Proceed GRANTED.

NDC

CLERK'S NOTE: Copy of above minute order sent to Deft. Gene Allen #76542, Lovelock Correction's Center, P.O. Box 359, Lovelock, NV 89419. aw

05/09/05 09:00 AM 00 ALL PENDING MOTIONS (5/9/05)

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: April Watkins, Court Clerk
Peggy Isom, Reporter/Recorder

PARTIES: STATE OF NEVADA
002415 Moreo, Thomas J.

Y
Y

DEFT'S PRO PER MOTION FOR A COURT TO DISQUALIFY ITSELF...DEFT'S PRO PER APPLICATION TO PROCEED IN FORMA PAUPERIS

Mr. Moreo requested time to respond. COURT ORDERED, Deft's Pro Per Motion CONTINUED and Deft's Pro Per Application GRANTED.

NDC

CONTINUED TO: 6/1/05 9:00 AM

CLERK'S NOTE: Copy of above minute order sent to Deft. Gene Allen #76542, Lovelock Correction's Center, P.O. Box 359, Lovelock, NV 89419. aw

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA vs Allen, Gene A

CONTINUED FROM PAGE: 045

05/23/05 09:00 AM 00 DEFT'S PRO PER MTN TO CORRECT ILLEGAL SENTENCE/191

HEARD BY: SEE MINUTES, Visiting Judge

OFFICERS: April Watkins, Court Clerk
Peggy Isom, Reporter/Recorder

PARTIES: STATE OF NEVADA
007421 Lee, Christopher K.

Y
Y

In the absence of the Court, matter CONTINUED.

NDC

CLERK'S NOTE: Copy of above minute order sent to Deft. Gene Allen #76542, Lovelock Correction Center, P.O. Box 359, Lovelock, NV 89419. aw

CONTINUED TO: 06/08/05 09:00 AM 01

06/08/05 09:00 AM 00 ALL PENDING MOTIONS (6/8/05)

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: April Watkins, Court Clerk
Peggy Isom, Reporter/Recorder

PARTIES: STATE OF NEVADA
003776 Monroe, Vicki J.

Y
Y

DEFT'S PRO PER PERSONAL RESTRAINT PETITION - COURT ORDERED, DENIED as being vague.

DEFT'S PRO PER APPLICATION TO PROCEED IN FORMA PAUPERIS - Court noted this has been previously GRANTED.

DEFT'S PRO PER APPLICATION TO CORRECT ILLEGAL SENTENCE - Court FINDS sentence is valid, complies with statutory parameters and ORDERED, DENIED.

DEFT'S PRO PER MOTION FOR COURT TO DISQUALIFY ITSELF - Court FINDS no sufficient basis to disqualify itself and ORDERED, DENIED.

DEFT'S PRO PER CERTIFICATE OF INMATE'S INSTITUTIONAL ACCOUNT - Court FINDS this is a matter for the prison and ORDERED, DENIED.

NDC

CLERK'S NOTE: Above minute order sent to Deft. Gene Allen #76542, Lovelock Corrections Center, P.O. Box 359, Lovelock, NV 89419. aw

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA vs Allen, Gene A

CONTINUED FROM PAGE: 046

07/06/05 09:00 AM 00 DEFT'S PRO PER MTN FOR ANSWER RESPONSE
OR

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: April Watkins, Court Clerk
Peggy Isom, Reporter/RecorderPARTIES: STATE OF NEVADA
008213 Nyikos, Noreen

Y

Y

Court FINDS no grounds asserted by Deft., no basis for relief and ORDERED,
motion DENIED.

NDC

CLERK'S NOTE: Above minute order sent to Deft. Gene Allen #76542, Lovelock,
Corrections Center, P.O. Box 359, Lovelock, NV 89419. aw09/07/05 09:00 AM 00 DEFT'S PRO PER MTN FOR AN
EVIDENTIARY/197

HEARD BY: J. CHARLES THOMPSON, Senior Judge; Dept. VJ42

OFFICERS: Nancy Noble, Relief Clerk
Peggy Isom, Reporter/RecorderPARTIES: STATE OF NEVADA
002415 Moreo, Thomas J.

Y

Y

Court stated Deft's Pro Per Motion for an Evidentiary Hearing may be
premature and ORDERED matter off calendar as Deft's Pro Per Petition for
Writ of Habeas Corpus is upcoming 10/11/05.

NDC

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA vs Allen, Gene A

CONTINUED FROM PAGE: 047

09/12/05 09:00 AM 00 DEFT'S PRO PER MTN FOR COURT MINUTES /199

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: April Watkins, Court Clerk
Peggy Isom, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
008213 Nyikos, Noreen Y

COURT ORDERED, motion DENIED.

NDC

CLERK'S NOTE: Copy of above minute order sent to Deft. Gene Allen #76542, Lovelock Corrections Center, P.O. Box 359, Lovelock, NV 89419. aw

09/26/05 09:00 AM 00 DEFT'S PRO PER EVIDENTIARY HEARING /200

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: April Watkins, Court Clerk
Peggy Isom, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
002415 Moreo, Thomas J. Y

Mr. Moreo requested matter be continued and COURT SO ORDERED.

NDC

CONTINUED TO: 10/11/05 09:00 AM 01

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA vs Allen, Gene A

CONTINUED FROM PAGE: 048

10/11/05 09:00 AM 00 ALL PENDING MOTIONS (10/11/05)

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: April Watkins, Court Clerk
Willia Pettice/wjp, Relief Clerk
Peggy Isom, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
002415 Moreo, Thomas J. Y
0001 D1 Allen, Gene A N
PRO SE Pro Se Y

DEFT'S PETITION FOR WRIT OF HABEAS CORPUS . . . STATE'S MOTION TO DISMISS .
. . DEFT'S PRO PER EVIDENTIARY HEARING . . .

The Court stated its findings and ORDERED, Deft's Petition for Writ of
Habeas Corpus DENIED; State's Motion to Dismiss GRANTED and Deft's Pro Per
Motion for Evidentiary Hearing DENIED.

NDC

CLERK'S NOTE: A copy of above minute order mailed to Deft. Gene Allen,
#76542 at Lovelock Correctional Center, P O Box 359, Lovelock, NV 89419
(wjp 10/19/05).

12/06/05 09:00 AM 00 DEFT'S PRO PER MTN FOR CRIMINAL COURT
INDEX /203

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Nancy Noble, Court Clerk
Peggy Isom, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
008109 Harris, Catherine Y

Court stated it reviewed the matter and it is without merit. Therefore,
COURT ORDERED, Deft's Pro Per Motion for Criminal Court Index, DENIED. State
to prepare the order.

NDC

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA vs Allen, Gene A

CONTINUED FROM PAGE: 049

01/11/06 09:00 AM 00 DEFT'S PRO PER MTN TO CORRECT OF ILLEGAL SENTENCE /204

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Nancy Noble, Court Clerk
Cheryl Case/cc, Relief Clerk
Peggy Isom, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
008213 Nyikos, Noreen Y

Court noted this Motion was previously denied. COURT ORDERED, Motion DENIED. State to prepare the Order.

NDC

04/11/06 08:30 AM 00 DEFT'S PRO PER MTN FOR TRANSFER ORDER IN THE ABOVE CASE /205

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
JoAnn Orduna, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
002415 Moreo, Thomas J. Y
0001 D1 Allen, Gene A N
PRO SE Pro Se Y

Court advised the motion is nonsensical and has no basis and ORDERED, motion DENIED.

NDC

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA vs Allen, Gene A

CONTINUED FROM PAGE: 050

04/24/06 08:30 AM 00 DEFT'S PRO PER MTN FOR A TRANSFER ORDER F.R.A.P. RULE/208

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Carol Donahoo/cd, Relief Clerk
JoAnn Orduna, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
008109 Harris, Catherine Y
0001 D1 Allen, Gene A N
PRO SE Pro Se Y

Deft. Allen not present. Court noted Deft's pro per motion was previously denied. Court advised the previous ruling STANDS.

NDC

05/04/06 08:30 AM 00 ALL PENDING MOTIONS 5-4-06

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Carol Donahoo/cd, Relief Clerk
Renee Silvaggio, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
002415 Moreo, Thomas J. Y
0001 D1 Allen, Gene A N
PRO SE Pro Se Y

DEFT'S PRO PER MOTION FOR VOLUNTARY DISMISSAL...DEFT'S PRO PER MOTION FOR VOLUNTARY DISMISSAL

Deft. Allen not present. Court advised Deft. had previously filed the same motions. COURT ORDERED; motions DENIED.

NDC

CRIMINAL COURT MINUTES

01-C-177427-C

STATE OF NEVADA

vs Allen, Gene A

CONTINUED FROM PAGE: 051

05/08/06 08:30 AM 00 DEFT'S PRO PER MOTION TO QUIRE THE
JURISDICTION DEFECT/209

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Carol Donahoo/cd, Relief Clerk
JoAnn Orduna, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	002415 Moreo, Thomas J.	Y
	0001 D1 Allen, Gene A	N
	PRO SE Pro Se	Y

Deft. Allen not present. Court advised Deft's pro per Motion is incomprehensible. COURT ORDERED, Motion DENIED. Court informed Mr. Moreo the State need not file any responses to Deft's pleadings, unless the Court indicates he needs one.

NDC

05/09/06 08:30 AM 00 DEFT'S PRO PER MOTION FOR AN FULL
EVIDENTIARY HEARING/210

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Denise Trujillo/dt, Relief Clerk
JoAnn Orduna, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	002415 Moreo, Thomas J.	Y

COURT ORDERED, motion DENIED.

NDC

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA vs Allen, Gene A

CONTINUED FROM PAGE: 052

05/30/06 08:30 AM 00 DEFT'S PRO PER MTN FOR AN EVIDENTIARY HEARING /213

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Connie Gleason/cg, Relief Clerk
Renee Silvaggio, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
002415 Moreo, Thomas J. Y

Deft. Allen not present. COURT ORDERED, Deft's Pro Per Motion for an Evidentiary Hearing DENIED.

NDC

CLERK'S NOTE: A copy of this minute order was sent to: Gene Allen, #76542, Lovelock Correctional Center, P.O. Box 359, Lovelock, NV 89419/cg

06/06/06 08:30 AM 00 DEFT'S PRO PER MTN TO REQUEST ANOUTHER JUDGE TO BE ASSIGNED /214

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Denise Trujillo, Court Clerk
Julie Lever, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
002415 Moreo, Thomas J. Y

COURT stated findings and ORDERED, motion DENIED.

NDC

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA vs Allen, Gene A

CONTINUED FROM PAGE: 053

06/13/06 08:30 AM 00 PTN FOR WRIT OF HABEAS CORPUS

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Renee Silvaggio, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	008764 Bateman, Samuel G.	Y
	0001 D1 Allen, Gene A	N
	PRO SE Pro Se	Y

Court advised he read the petition and advised it is time-barred and successive and ORDERED, petition DENIED.

NDC

10/10/06 08:30 AM 00 DEFT'S PRO PER MOTION FOR PRODUCTION OF TRANSCRIPTS/215

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Sharon Chun, Relief Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	002415 Moreo, Thomas J.	Y
	0001 D1 Allen, Gene A	N
	PRO SE Pro Se	Y

COURT NOTED Deft is incarcerated in NV Dept of Corrections. COURT ORDERED, Motion, DENIED.

NDC

CLERK'S NOTE: The above minute order has been Distributed to:
Gene Allen #76542, Lovelock Correctonal Center, P.O. Box 359, Lovelock NV 89419

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA vs Allen, Gene A

CONTINUED FROM PAGE: 054

02/20/07 08:30 AM 00 DEFT'S PRO PER MOTION TO PROCEED IN
FORMA PAUPERIS /216

HEARD BY: James Bixler, Judge; Dept. 24

OFFICERS: Theresa Lee, Court Clerk
Bill Nelson, Reporter/Recorder

PARTIES: STATE OF NEVADA
009755 Bauman, Eric A.

Y
Y

Court noted this is the 12th Writ this deft has filed in Proper Person. Deft has appealed almost every one of them. The last time he was chastised by the Supreme Court for the repeated writs, and the Supreme Court suggested the next time deft files a Writ he should be sanctioned by taking away earned credit. COURT ORDERED, motion to proceed in forma pauperis is GRANTED; the Court will set this matter down for evidentiary hearing, State prepare Order to Transport, and the Court will explain to deft what will happen to him. The Court will allow the deft an opportunity to withdraw the Writ and suffer no consequences. Deft has not stated any new grounds for a hearing in the last ten of his petitions.

NDC

4/24/07 9:00 A.M. EVIDENTIARY HEARING...DEFT'S PETITION FOR WRIT OF HABEAS
CORPUS

04/03/07 08:30 AM 01 PTN FOR WRIT OF HABEAS CORPUS

HEARD BY: James Bixler, Judge; Dept. 24

OFFICERS: Theresa Lee, Court Clerk
Denise Trujillo/dt, Relief Clerk
Lee Bahr, Reporter/Recorder

PARTIES: STATE OF NEVADA
002415 Moreo, Thomas J.
0001 D1 Allen, Gene A
PRO SE Pro Se

Y
Y
Y
Y

Deft. present. Court advised this needed to be CONTINUED for deft. to be present as it reviewed the application and finds this is Deft's 9th petition. Further, Supreme Court that issued an order stating if deft. files anymore frivolous motions he would be sanctioned, and noted the only sanction can impose on deft. is to take away half of his credit for time served. LATER: Deft. present. Statement by deft. Court inquired if there are any new issues, not covered in any of the other nine petitions deft. has filed. Court read the Supreme Court Order from 1/07, specifically page 5,

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA

vs Allen, Gene A

CONTINUED FROM PAGE: 055

advising of the sanctions. Mr. Moreo submitted matter on State's response. COURT ORDERED, Petition for Writ is DENIED, as it finds this writ is frivolous, COURT will deduct 310 days credit for time served of the 621 days accumulated, and ADMONISHED Deft. if he continues to file frivolous motions Court will take away the rest of the days. FURTHER, evidentiary hearing is VACATED. Findings of Fact, Conclusions of Law and Order Dismissing Deft's Petition for Writ of Habeas Corpus (Post Conviction).

NDC

05/03/07 08:30 AM 00 PLTF'S MTN TO AMEND FINDINGS OF FACT/220

HEARD BY: James Bixler, Judge; Dept. 24

OFFICERS: Theresa Lee, Court Clerk
Jackie Nelson, Reporter/RecorderPARTIES: STATE OF NEVADA
002415 Moreo, Thomas J.Y
Y

Mr. Moreo stated at the last court appearance, the Court took away good time for deft filing yet another petition for writ of habeas corpus. Pursuant to Statute, the Court does not have the authority to do that, only the Director of the Department of Corrections. State will prepare an Amended Judgment of Conviction correcting the order. Court stated the last Remittitur from the Supreme Court directed the Court to do just that. However, IT IS HEREBY ORDERED, the previous order is VACATED, credit time served taken away is reinstated. State to prepare an amended order.

NDC

05/15/07 08:30 AM 00 DEFT'S PRO PER MOTION FOR A TRANSCRIPT
OF SENTENCING/221

HEARD BY: James Bixler, Judge; Dept. 24

OFFICERS: Theresa Lee, Court Clerk
Jackie Nelson, Reporter/RecorderPARTIES: STATE OF NEVADA
002415 Moreo, Thomas J.Y
Y

Mr. Moreo stated this is deft's proper person motion for transcripts. State filed their response. Court stated deft must state a reason for requesting the transcripts in his motion, he did not do that, therefore, IT IS HEREBY ORDERED, motion DENIED.

NDC CLERK'S NOTE: A copy of this minute order was placed in the U.S. Mail to

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA

vs Allen, Gene A

CONTINUED FROM PAGE: 056

deft, ID# 76542, Lovelock Correctional Center, P.O. BOX 359, Lovelock, NV 89419

08/28/07 08:30 AM 00 DEFT'S PRO PER MTN REQ FOR CASE DOCUMENTS/222

HEARD BY: James Bixler, Judge; Dept. 24

OFFICERS: Theresa Lee, Court Clerk
Jackie Nelson, Reporter/Recorder

PARTIES: STATE OF NEVADA
002415 Moreo, Thomas J.

Y
Y

Deft not present, incarcerated in NDC. Court noted this is his 8th petition. Mr. Moreo stated they have completed the 10th petition, deft has filed 11 or 12 petitions. Court stated deft requested a copy of the transcript of the proceedings. Deft failed to state in his petition facts that show it is necessary to have the transcripts to support his claim. Without any facts that set forth the basis for the transcripts, the Court is not going to grant his request. COURT ORDERED, petition DENIED, deft has to explain what it is he expects the transcripts to show. Clerk send deft a copy of this minute order.

NDC

CLERK'S NOTE: A copy of this minute order was placed in the U.S. Mail to deft, ID# 76542, Lovelock Correctional Center, P.O. BOX 359, Lovelock, NV 89419

09/06/07 08:30 AM 01 DEFT'S PRO PER MTN FOR MINUTES/223

HEARD BY: James Bixler, Judge; Dept. 24

OFFICERS: Theresa Lee, Court Clerk
Bill Nelson, Reporter/Recorder

PARTIES: STATE OF NEVADA
002415 Moreo, Thomas J.

Y
Y

Deft neither present nor represented. Clerk advised Court she mailed a copy of the minutes to deft from the last proceeding. COURT ORDERED, matter taken OFF CALENDAR as being MOOT.

NDC

CLERK'S NOTE: A copy of this minute order was placed in the U.S. Mail to deft, ID# 76542, Lovelock Correctional Center, P.O. BOX 359, Lovelock, NV

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA

vs Allen, Gene A

CONTINUED FROM PAGE: 057

89419

03/06/08 08:30 AM 00 ALL PENDING MOTIONS (3/6/08)

HEARD BY: James Bixler, Judge; Dept. 24

OFFICERS: Theresa Lee, Court Clerk
Bill Nelson, Reporter/Recorder

PARTIES: NO PARTIES PRESENT

DEFT'S PRO PER MOTION FOR REMAND...DEFT'S PRO PER MOTION FOR PSI AND PSR

Deft not present. Court stated, the deft repeatedly files appeals and writs. The Deft's current motion is in terms of a remand. There was a remand from the Supreme Court in January, 2008, but deft's motion to remand is not a viable motion. If deft wants to file another Writ, he has to file a Writ, not a motion for remand, therefore, IT IS HEREBY ORDERED, Deft's Motion for Remand and his motion for PSI and PSR are both DENIED.

NDC

CLERK'S NOTE: A copy of this minute order was placed in the U.S. Mail to deft, ID# 76542, Lovelock Correctional Center, P.O. BOX 359, Lovelock, NV 89419

03/13/08 08:30 AM 00 DEFT'S PRO PER MTN TO REMAND /227

HEARD BY: James Bixler, Judge; Dept. 24

OFFICERS: Theresa Lee, Court Clerk
Lee Bahr, Reporter/RecorderPARTIES: STATE OF NEVADA
004232 Carroll, Thomas M.Y
Y

Deft neither present nor represented. COURT ORDERED, motion DENIED. The Court has already ruled on Deft's motion to remand and informed Deft there is no such motion that exists. Deft has to file a Petition for Writ of Habeas Corpus. Court directed Mr. Carroll to research the law and find out if there is a sanction that can be imposed on a Deft when he repeatedly files frivolous writs with no new grounds. The sanction may possibly be for the prison to withhold good time credits.

NDC

CLERK'S NOTE: A copy of this minute order was placed in the U.S. Mail to deft, ID# 76542, Lovelock Correctional Center, P.O. BOX 359, Lovelock, NV

CRIMINAL COURT MINUTES

01-C-177427-C STATE OF NEVADA

vs Allen, Gene A

CONTINUED FROM PAGE: 058

89419

03/27/08

E X H I B I T S

8:16 AM

CASE NO. 01-C-177427-C

CASE STATUS: REOPENED

STATE OF NEVADA

[] vs Allen, Gene A

[]

<u>NO.</u>	<u>CODE</u>	<u>EXHIBIT DESCRIPTION</u>	<u>SUB</u>	<u>OF/OB</u>	<u>DATE</u>	<u>S</u>
0001	P/D	/JUSTICE COURT EXHIBITS	S	/	08/10/01	V
0002	P1	/EVIDENCE BAG	S	/	99/99/99	V
0003	P1A	/1A-1-L POSTCARDS	S	/	99/99/99	V
0004	P2	/2-6 PHOTOS	S	/	99/99/99	V
0005	D/A	/AFFIDAVIT DENNIS D. STEINER	0001	/	99/99/99	V
0006	PCT1	/AMONISHMENT		AD/	09/18/02	V

eff: 9/1/96

**COUNTY CLERK'S OFFICE
NOTICE OF DEFICIENCY
ON APPEAL TO NEVADA SUPREME COURT**

**GENE ALLEN #76542
P.O. BOX 359
LOVELOCK, NV 89419**

**DATE: March 27, 2008
CASE: C177427**

RE CASE: STATE OF NEVADA vs. GENE ALLEN

NOTICE OF APPEAL FILED: March 26, 2008

RULE 3(e) DOCUMENTS TRANSMITTED: March 27, 2008

RULE 3(e) DOCUMENTS **NOT** TRANSMITTED/MISSING:

Notice of Entry of Order

EXPLANATION OF POSSIBLE DEFICIENCIES:

DOCUMENTS/FEE:

REFER TO:

PROCEDURE:

NOTICE OF APPEAL

NRAP 3(a)

\$24.00 District Court Filing Fee
(if applicable).

CASE APPEAL STATEMENT

NRAP 3(a)(1)

To be filed with Notice of Appeal:

Lists information necessary for docketing in the supreme court: district court case number; party names; counsel names; trial judge; whether trial or appellate counsel was appointed; whether appellant is proceeding in forma pauperis; date the proceedings commenced in the district court {NRAP Form 2}*.

* May be filed directly with the Supreme Court if not submitted with the Notice of Appeal.

Certification of Copy

State of Nevada }
County of Clark } SS:

I, Charles J. Short, the duly elected, qualifying and acting Clerk of Clark County, in the State of Nevada, and Ex-Officio Clerk of the District Court, do hereby certify that the foregoing is a true, full and correct copy of the original.

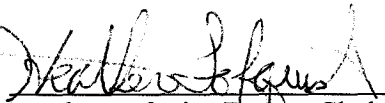
NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; ORDER DENYING DEFENDANT'S MOTION FOR REMAND; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

STATE OF NEVADA,)
)
 Plaintiff(s),) Case No: C177427
) Dept No: XXIV
 vs.)
)
 GENE ALLEN,)
)
 Defendant(s),)
)
 _____)

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 27 day of March 2008.

Charles J. Short, Clerk of the Court



Heather Lofquist, Deputy Clerk

**SUPREME COURT OF THE STATE OF NEVADA
OFFICE OF THE CLERK**

GENE ANTHONY ALLEN,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

Supreme Court No. 51353
District Court Case No. C177427

RECEIPT FOR DOCUMENTS

TO: Gene Anthony Allen #76542
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Charles J. Short , District Court Clerk

You are hereby notified that the Clerk of the Supreme Court has received and/or filed the following:

04/01/08 Filing Fee Waived: Criminal.

04/01/08 Filed Certified Copy of proper person Notice of Appeal.
Appeal docketed in the Supreme Court this day.

DATE: April 01, 2008

Tracie Lindeman, Clerk of Court

By: RM
Deputy Clerk

✓