

FRANK M. PECK 57106

FILED

HO SP BOX 650

MAY 12 2014

Indian Springs, Nev. 89070

JOEY HASTINGS, CLERK
BY  DEPUTY CLERK

Petitioner/Appellant, pro se.

Electronically Filed

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

May 12 2014 12:34 PM

Tracie K. Lindeman
Clerk of Supreme Court

IN AND FOR THE COUNTY OF WASHOE

CR06-2580
STATE VS. FRANK MILLFORD PECK 1 Page
District Court 05/12/2014 09:55 AM
Washoe County NV
2515
VILLORIO

FRANK M. PECK,

CASE NO. CR 06 2580

Petitioner,

DEPT NO. 6

VS

State of Nevada,

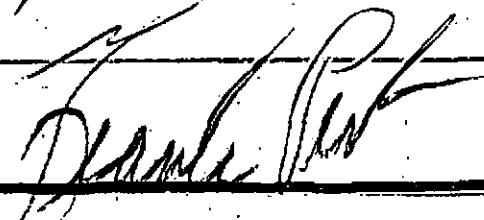
Respondent.

NOTICE OF APPEAL

NOTICE is hereby given that Petitioner Frank M. Peck hereby Appeals to the NEVADA Supreme Court from the Order Dismissing Petitioners Petition for writ of Habeas Corpus Post-conviction relief Filed in the instant action on April 30th 2014.

Dated May 7th 2014

Contains NO social security numbers NRS 239 B 030.


Frank M. Peck Pet, pro se.

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Code 1310

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

FRANK M. PECK,

Petitioner,

Case No. CR06-2580

vs.

Dept. No. 6

THE STATE OF NEVADA,

Respondent.

CASE APPEAL STATEMENT

This case appeal statement is filed pursuant to NRAP 3(2).

1. This appeal is from an order entered by the Honorable Judge Brent Adams.
2. Appellant is Frank M. Peck. Appellant is representing himself in Proper Person on appeal:
3. Appellant's address is:
Frank M. Peck #57106
High Desert State Prison
PO Box 650
Indian Springs, Nevada 89070
4. Respondent is the State of Nevada. Respondent is represented by the Washoe County District Attorney's Office:
Terrance McCarthy, Esq.
P.O. Box 11130
Reno, Nevada 89520
5. Respondent's attorney is licensed to practice law in Nevada.

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- 6. Appellant was represented by appointed counsel in District Court.
- 7. Appellant was not represented by appointed counsel on appeal.
- 8. Appellant was granted leave to proceed in forma pauperis, filed July 7, 2009 in the District Court.
- 9. Proceeding commenced by the filing of an Indictment filed on November 8, 2006.
- 10. This is a criminal proceeding and the Appellant is appealing the Order filed April 30, 2014
- 11. The case has been the subject of a previous appeal to the Supreme Court:
Supreme Court No: 51948, 53403, 53826, 53947, 54168, 54875 and 63974.
- 12. This case does not involve child custody or visitation.
- 13. This is not a civil case involving the possibility of a settlement.

Dated this 15th day of May, 2014.

JOEY ORDUNA HASTINGS
CLERK OF THE COURT

By: /s/ Annie Smith
Annie Smith
Deputy Clerk

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

8 FRANK MILFORD PECK,

Case No. CR06P2580

9 Petitioner,

Department No.: 6

10 v.

11 STATE OF NEVADA, et al.,

12 Respondent.

13 _____ /
14 **ORDER GRANTING IN FORMA PAUPERIS STATUS**

15 Having read Petitioner, FRANK MILFORD PECK's pleading entitled "Petition for Writ
16 of Habeas Corpus (Post-Conviction)", the Court finds that pursuant to NRS 171.188, there are
17 sufficient grounds to grant *forma pauperis* status at this time.

18 Pursuant to Nevada Supreme Court's Order ADKT No. 411 filed January 4, 2008, a
19 person will be deemed 'indigent' who is unable, without substantial hardship to himself or his
20 dependents, to obtain competent qualified legal counsel on his or her own. Under this standard,
21 a presumption of substantial hardship attaches to those persons currently serving a sentence in a
22 correctional institution or housed in a mental health facility.

23 IT IS HEREBY ORDERED, pursuant to NRS 171.188, Petitioner, FRANK MILFORD
24 PECK, is found to be in Forma Pauperis.

25 IT IS HEREBY FURTHER ORDERED that the Clerk allow said FRANK MILFORD
26 PECK to bring such action without costs and file or issue any necessary writ, process, pleading
27 or paper without charge, with the exception of jury fees.
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IT IS HEREBY FURTHER ORDERED that the Sheriff or any other appropriate officer within the state make personal service of any necessary writ, process, pleading or paper without charge for FRANK MILFORD PECK.

IT IS HEREBY FURTHER ORDERED that this matter is referred to Robert Bell, Court Appointment Administrator for the appointment of counsel for FRANK MILFORD PECK concerning the Petition for Habeas Corpus (Post-Conviction) on file herein.

DATED this 6 day of July, 2009.

Connie J. Steinheimer
CHIEF DISTRICT JUDGE

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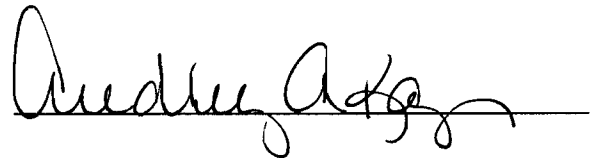
CERTIFICATE OF MAILING

Pursuant to NRCP 5(b), I hereby certify that I am an employee of the Second Judicial District Court, in and for the County of Washoe; and that on this 4th day of ~~June~~ July, 2009, I deposited in the County mailing system for postage and mailing with the United States Postal Service in Reno, Nevada, a true and correct copy of the attached document addressed as follows:

FRANK MILFORD PECK, #77562
N.N.C.C.
P.O. Box 7000
Carson City, NV 89702

Washoe County District Attorney
Appellate Division
VIA INTEROFFICE MAIL

Robert C. Bell, Esq.
Court Appointment Administrator
20 Winter St.
Reno, NV 89503



**SECOND JUDICIAL DISTRICT COURT
COUNTY OF WASHOE**

Case History - CR06-2580

DEPT. D6

HON. BRENT ADAMS

Report Date & Time
5/15/2014
9:54:26AM

Case Description: STATE VS. FRANK MILFORD PECK (D6)

Case ID: CR06-2580 **Case Type:** CRIMINAL **Initial Filing Date:** 11/3/2006

Parties

PLTF	STATE OF NEVADA - STATE
DA	Terrence P. McCarthy, Esq. - 2745
DA	David Wayne Clifton, Esq. - 1653
DA	Bruce C. Hahn, Esq. - 5011
DEFT	FRANK MILFORD PECK - @3461
CAA	Mary Lou A. Wilson, Esq. - 3329
CAA	Karla Butko, Esq. - 3307
PNP	Div. of Parole & Probation - DPNP

Charges

<i>Charge No.</i>	<i>Charge Code</i>	<i>Charge Date</i>	<i>Charge Description</i>
1	F1000	11/8/2006	IND SEXUAL ASSAULT

Plea Information

<i>Charge No.</i>	<i>Plea Code</i>	<i>Plea Date</i>	<i>Plea Description</i>
1	F1000	12/15/2006	PLED NOT GUILTY

Sentences

<i>Date</i>	<i>Charge No.</i>	<i>Charge Desc</i>	<i>Time Served</i>	<i>Sentence Text</i>
7/10/2009	1	Life With Poss of Parole		NSP LIFE WITH POSSIBILITY OF PAROLE AFTER 5 YEARS HAS BEEN SERVED; TO RUN CONSEC TO CR96-2687. FEES IMPOSED.

Release Information

Custody Status

Hearings

<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>	<i>Disposed Date</i>
1 D3	ARRAIGNMENT	12/15/2006 09:00:00	12/15/2006
Event Extra Text:		Disposition: D725 12/15/2006 INDICTMENT	

<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>	<i>Disposed Date</i>
2 D6	MOTION TO CONFIRM TRIAL	9/5/2007 09:00:00	9/5/2007
Event Extra Text:		Disposition: D355 9/5/2007 MOTION TO CONTINUE GRANTED	

Case Description: STATE VS. FRANK MILFORD PECK (D6)**Case ID: CR06-2580 Case Type: CRIMINAL Initial Filing Date: 11/3/2006**

<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
3 D6	TRIAL - JURY	9/17/2007	09:00:00	9/5/2007

Event Extra Text: TRIAL SET FOR 4 DAYS

Disposition:
D845 9/5/2007

<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
4 D6	MOTION TO CONFIRM TRIAL	2/20/2008	09:00:00	2/20/2008

Event Extra Text:

Disposition:
D435 2/20/2008
MOTION TO W/DRAW AS COUNSEL - GRANTED
COURT APPOINTED PUBLIC DEFENDER'S OFFICE

<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
5 D6	TRIAL - JURY	3/3/2008	09:00:00	2/20/2008

Event Extra Text: TRIAL SET 4 DAYS

Disposition:
D845 2/20/2008

<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
6 D6	MOTION TO SET TRIAL	3/19/2008	09:00:00	3/19/2008

Event Extra Text:

Disposition:
D435 3/19/2008
COURT AMENDED ORDER APPOINTING COUNSEL AND
APPOINTED THE ALTERNATE PUBLIC DEFENDERS
OFFICE

<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
7 D6	MOTION TO SET TRIAL	3/28/2008	09:00:00	3/28/2008

Event Extra Text:

Disposition:
D435 3/28/2008
TRIAL SET

<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
8 D6	MOTION ...	5/14/2008	09:00:00	5/13/2008

Event Extra Text: TO RELIEVE APD AS COUNSEL

Disposition:
D844 5/13/2008
reset to 5/28/08 per stipulation of counsel. APD to prepare
stipulation.

<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
9 D6	MOTION ...	5/28/2008	09:00:00	5/28/2008

Event Extra Text: 15 MINS - TO BE HEARD AT THE END OF CALENDAR

Disposition:
D450 5/28/2008

<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
10 D6	MOTION ...	6/27/2008	09:00:00	6/27/2008

Event Extra Text: MOTION TO RELIEVE APD'D OFFICE AS COUNSEL

Disposition:
D355 6/27/2008

Case Description: STATE VS. FRANK MILFORD PECK (D6)**Case ID: CR06-2580 Case Type: CRIMINAL Initial Filing Date: 11/3/2006**

<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
11	D6 MOTION TO CONFIRM TRIAL	10/29/2008	09:00:00	10/29/2008
Event Extra Text:		Disposition: D845 10/29/2008 PRIOR TO COURT, VACATED BY B. LINDSEY AND D. CLIFTON. MTN TO RECUSE JUDGE ADAMS TO BE HEARD IN D10. COUNSEL WILL CONTACT D6 AFTER RECUSAL HRG RE: SETTING NEW COURT DATE IF NEEDED.		
12	D10 HEARING...	11/7/2008	14:00:00	11/7/2008
Event Extra Text: D10 WAS MADE AWARE OF 8/18/08 ORDER TRANSFERING TO CONSIDER MOTION FOR RECUSAL ON 10/28/08. D6 ADVISED MOTION TO CONFIRM TRIAL SCHEDULED FOR 10/29/08 AND TRIAL SCHEDULED FOR 11/10/08 VACATED AND TO BE RESET AFTER DECISION ON MOTION FOR RECUSAL.		Disposition: D455 11/7/2008		
13	D6 TRIAL - JURY	11/10/2008	09:00:00	10/29/2008
Event Extra Text: TRIAL SET FOR 5 DAYS		Disposition: D845 10/29/2008 PRIOR TO COURT, VACATED BY B. LINDSEY & DAVE CLIFTON. MOTION TO RECUSE JUDGE ADAMS TO BE HEARD IN D10 ON 11/7. COUNSEL WILL CONTACT D6 AFTER RECUSAL HEARING RE: SETTING NEW COURT DATE IF NEEDED.		
14	D10 HEARING...	11/25/2008	14:00:00	11/25/2008
Event Extra Text: RE: DEFT'S MOTION FOR RECUSAL OF JUDGE ADAMS		Disposition: D355 11/25/2008 DEFT'S MOTION FOR RECUSAL OF JUDGE ADAMS DENIED.		
15	D6 MOTION TO SET TRIAL	12/12/2008	09:00:00	12/12/2008
Event Extra Text:		Disposition: D425 12/12/2008 TRIAL SET		
16	D6 MOTION TO CONFIRM TRIAL	4/22/2009	09:00:00	4/22/2009
Event Extra Text:		Disposition: D425 4/22/2009 MOTION TO RELIEVE COUNSEL DENIED, COURT WILL REVIEW DEFT'S MOTION TO PROCEED PRO SE		
17	D6 MOTION ...	4/29/2009	09:00:00	4/29/2009
Event Extra Text: TO PROCEED PRO SE		Disposition: D844 4/29/2009 prior to court, reset to 5/1. d6 in trial.		

Case Description: STATE VS. FRANK MILFORD PECK (D6)**Case ID: CR06-2580 Case Type: CRIMINAL Initial Filing Date: 11/3/2006**

<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
18 D6	MOTION ...	5/1/2009	09:00:00	5/1/2009

Event Extra Text: TO PROCEED PRO SE

Disposition:

D425 5/1/2009

MOTION TO PROCEED PRO SE - GRANTED. COURT APPOINTED BRUCE LINDSAY TO SIT AS ADVISORY COUNSEL. COURT FURTHER GRANTED DEFT'S REQUEST TO BE KEPT AT WASHOE COUNTY DETENTION FACILITY THROUGH THE END OF TRIAL

<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
19 D6	TRIAL - JURY	5/4/2009	09:00:00	5/1/2009

Event Extra Text: TRIAL SET 4 DAYS

Disposition:

D845 5/1/2009

RESET TO WEDNESDAY MAY 6, 2009 @ 10:30 A.M.

<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
20 D6	CONFERENCE CALL	5/5/2009	13:30:00	5/5/2009

Event Extra Text:

Disposition:

D435 5/5/2009

MOTION TO VACATE TRIAL DENIED; PRE-TRIAL PETITION FOR WRIT OF HABEAS CORPUS WILL BE CONSIDERED DURING TRIAL.

<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
21 D6	TRIAL - JURY	5/6/2009	10:30:00	5/6/2009

Event Extra Text:

Disposition:

D832 5/6/2009

<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
22 D6	TRIAL ONGOING	5/7/2009	09:00:00	5/7/2009

Event Extra Text:

Disposition:

D832 5/7/2009

<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
23 D6	TRIAL ONGOING	5/8/2009	10:30:00	5/8/2009

Event Extra Text:

Disposition:

D832 5/8/2009

<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
24 D6	TRIAL ONGOING	5/11/2009	13:00:00	5/11/2009

Event Extra Text:

Disposition:

D832 5/11/2009

Case Description: STATE VS. FRANK MILFORD PECK (D6)**Case ID: CR06-2580 Case Type: CRIMINAL Initial Filing Date: 11/3/2006**

Department	Event Description	Sched. Date & Time	Disposed Date
25 D6	TRIAL ONGOING	5/12/2009 09:00:00	5/12/2009

Event Extra Text:

Disposition:
D895 5/12/2009

Department	Event Description	Sched. Date & Time	Disposed Date
26 D6	SENTENCING	7/10/2009 09:00:00	7/10/2009

Event Extra Text:

Disposition:
D765 7/10/2009

Department	Event Description	Sched. Date & Time	Disposed Date
27 D6	Tickle Start Code	3/17/2014 07:00:00	3/17/2014

Event Extra Text: HAS STATE FILED OPPOSITION?

Disposition:
T200 3/17/2014

Department	Event Description	Sched. Date & Time	Disposed Date
28 D6	Request for Submission	3/21/2014 13:20:00	4/30/2014

Event Extra Text: MOTION TO DISMISS PETITION AND
SUPPLEMENTAL PETITION FOR WRIT OF HABEAS CORPUS
(POST-CONVICTION) (NO PAPER ORDER PROVIDED)

Disposition:
S200 4/30/2014
order

Agency Cross Reference

Code	Agency Description	Case Reference I.D.
DA	District Attorney's Office	DA327992
SC	Supreme Court	SCN 51948
SC	Supreme Court	SCN 53403
SC	Supreme Court	SCN 53826
SC	Supreme Court	SCN 53947
SC	Supreme Court	SCN 54168
SC	Supreme Court	SCN 54875
SP	Sparks Police Department	SPD949292

Actions

Action Entry Date	Code	Code Description	Text
11/3/2006	1260	Application Produce Prisoner	
11/6/2006	3340	Ord to Produce Prisoner	
11/8/2006	1300	Bench Warrant Filed-Case Clsd	BAIL SET AT \$50,000.00 CASH OR BOND
11/8/2006	1795	Indictment	
11/20/2006	1250	Application for Setting	ARRAIGNMENT
11/20/2006	1325	** Case Reopened	
11/22/2006	4189	Grand Jury Transcript	
11/27/2006	1775	General Receipt	
12/15/2006	1280	** 60 Day Rule - Waived	
12/15/2006	MIN	***Minutes	
12/15/2006	MIN	***Minutes	

Case Description: STATE VS. FRANK MILFORD PECK (D6)

Case ID:	CR06-2580	Case Type:	CRIMINAL	Initial Filing Date:	11/3/2006
12/27/2006	4185	Transcript			
8/14/2007	3980	Stip and Order...		REQUEST, STIPULATION AND ORDER RE PRE-PRELIMINARY HEARING AND PRE-TRIAL DISCOVERY (F	
8/24/2007	2565	Notice Intent Use Expt Witness			
9/5/2007	MIN	***Minutes			
9/6/2007	3892	Return of Service B/W		FILED 11/8/06, SERVED 11/14/06, \$50,000 CASH OR BOND	
10/10/2007	4185	Transcript		MOTION TO CONTINUE JURY TRIAL	
2/13/2008	2490	Motion ...		MOTION TO WITHDRAW AS ATTORNEY OF RECORD	
2/20/2008	3370	Order ...			
2/25/2008	2490	Motion ...		MOTION TO WITHDRAW COUNSEL AND APPOINT SUBSTITUTION COUNSEL BASED UPON A CONFLICT	
3/19/2008	3370	Order ...		AMENDED ORDER APPOINTING COUNSEL	
3/26/2008	4185	Transcript		MOTION TO WITHDRAW AS COUNSEL 2/20/08	
4/2/2008	4185	Transcript		3/28/2008 MOTION TO SET TRIAL	
4/10/2008	1775	General Receipt		RECEIPT OF GRAND JURY TRANSCRIPT	
4/23/2008	4185	Transcript		03/19/08 MOTION TO APPOINT ALTERNATE PUBLIC DEFENDER	
4/29/2008	3870	Request		REQUEST, STIPULATION AND ORDER RE PRE-PRELIMINARY HEARING AND PRE-TRIAL RECIPROCAL	
4/30/2008	2490	Motion ...		MOTION RELIEVING WASHOE COUNTY ALTERNATE PUBLIC DEFENDER'S OFFICE OF REPRESENTATIVE	
5/1/2008	1250	Application for Setting		SET FOR MOTION HEARING ON 5/14/08 AT 9AM	
5/8/2008	1075	Affidavit ...			
5/20/2008	4025	Stip & Ord to Continue		5/28/2008 @ 9:00AM	
5/28/2008	1695	** Exhibit(s) ...			
6/12/2008	2610	Notice ...		JUDICIAL NOTICE OF POTENTIAL CONFLICT WITH COUNSEL	
6/12/2008	2610	Notice ...		JUDICIAL NOTICE OF POTENTIAL CONFLICT WITH COUNSEL	
6/20/2008	4185	Transcript		MOTION IN RELIEF - 05/28/08 - Transaction 252915 - Approved By: MPURDY : 06-20-2008:08:49:02	
6/27/2008	2515	Notice of Appeal Supreme Court			
6/30/2008	1350	Certificate of Clerk			
6/30/2008	1310	Case Appeal Statement			
6/30/2008	1365	Certificate of Transmittal			
7/3/2008	1188	Supreme Court Receipt for Doc		SUPREME COURT CASE NO. 51948	
7/3/2008	1187	**Supreme Court Case No. ...		SUPREME COURT CASE NO. 51948	
7/18/2008	4127	Supreme Ct Ord Dismis Appeal		SUPREME COURT CASE NO. 51948	
8/1/2008	4185	Transcript		MOTION TO RELIEVE ALTERNATE PUBLIC DEFENDER'S OFFICE AS COUNSEL - JUNE 27, 2008 - Transac	
8/11/2008	1030	Affidavit in Support...		AFFIDAVIT IN SUPPORT OF DEFENDANT'S MOTION FOR RECUSAL	
8/11/2008	2490	Motion ...		MOTION FOR RECUSAL OF JUDGE BRENT ADAMS	
8/13/2008	1130	Answer ...		OF JUDGE ADAMS	
8/18/2008	4127	Supreme Ct Ord Dismis Appeal		SUPREME COURT CASE NO. 51948	
8/18/2008	4111	Supreme Ct Clk's Cert & Judg		SUPREME COURT CASE NO. 51948	
8/18/2008	3370	Order ...		TRANSFERRING MATTER TO DEPARTMENT 10 FOR PURPOSE OF DECIDING MOTION FOR RECUSAL O	
8/18/2008	4145	Supreme Court Remittitur		SUPREME COURT CASE NO. 51948	
8/29/2008	2590	Notice Withdrawal of Attorney		NOTICE OF WITHDRAWAL AS ATTORNEY OF RECORD: JENNIFER LUNT & JOHN MALONE WITHDRAW A	

Case Description: STATE VS. FRANK MILFORD PECK (D6)

Case ID:	CR06-2580	Case Type:	CRIMINAL	Initial Filing Date:	11/3/2006
9/12/2008	2610	Notice ...			
9/16/2008	4075	Substitution of Counsel		SUBSTITUTION OF WASHOE COUNTY APD IN PLACE OF WASHOE COUNTY PD	
11/10/2008	3880	Response...		TO NOTICE (JUDGE ELLIOTT DENIES ALL ALLEGATIONS OF BIAS OR PREJUDICE)	
11/24/2008	2777	Order Approving ...		RECOMMENDATION AND ORDER APPOINTING COUNSEL (BRUCE LINDSAY, ESQ.) - Transaction 469249	
12/1/2008	MIN	***Minutes		NOVEMBER 7, 2008 - HEARING - Transaction 477225 - Approved By: NOREVIEW : 12-01-2008:15:55:56	
12/2/2008	1250	Application for Setting		HRG TO SET JURY TRIAL: 12-12-08 AT 9:00	
12/2/2008	1325	** Case Reopened			
12/15/2008	4185	Transcript		12-12-08 MOTION TO SET TRIAL - Transaction 500557 - Approved By: SSTINCHF : 12-15-2008:16:05:54	
12/17/2008	4185	Transcript		MOTION FOR RECUSAL - 11/07/08 - Transaction 505017 - Approved By: MPURDY : 12-17-2008:12:45:09	
12/22/2008	4185	Transcript		MOTION FOR RECUSAL - NOVEMBER 25, 2008 - Transaction 512261 - Approved By: TPRINCE : 12-22-2008	
1/12/2009	MIN	***Minutes		11/25/08-HEARING RE: RECUSAL OF JUDGE ADAMS - Transaction 539022 - Approved By: NOREVIEW : 01-	
3/10/2009	2490	Motion ...		MOTION FOR NEW COUNSEL	
3/13/2009	3645	Petition ...		PETITION FOR WRIT OF MANDAMUS	
3/24/2009	2490	Motion ...		MOTION FOR TRANSCRIPTS	
3/24/2009	2270	Mtn to Compel...		MOTION TO COMPEL COUNSEL TO RETURN DEFENDANT'S DOCUMENTS	
3/25/2009	1955	Memorandum Points&Authorities		MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF PETITION FOR WRIT OF HABEAS CORP	
3/25/2009	3862	**Criminal Submit		DOCUMENT TITLE: PETITION FOR WRIT OF HABEAS CORPUS	
3/25/2009	3585	Pet Writ Habeas Corpus		PETITION FOR WRIT OF HABEAS CORPUS	
3/27/2009	3370	Order ...		DENYING PETITION FOR WRIT OF HABEAS CORPUS	
4/2/2009	4128	Supreme Court Order Denying		SUPREME COURT CASE NO. 53403	
4/2/2009	1187	**Supreme Court Case No. ...		SUPREME COURT CASE NO. 53403	
4/2/2009	2610	Notice ...		NOTICE REGARDING TRANSCRIPTS	
4/14/2009	2175	Mtn for Reconsideration		MOTION TO RECONSIDER FILING DEFENDANT'S PRE-TRIAL PETITION FOR WRIT OF HABEAS CORPUS	
4/14/2009	2565	Notice Intent Use Expt Witness		NOTICE OF EXPERT WITNESS	
4/14/2009	2490	Motion ...		MOTION TO HAVE DNA EVIDENCE INDEPENDENTLY TESTED BY DEFENSE EXPERT	
4/14/2009	2045	Mtn for Discovery		MOTION FOR DISCOVERY AND FOR EXCULPATORY EVIDENCE BRADY, GIGGLIO AND OTHER BAD ACT	
4/14/2009	2610	Notice ...		NOTICE OF ALIBI DEFENSE	
4/22/2009	2490	Motion ...		TO PROCEED PRO SE AND REQUEST FOR BASIC TOOLS INTEGRAL FOR EFFECTIVE DEFENSE	
4/22/2009	MIN	***Minutes		Motion to Confirm - Transaction 726145 - Approved By: NOREVIEW : 04-22-2009:14:49:32	
4/27/2009	2592	Notice of Witnesses			
4/27/2009	4133	Supreme Court Notice		SUPREME COURT CASE NO. 53403	
5/4/2009	2610	Notice ...		JUDICIAL NOTICE AND COMPLAINT AGAINST COUNSEL ROBERT BRUCE LINDSAY	
5/7/2009	4065	Subpoena Duces Tecum		RENE ROMERO	
5/7/2009	4065	Subpoena Duces Tecum		JEFFREY RIOLO	
5/7/2009	4065	Subpoena Duces Tecum		MARIA FASSETTI	
5/8/2009	3370	Order ...		ORDER FOR TRANSCRIPTION OF DNA EXPERT TESTIMONY	
5/8/2009	3370	Order ...		ORDER TO PRODUCE WITNESS LARRY PECK FOR TESTIMONY OF MONDAY MAY 11, 2009	
5/8/2009	2490	Motion ...		MOTION TO PRODUCE WITNESS LARRY PECK FOR TESTIMONY ON MONDAY MAY 11, 2009	
5/8/2009	2490	Motion ...		MOTION FOR INVESTIGATOR	

Case Description: STATE VS. FRANK MILFORD PECK (D6)

Case ID:	CR06-2580	Case Type:	CRIMINAL	Initial Filing Date:	11/3/2006
5/8/2009	2490	Motion ...		MOTION FOR TRANSCRIPTION OF DNA EXPERT TERTIMONY	
5/9/2009	4190	Transcript - Partial		PARTIAL TRANSCRIPT OF PROCEEDINGS EXAMINATION OF RENEE ROMERO - 05/08/09 - Transaction 76	
5/12/2009	4235	Unused Verdict Form(s)...		Transaction 767930 - Approved By: MPURDY : 05-12-2009:16:22:33	
5/12/2009	4235	Unused Verdict Form(s)...			
5/12/2009	4245	Verdict(s)...		Transaction 767937 - Approved By: MPURDY : 05-12-2009:16:22:57	
5/12/2009	4245	Verdict(s)...			
5/12/2009	1695	** Exhibit(s) ...		TRIAL EXHIBITS	
5/12/2009	1885	Jury Instructions		Transaction 767928 - Approved By: MPURDY : 05-12-2009:16:22:05	
5/12/2009	1885	Jury Instructions		1-24	
5/12/2009	1890	Jury Question, Court Response		Transaction 767925 - Approved By: MPURDY : 05-12-2009:16:21:35	
5/12/2009	1890	Jury Question, Court Response		QUESTION 1 - Transaction 767924 - Approved By: MPURDY : 05-12-2009:16:20:58	
5/12/2009	1890	Jury Question, Court Response			
5/12/2009	1890	Jury Question, Court Response			
5/18/2009	1365	Certificate of Transmittal			
5/18/2009	1350	Certificate of Clerk			
5/18/2009	1310	Case Appeal Statement			
5/18/2009	2515	Notice of Appeal Supreme Court			
5/19/2009	MIN	***Minutes		5/11/09 JURY TRIAL - Transaction 779810 - Approved By: NOREVIEW : 05-19-2009:10:04:57	
5/19/2009	MIN	***Minutes		Jury Trial - 5/6/09 - Transaction 779912 - Approved By: NOREVIEW : 05-19-2009:10:23:10	
5/20/2009	4185	Transcript		MOTION TO PROCEED PRO SE - 05/01/09 - Transaction 781759 - Approved By: MPURDY : 05-20-2009:08:02	
5/21/2009	1188	Supreme Court Receipt for Doc		SUPREME COURT CASE NO. 53826	
5/22/2009	2490	Motion ...		MOTION TO CORRECT CONST MANIFEST INJUSTICE WEIGHT OF THE EVIDENCE	
5/28/2009	2610	Notice ...		NOTICE REGARDING PAYMENT OF INVESTIGATIVE FEES	
5/29/2009	4185	Transcript		04-22-2009 - MOTION TO CONFIRM TRIAL - Transaction 801875 - Approved By: ASMITH : 05-29-2009:15:06:	
6/2/2009	1020	Addendum		ADDENDUM TO MOTION TO CORRECT MANIFEST INJUSTICE	
6/2/2009	2490	Motion ...		MOTION FOR WITHDRAWAL OF ATTORNEY OF RECORD AND REQUEST FOR RECORDS/COURT CASE	
6/2/2009	2490	Motion ...		MOTION FOR SUBSTITUTION OF COUNSEL FOR SENTENCING	
6/8/2009	2490	Motion ...		MOTION TO SHOW CAUSE FOR FAILURE TO OBJECT TO DNA EVIDENCE	
6/9/2009	3645	Petition ...		PETITION FOR WRIT OF PROHIBITION AND MANDATE	
6/9/2009	4127	Supreme Ct Ord Dismis Appeal		SUPREME COURT CASE NO. 53826	
6/12/2009	3880	Response...		RESPONSE TO DEFENDANT'S POST-TRIAL MOTIONS	
6/18/2009	3790	Reply to/in Opposition		REPLY TO RESPONSE TO DEFENDANTS POST TRIAL MOTIONS	
6/18/2009	4055	Subpoena		SUBPOENA AND NOTICE TO PRODUCE NRS 174.305 TO 174.385	
6/18/2009	2490	Motion ...		MOTION TO PRODUCE WITNESS LARRY PECK FOR TESTIMONY ON FRIDAY JULY 10TH, 2009	
6/18/2009	2490	Motion ...		MOTION TO SUPPRESS ILLEGALLY OBTAINED EVIDENCE NRS 174.085 179.335	
6/18/2009	2490	Motion ...		MOTION FOR ADMISSIBILITY HEARING REGARDING DNA EVIDENCE AND DISCOVERY OF UNDERLYIN	
6/19/2009	1260	Application Produce Prisoner		APPLICATION FOR ORDER TO PRODUCE PRISONER	
6/24/2009	3340	Ord to Produce Prisoner		WARDEN OF NSP SHALL BRING LARRY PECK TO DC ON JULY 10, 2009 @9:00AM	
7/1/2009	4127	Supreme Ct Ord Dismis Appeal		SUPREME COURT CASE NO. 52826	

Case Description: STATE VS. FRANK MILFORD PECK (D6)

Case ID:	CR06-2580	Case Type:	CRIMINAL	Initial Filing Date:	11/3/2006
7/1/2009	4145	Supreme Court Remittitur	SUPREME COURT CASE NO. 53826		
7/1/2009	4111	Supreme Ct Clk's Cert & Judg	SUPREME COURT CASE NO. 53826		
7/2/2009	2490	Motion ...	MOTION TO COMPEL ATTORNEY BRUCE LINDSEY TO RETURN SPECIFIC DOCUMENT TO DEFENDANT		
7/2/2009	2490	Motion ...	MOTION FOR NEW COUNSEL FOR MOTION FOR NEW TRIAL		
7/2/2009	2490	Motion ...	MOTION FOR ORDER DIRECTING CLERK TO PROVIDE AFFIDAVIT		
7/2/2009	2475	Mtn to Strike...			
7/7/2009	2490	Motion ...	MOTION FOR HARDCOPY OF CD OF DNA TUTORIAL PRESENTATION PRESENTED AT TRIAL: FRANK MI		
7/7/2009	3870	Request	REQUEST FOR THE STATES WITNESS' NAMES TO BE USED AT SENTENCING		
7/7/2009	3880	Response...	SECOND RESPONSE TO DEFENDANT'S POST-TRIAL MOTIONS		
7/9/2009	4500	PSI - Confidential	Transaction 885466 - Approved By: NOREVIEW : 07-09-2009:10:04:30		
7/10/2009	4128	Supreme Court Order Denying	SUPREME COURT CASE NO. 53947		
7/10/2009	1850	Judgment of Conviction	Transaction 889345 - Approved By: NOREVIEW : 07-10-2009:12:40:43		
7/13/2009	MIN	***Minutes	Sentencing - 7/10/09 - Transaction 892150 - Approved By: NOREVIEW : 07-13-2009:13:01:16		
7/14/2009	1310	Case Appeal Statement			
7/14/2009	1365	Certificate of Transmittal			
7/14/2009	1350	Certificate of Clerk			
7/14/2009	2515	Notice of Appeal Supreme Court			
7/15/2009	1188	Supreme Court Receipt for Doc	SUPREME COURT CASE NO. 54168		
7/17/2009	3795	Reply...	REPLY TO SECOND RESPONSE TO DEFENDANTS POST-TRIAL MOTIONS		
7/22/2009	FIE	**Document Filed in Error	07/29/2009 - tprince		
7/30/2009	2490	Motion ...	MOTION TO HAVE DNA EXPERT FEE PAID A PREVIOUS MOTION FOR APPROVAL HAVING BEEN FILED		
7/31/2009	3870	Request	REQUEST FOR ORDER PURSUANT TO AFFIDAVIT FOR PAYMENT OF FEES FOR COUNSEL TRIAL ON LI		
7/31/2009	2490	Motion ...	MOTION TO COMPEL THE RELEASE OF INFORMATION TO THE DEFENDANT		
8/3/2009	4135	Supreme Court Ord Remanding	SUPREME COURT CASE NO. 54168		
8/7/2009	4133	Supreme Court Notice	SUPREME COURT CASE NO. 53947 NOTICE IN LIEU OF REMITTITRUR - Transaction 953029 - Approved By		
8/14/2009	2715	Ord Appointing Counsel	(KARLA BUTKO, ESQ.) - Transaction 971147 - Approved By: NOREVIEW : 08-14-2009:15:48:37		
8/20/2009	2610	Notice ...	NOTICE REGARDING PAYMENT OF ATTORNEY'S FEES		
8/21/2009	S3370	Sealed Order	RECOMMENDATION AND ORDER GRANTING MOTION FOR EXPERT WITNESS - Transaction 988669 - App		
8/24/2009	2183	Mtn for Rough Draft Transcript	EX PARTE MOTION FOR TRANSCRIPTS AT TAXPAYER'S EXPENSE		
8/25/2009	4185	Transcript	SENTENCING - JULY 10, 2009 - Transaction 993274 - Approved By: TPRINCE : 08-25-2009:09:32:41		
9/1/2009	2610	Notice ...	NOTICE REGARDING TRANSCRIPT AT PUBLIC EXPENSE		
9/10/2009	2490	Motion ...	MOTION FOR COURT ORDER		
9/18/2009	PAYRC	**Payment Received	A Payment of -\$62.75 was made on receipt DCDC248748.		
10/6/2009	4185	Transcript	JURY TRIAL - MAY 7, 2009 - Transaction 1084093 - Approved By: TPRINCE : 10-07-2009:07:05:30		
10/7/2009	NEF	Proof of Electronic Service	Transaction 1084108 - Approved By: NOREVIEW : 10-07-2009:07:07:11		
10/14/2009	4185	Transcript	JURY TRIAL - 05/12/09 - Transaction 1099006 - Approved By: MPURDY : 10-14-2009:10:54:23		
10/14/2009	NEF	Proof of Electronic Service	Transaction 1099254 - Approved By: NOREVIEW : 10-14-2009:11:04:13		
10/14/2009	4185	Transcript	JURY TRIAL - 05/06/09 - Transaction 1098999 - Approved By: MPURDY : 10-14-2009:10:55:07		
10/14/2009	NEF	Proof of Electronic Service	Transaction 1099256 - Approved By: NOREVIEW : 10-14-2009:11:04:14		

Case Description: STATE VS. FRANK MILFORD PECK (D6)

Case ID:	CR06-2580	Case Type:	CRIMINAL	Initial Filing Date:	11/3/2006
10/26/2009	4185	Transcript	05-08-2009 - TRIAL - Transaction 1119866 - Approved By: ASMITH : 10-26-2009:10:26:37		
10/26/2009	2525	Notice of Change of Address			
10/26/2009	NEF	Proof of Electronic Service	Transaction 1119884 - Approved By: NOREVIEW : 10-26-2009:10:29:18		
12/4/2009	4128	Supreme Court Order Denying	ORDER DENYING PETITION: SUPREME COURT CASE NO. 54875 - Transaction 1189862 - Approved By: NC		
12/4/2009	NEF	Proof of Electronic Service	Transaction 1189867 - Approved By: NOREVIEW : 12-04-2009:15:21:33		
12/4/2009	1187	**Supreme Court Case No. ...	SUPREME COURT CASE NO. 54875		
1/28/2010	NEF	Proof of Electronic Service	Transaction 1286778 - Approved By: NOREVIEW : 01-28-2010:10:14:01		
1/28/2010	4128	Supreme Court Order Denying	ORDER DENYING REHEARING; SUPREME COURT CASE NO. 54875 - Transaction 1286772 - Approved By:		
2/3/2010	2645	Opposition to Mtn ...	OPPOSITION TO DEFENDANT'S "DEMAND FOR INVESTIGATION (SPECIAL PROSECUTOR) AND INDICTM		
2/3/2010	2610	Notice ...	NOTICE OF INTENT TO FILE CIVIL ACTION		
2/17/2010	3790	Reply to/in Opposition	REPLY TO OPPOSITION TO DEFENDANT'S "DEMAND FOR INVESTIGATION SPECIAL PROSECUTOR ANI		
2/25/2010	4131	Supreme Ct Not/Lieu/Remittitur	SUPREME COURT CASE NO. 54875 / NOTICE IN LIEU OF REMITTITUR - Transaction 1341874 - Approved B		
2/25/2010	NEF	Proof of Electronic Service	Transaction 1341879 - Approved By: NOREVIEW : 02-25-2010:08:27:37		
3/2/2010	2010	Mtn for Attorney's Fee	EX PARTE MOTION FOR ORDER ALLOWING PAYMENT OF ATTORNEY'S FEES AND COSTS TO APPOINT		
3/10/2010	2610	Notice ...	NOTICE REGARDING PAYMENT OF FEES		
5/11/2010	4134	Supreme Court Order Affirming	SUPREME COURT CASE NO. 54168 / ORDER OF AFFIRMANCE - Transaction 1478650 - Approved By: NOR		
5/11/2010	NEF	Proof of Electronic Service	Transaction 1478665 - Approved By: NOREVIEW : 05-11-2010:11:01:21		
6/9/2010	4134	Supreme Court Order Affirming	SUPREME COURT CASE NO. 54168 / ORDER OF AFFIRMANCE - Transaction 1533120 - Approved By: NOR		
6/9/2010	4145	Supreme Court Remittitur	SUPREME COURT CASE NO. 54168 / REMITTITUR - Transaction 1533120 - Approved By: NOREVIEW : 06-0		
6/9/2010	NEF	Proof of Electronic Service	Transaction 1533148 - Approved By: NOREVIEW : 06-09-2010:14:08:26		
6/9/2010	4111	Supreme Ct Clk's Cert & Judg	SUPREME COURT CASE NO. 54168 / CLERK'S CERTIFICATE - Transaction 1533120 - Approved By: NOREVI		
1/25/2012	1670	Ex-Parte Mtn...	SEALED - AMENDED: EXPARTE MOTION FOR ATTORNEY FEES IN THE CONTINUED SUPPORT OF THE		
1/25/2012	NEF	Proof of Electronic Service	Transaction 2718326 - Approved By: NOREVIEW : 01-25-2012:08:23:59		
5/11/2012	2490	Motion ...	MOTION FOR SUBSTITUTION OF COUNSEL		
6/5/2012	2490	Motion ...	MOTION FOR TLEPHONIC HEARING IN REGARDS TO MOTION FO SUBSTITUTE COUNSEL		
9/18/2012	4128	Supreme Court Order Denying	SUPREME COURT CASE NO. 61406/ORDER DENYING PETITION - Transaction 3224372 - Approved By: NO		
9/18/2012	NEF	Proof of Electronic Service	Transaction 3224469 - Approved By: NOREVIEW : 09-18-2012:13:50:42		
10/2/2012	NEF	Proof of Electronic Service	Transaction 3256466 - Approved By: NOREVIEW : 10-02-2012:16:10:35		
10/2/2012	1188	Supreme Court Receipt for Doc	SUPREME COURT NO. 61738 / RECEIPT FOR DOCUMENTS - Transaction 3256400 - Approved By: NOREVI		
10/15/2012	4131	Supreme Ct Not/Lieu/Remittitur	SUPREME COURT CASE NO. 61406 - Transaction 3283727 - Approved By: NOREVIEW : 10-15-2012:16:23:00		
10/15/2012	NEF	Proof of Electronic Service	Transaction 3283765 - Approved By: NOREVIEW : 10-15-2012:16:28:39		
11/15/2012	NEF	Proof of Electronic Service	Transaction 3349368 - Approved By: NOREVIEW : 11-15-2012:16:55:05		
11/15/2012	NEF	Proof of Electronic Service	Transaction 3349367 - Approved By: NOREVIEW : 11-15-2012:16:55:05		
11/15/2012	4128	Supreme Court Order Denying	SUPREME COURT CASE NO. 61406/ORDER DENYING REHEARING - Transaction 3349286 - Approved By: I		
11/15/2012	4128	Supreme Court Order Denying	SUPREME COURT CASE NO. 61738/ORDER DENYING PETITION - Transaction 3349278 - Approved By: NO		
2/27/2013	1188	Supreme Court Receipt for Doc	Transaction 3557526 - Approved By: NOREVIEW : 02-27-2013:08:49:21		
2/27/2013	NEF	Proof of Electronic Service	Transaction 3557554 - Approved By: NOREVIEW : 02-27-2013:08:56:16		
4/29/2013	NEF	Proof of Electronic Service	Transaction 3690193 - Approved By: NOREVIEW : 04-29-2013:09:25:53		
4/29/2013	4128	Supreme Court Order Denying	ORDER DENYING PETITION - Transaction 3690164 - Approved By: NOREVIEW : 04-29-2013:09:21:31		

Case Description: STATE VS. FRANK MILFORD PECK (D6)

Case ID:	CR06-2580	Case Type:	CRIMINAL	Initial Filing Date:	11/3/2006
9/3/2013	FIE	**Document Filed in Error	FIE 09-04-13 - JYOST		
9/3/2013	1325	** Case Reopened			
9/24/2013	F230	Other Manner of Disposition	case should not have been reopened on 9/3/13		
10/11/2013	1477	**Consolidated With...	COLSOLIDATED WITH CR06P2580. PLEASE FILE ALL FUTURE PLEADINGS IN THIS CASE.		
10/21/2013	4127	Supreme Ct Ord Dismis Appeal	SUPREME COURT NO. 63974/ORDER DISMISSING APPEAL - Transaction 4080272 - Approved By: NOREVI		
10/21/2013	NEF	Proof of Electronic Service	Transaction 4080288 - Approved By: NOREVIEW : 10-21-2013:13:23:19		
11/1/2013	2610	Notice ...	JUDICIAL NOTICE OF ADJUDICATIVE FACTS (POST-CONVICTION)		
11/14/2013	NEF	Proof of Electronic Service	Transaction 4134194 - Approved By: NOREVIEW : 11-14-2013:14:28:50		
11/14/2013	1188	Supreme Court Receipt for Doc	SUPREME COURT CASE NO 64293/RECEIPT FOR DOCUMENTS - POST CONVICTION - Transaction 41341		
12/5/2013	4100	Supplemental Petition	SUPPLEMENTAL PETITION FOR WRIT OF HABEAS (POST-CONVICTION) RELIEF		
12/18/2013	NEF	Proof of Electronic Service	Transaction 4207316 - Approved By: NOREVIEW : 12-18-2013:14:15:32		
12/18/2013	4128	Supreme Court Order Denying	SUPREME COURT NO. 64293/ORDER OF AFFIRMANCE - Transaction 4207226 - Approved By: NOREVIEW :		
1/8/2014	NEF	Proof of Electronic Service	Transaction 4241936 - Approved By: NOREVIEW : 01-08-2014:10:34:53		
1/8/2014	1188	Supreme Court Receipt for Doc	SUPREME COURT NO. 64293/RECEIPT FOR DOCUMENTS - Transaction 4241920 - Approved By: NOREVIEW		
1/14/2014	NEF	Proof of Electronic Service	Transaction 4255651 - Approved By: NOREVIEW : 01-14-2014:10:51:06		
1/14/2014	3370	Order ...	Transaction 4255637 - Approved By: NOREVIEW : 01-14-2014:10:48:11		
2/12/2014	2490	Motion ...	MOTION FOR ORDER INCORPORATING ALL EVIDENCE AND EXHIBITS FROM ALL OF PETITIONERS SUF		
2/27/2014	2300	Mtn to Dismiss Pet	MOTION TO DISMISS PETITION AND/OR SUPPLEMENTAL PETITION(S) FOR WRIT OF HABEAS CORPUS		
2/27/2014	NEF	Proof of Electronic Service	Transaction 4322892 - Approved By: NOREVIEW : 02-27-2014:15:10:25		
2/27/2014	1130	Answer ...	ANSWER TO SUPPLEMENTAL PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION) - Transac		
3/17/2014	2650	Opposition to ...	OPPOSITION TO RESPONDENT'S MOTION TO DISMISS PETITION AND /OR SUPPLEMENTAL PETITION(€		
3/17/2014	T200	Tickle End Code			
3/21/2014	NEF	Proof of Electronic Service	Transaction 4354363 - Approved By: NOREVIEW : 03-21-2014:12:52:23		
3/21/2014	3860	Request for Submission	MOTION TO DISMISS PETITION AND SUPPLEMENTAL PETITION FOR WRIT OF HABEAS CORPUS (POST		
4/30/2014	NEF	Proof of Electronic Service	Transaction 4410634 - Approved By: NOREVIEW : 04-30-2014:14:48:08		
4/30/2014	3060	Ord Granting Mtn ...	TO DISMISS PETITION FOR WRIT OF HABEAS CORPUS - Transaction 4410631 - Approved By: NOREVIEW		
4/30/2014	S200	Request for Submission Complet	order		
5/12/2014	2515	Notice of Appeal Supreme Court			
5/15/2014	NEF	Proof of Electronic Service	Transaction 4433408 - Approved By: NOREVIEW : 05-15-2014:09:53:33		
5/15/2014	1310E	Case Appeal Statement	Transaction 4433406 - Approved By: NOREVIEW : 05-15-2014:09:52:44		
5/15/2014	1350	Certificate of Clerk	CERTIFICATE OF CLERK AND TRANSMITTAL - NOTICE OF APPEAL - Transaction 4433406 - Approved By: I		

**SECOND JUDICIAL DISTRICT COURT
COUNTY OF WASHOE**

Case History - CR06P2580

DEPT. D6

HON. BRENT ADAMS

Report Date & Time
5/15/2014
10:03:33AM

Case ID:	CR06P2580	Case Type:	POST CONVICTION	Case Description: Consolidated into CR06-2580	Initial Filing Date:	6/18/2009
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Parties

RESP	STATE OF NEVADA - STATE
PETR	FRANK MILFORD PECK - @3461
DA	Terrence P. McCarthy, Esq. - 2745

Charges

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

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

Custody Status

Hearings

<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
1 D4	Tickle Start Code	8/7/2009	07:00:00	8/7/2009

Event Extra Text: CHIEF JUDGE ISSUE-HAS COUNSEL BEEN APPOINTED?

Disposition:
T200 8/7/2009

<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
2 D6	Request for Submission	6/17/2010	08:06:00	6/21/2010

Event Extra Text: MOTION TO WITHDRAW AS COUNSEL OF RECORD

Disposition:
S200 6/21/2010
order

<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
3 D6	Request for Submission	3/25/2011	08:20:00	4/26/2011

Event Extra Text: EXPARTE MOTION FOR PRE-APPROVAL OF DNA EXPERT FOR CASE REVIEW, EVALUATION AND REPORT IN SUPPORT OF THE PETITION AND SUPPLEMENTAL PETITION FOR WRIT OF HABEAS CORPUS -

Disposition:
S200 4/26/2011
ORDER

Case Description: Consolidated into CR06-2580

Case ID: CR06P2580 Case Type: POST CONVICTION Initial Filing Date: 6/18/2009

Department	Event Description	Sched. Date & Time	Disposed Date
4 D6	Request for Submission	6/6/2011 15:35:00	7/8/2011

Event Extra Text: MOTION FOR DISCOVERY

Disposition:
 S200 7/8/2011
 ORDER

Department	Event Description	Sched. Date & Time	Disposed Date
5 D6	Tickle Start Code	1/30/2012 07:00:00	1/30/2012

Event Extra Text: SUPP PETITION FILED?

Disposition:
 T200 1/30/2012

Department	Event Description	Sched. Date & Time	Disposed Date
6 D6	Request for Submission	2/5/2013 15:55:00	2/8/2013

Event Extra Text: MOTION TO RELIEVE COUNSEL

Disposition:
 S200 2/8/2013
 order

Department	Event Description	Sched. Date & Time	Disposed Date
7 D6	Request for Submission	3/5/2013 15:10:00	3/21/2013

Event Extra Text: MOTION TO RENEW ALL PREVIOUSLY FILED
 MOTIONS AND PLEADINGS FILED BY THE PETITIONER (NO
 PAPER ORDER PROVIDED)

Disposition:
 S200 3/21/2013
 order

Department	Event Description	Sched. Date & Time	Disposed Date
8 D6	Request for Submission	5/20/2013 08:45:00	6/3/2013

Event Extra Text: MOTION FILED ON 05-03-13

Disposition:
 S200 6/3/2013
 ORDER

Department	Event Description	Sched. Date & Time	Disposed Date
9 D6	Request for Submission	7/10/2013 13:00:00	8/1/2013

Event Extra Text: MOTION FOR ADDENDA FOR
 REOCNSIDERATION

Disposition:
 S200 8/1/2013
 ORDER

Agency Cross Reference

Code	Agency Description	Case Reference I.D.
SC	Supreme Court	SCN 63974

Actions

Action Entry Date	Code	Code Description	Text
6/18/2009	2490	Motion ...	MOTION TO FILE AND SHOW CAUSE WHY DOCUMENTS WERE NOT TIMELY FILED
6/18/2009	3585	Pet Writ Habeas Corpus	
6/18/2009	1955	Memorandum Points&Authorities	MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF PETITION FOR WRIT OF HABEAS CORP
6/24/2009	3862	**Criminal Submit	DOCUMENT TITLE: IFP REFERRAL/PETITION FOR WRIT OF HABEAS CORPUS/MEMORANDUM/MOTION
7/7/2009	3035	Ord Grant in Forma Pauperis	Transaction 881724 - Approved By: NOREVIEW : 07-07-2009:16:40:26
7/23/2009	2230	Mtn Trial Trans. Public Exp	MOTION FOR TRANSCRIPTS AND ALL PRE-TRIAL MOTIONS

Case Description: Consolidated into CR06-2580

Case ID:	CR06P2580	Case Type:	POST CONVICTION	Initial Filing Date:	6/18/2009
7/24/2009	2715	Ord Appointing Counsel	(AZIZ MERCHANT, ESQ.) AND SETTING FORTH BRIEFING SCHEDULE - Transaction 923750 - Approved By		
8/7/2009	T200	Tickle End Code			
8/21/2009	3980	Stip and Order...	TO STAY PROCEEDINGS PENDING RESOLUTION OF DIRECT APPEAL - Transaction 988177 - Approved By		
8/25/2009	1315	** Case Closed			
8/25/2009	2192	** Case Stayed			
10/26/2009	2525	Notice of Change of Address			
6/10/2010	NEF	Proof of Electronic Service	Transaction 1535211 - Approved By: NOREVIEW : 06-10-2010:09:56:35		
6/10/2010	2260	Mtn to Relieve Counsel	MOTION TO WITHDRAW AS COUNSEL OF RECORD - Transaction 1534815 - Approved By: IXFLORES : 06-		
6/16/2010	NEF	Proof of Electronic Service	Transaction 1547588 - Approved By: NOREVIEW : 06-16-2010:16:59:03		
6/16/2010	2526	Notice of Change of Attorney	NOTICE OF CHANGE OF RESPONSIBLE ATTORNEY (TERRENCE MCCARTHY, ESQ. IN PLACE OF GARY		
6/16/2010	1325	** Case Reopened			
6/16/2010	2645	Opposition to Mtn ...	OPPOSITION TO MOTION TO WITHDRAW AS COUNSEL OF RECORD - Transaction 1547061 - Approved By		
6/16/2010	3860	Request for Submission	Transaction 1547613 - Approved By: IXFLORES : 06-17-2010:08:04:41		
6/16/2010	3790	Reply to/in Opposition	REPLY TO THE STATE'S OPPOSITION TO AZIZ MERCHANT'S MOTION TO WITHDRAW AS COUNSEL OF		
6/17/2010	3862	**Criminal Submit	DOCUMENT TITLE: ORDER GRANTING MOTION TO WITHDRAW AS COUNSEL OF RECORDS		
6/17/2010	NEF	Proof of Electronic Service	Transaction 1547649 - Approved By: NOREVIEW : 06-17-2010:08:05:53		
6/21/2010	3105	Ord Granting ...	MOTION TO WITHDRAW AS COUNSEL - AZIZ MERCHANT - Transaction 1554341 - Approved By: NOREVIEW		
6/21/2010	NEF	Proof of Electronic Service	Transaction 1554344 - Approved By: NOREVIEW : 06-21-2010:14:44:35		
6/21/2010	S200	Request for Submission Complet	order		
7/1/2010	3373	Other ...	JUDICIAL NOTICE		
7/21/2010	NEF	Proof of Electronic Service	Transaction 1613365 - Approved By: NOREVIEW : 07-21-2010:15:51:27		
7/21/2010	2715	Ord Appointing Counsel	(MARY LOU WILSON, ESQ.) ON PETITION FOR POST CONVICTION - Transaction 1613310 - Approved By: N		
8/11/2010	2490	Motion ...	MOTION FOR DISTRICT COURT ORDER PERMITTING TELEPHONIC CONFERENCE BETWEEN APPOINTI		
8/11/2010	NEF	Proof of Electronic Service	Transaction 1653195 - Approved By: NOREVIEW : 08-11-2010:16:30:53		
8/20/2010	2645	Opposition to Mtn ...	OPPOSITION TO MOTION FOR DISTRICT COURT ORDER PERMITTING TELEPHONIC CONFERENCE BET		
8/20/2010	NEF	Proof of Electronic Service	Transaction 1670969 - Approved By: NOREVIEW : 08-20-2010:14:24:06		
9/4/2010	1670	Ex-Parte Mtn...	EXPARTE MOTION FOR ATTORNEY FEES IN THE CONTINUED SUPPORT OF THE SUPPLEMENTAL PETI		
9/7/2010	NEF	Proof of Electronic Service	Transaction 1701488 - Approved By: NOREVIEW : 09-07-2010:08:41:54		
9/24/2010	2777	Order Approving ...	RECOMMENDATION AND ORDER FOR PAYMENT OF ATTORNEY'S FEES - SEALED		
9/24/2010	2610	Notice ...	NOTICE OF PETITIONER'S MOVE TO ANOTHER CORRECTIONAL FACILITY AND WITHDRAWAL OF MOTI		
9/24/2010	NEF	Proof of Electronic Service	Transaction 1741566 - Approved By: NOREVIEW : 09-24-2010:16:13:17		
1/14/2011	1670	Ex-Parte Mtn...	SEALED - EXPARTE MOTION FOR APPROVAL OF INVESTIGATION FEES IN SUPPORT OF SUPPLEMENT		
1/14/2011	NEF	Proof of Electronic Service	Transaction 1969444 - Approved By: NOREVIEW : 01-14-2011:16:14:51		
2/22/2011	1670	Ex-Parte Mtn...	EXPARTE MOTION FOR PRE-APPROVAL OF KNA EXPERT FOR CASE REVIEW, EVALUATION AND REPC		
2/22/2011	NEF	Proof of Electronic Service	Transaction 2046611 - Approved By: NOREVIEW : 02-22-2011:14:37:42		
2/22/2011	3860	Request for Submission	* SEALED * EXPARTE REQUEST FOR SUBMISSION FOR MOTION FOR APPROVAL OF INVESTIGATION I		
2/23/2011	NEF	Proof of Electronic Service	Transaction 2047869 - Approved By: NOREVIEW : 02-23-2011:08:33:39		
3/8/2011	2777	Order Approving ...	SEALED - RECOMMENDATION AND ORDER GRANTING INVESTIGATIVE FEES		
3/24/2011	3860	Request for Submission	EXPARTE MOTION FOR PRE-APPROVAL OF DNA EXPERT FOR CASE REVIEW, EVALUATION AND REPC		

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Case ID:	CR06P2580	Case Type:	POST CONVICTION	Initial Filing Date:	6/18/2009
3/25/2011	NEF	Proof of Electronic Service	Transaction 2115045 - Approved By: NOREVIEW : 03-25-2011:08:16:39		
4/7/2011	NEF	Proof of Electronic Service	Transaction 2144954 - Approved By: NOREVIEW : 04-07-2011:14:54:33		
4/7/2011	1670	Ex-Parte Mtn...	*SEALED* EXPARTE MOTION FOR APPROVAL OF PAYMENT OF INVESTIGATION FEES IN SUPPORT OF		
4/26/2011	S200	Request for Submission Complet	ORDER		
4/26/2011	3060	Ord Granting Mtn ...	FOR PRE-APPROVAL OF DNA EXPERT - Transaction 2184337 - Approved By: NOREVIEW : 04-26-2011:13:3		
4/26/2011	NEF	Proof of Electronic Service	Transaction 2184341 - Approved By: NOREVIEW : 04-26-2011:13:32:32		
4/28/2011	2777	Order Approving ...	(SEALED) RECOMMENDATION AND ORDER GRANTING INVESTIGATIVE FEES		
4/28/2011	2777	Order Approving ...	(SEALED) RECOMMENDATION AND ORDER GRANTING MOTION FOR EXPERT WITNESS FEES		
5/23/2011	NEF	Proof of Electronic Service	Transaction 2242553 - Approved By: NOREVIEW : 05-23-2011:14:15:01		
5/23/2011	2045	Mtn for Discovery	Transaction 2242012 - Approved By: JYOST : 05-23-2011:14:11:46		
6/1/2011	2645	Opposition to Mtn ...	OPPOSITION TO *MOTION FOR DISCOVERY IN SUPPORT OF THE EVIDENTIARY HEARING IN THE PETI		
6/1/2011	NEF	Proof of Electronic Service	Transaction 2258800 - Approved By: NOREVIEW : 06-01-2011:10:40:15		
6/6/2011	NEF	Proof of Electronic Service	Transaction 2270004 - Approved By: NOREVIEW : 06-06-2011:16:11:29		
6/6/2011	3795	Reply...	REPLY TO STATE'S OPPOSITION TO MOTION FOR DISCOVERY IN SUPPORT OF THE EVIDENTIARY HE		
6/6/2011	3860	Request for Submission	Transaction 2269669 - Approved By: JYOST : 06-06-2011:16:02:47		
6/6/2011	NEF	Proof of Electronic Service	Transaction 2269832 - Approved By: NOREVIEW : 06-06-2011:15:56:58		
6/22/2011	NEF	Proof of Electronic Service	Transaction 2302260 - Approved By: NOREVIEW : 06-22-2011:09:55:22		
6/22/2011	1670	Ex-Parte Mtn...	EXPARTE MOTION FOR APPROVAL OF PAYMENT OF INVESTIGATION FEES (POST CONVICTION) - Tran		
6/23/2011	NEF	Proof of Electronic Service	Transaction 2306079 - Approved By: NOREVIEW : 06-23-2011:12:55:11		
6/23/2011	1670	Ex-Parte Mtn...	EXPARTE MOTION FOR ATTORNEY FEES IN THE CONTINUED SUPPORT OF THE SUPPLEMENTAL PETI		
6/23/2011	NEF	Proof of Electronic Service	Transaction 2304929 - Approved By: NOREVIEW : 06-23-2011:08:21:17		
6/23/2011	1670	Ex-Parte Mtn...	SEALED - EX PARTE MOTION TO WITHDRAW EX PARTE MOTION FOR INVESTIGATIVE FEES - Transacti		
7/8/2011	NEF	Proof of Electronic Service	Transaction 2334128 - Approved By: NOREVIEW : 07-08-2011:13:45:26		
7/8/2011	3370	Order ...	RE: MOTION FOR DISCOVERY - Transaction 2334099 - Approved By: NOREVIEW : 07-08-2011:13:41:53		
7/8/2011	S200	Request for Submission Complet	ORDER		
8/4/2011	1670	Ex-Parte Mtn...	SEALED - EXPARTE MOTION FOR ATTORNEY FEES IN THE CONTINUED SUPPORT OF THE SUPPLEMEI		
8/4/2011	NEF	Proof of Electronic Service	Transaction 2388197 - Approved By: NOREVIEW : 08-04-2011:11:39:20		
8/4/2011	2777	Order Approving ...	SEALED - RECOMMENDATION AND ORDER FOR PAYMENT OF INTERIM ATTORNEY'S FEES		
10/19/2011	1670	Ex-Parte Mtn...	EXPARTE MOTION FOR ATTORNEY FEES IN THE CONTINUED SUPPORT OF THE SUPPLEMENTAL PETI		
10/20/2011	NEF	Proof of Electronic Service	Transaction 2542786 - Approved By: NOREVIEW : 10-20-2011:08:35:13		
12/7/2011	2777	Order Approving ...	SEALED - RECOMMENDATION AND ORDER FOR PAYMENT OF INTERIM ATTORNEY'S FEES		
1/17/2012	NEF	Proof of Electronic Service	Transaction 2702648 - Approved By: NOREVIEW : 01-17-2012:14:44:48		
1/17/2012	1670	Ex-Parte Mtn...	EX PARTE MOTION FOR PARTIAL PAYMENT OF DNA EXPERT FOR CASE REVIEW, EVALUATION, AND R		
1/30/2012	T200	Tickle End Code			
3/5/2012	S3370	Sealed Order	RECOMMENDATION AND ORDER GRANTING MOTION FOR EXPERT WITNESS FEES - Transaction 28016:		
3/5/2012	NEF	Proof of Electronic Service	Transaction 2801658 - Approved By: NOREVIEW : 03-05-2012:08:12:49		
3/6/2012	S3370	Sealed Order	RECOMMENDATION AND ORDER FOR PAYMENT OF INTER - Transaction 2808101 - Approved By: NOREV		
3/6/2012	NEF	Proof of Electronic Service	Transaction 2808116 - Approved By: NOREVIEW : 03-06-2012:16:52:31		
5/9/2012	NEF	Proof of Electronic Service	Transaction 2943214 - Approved By: NOREVIEW : 05-09-2012:16:01:11		

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5/9/2012	1670	Ex-Parte Mtn...	*SEALED* EXPARTE MOTION FOR PAYMENT OF INTERIM ATTY FEES IN SUPPORT OF THE PETITION F		
5/11/2012	2490	Motion ...	MOTION FOR SUBSTITUTE COUNSEL		
5/21/2012	3860	Request for Submission	DOCUMENT TITLE: MOTION FOR SUBSTITUE COUNSEL		
5/22/2012	3880	Response...	RESPONSE TO LETTER - Transaction 2972583 - Approved By: AZION : 05-22-2012:16:46:46		
5/22/2012	NEF	Proof of Electronic Service	Transaction 2972638 - Approved By: NOREVIEW : 05-22-2012:16:51:01		
5/23/2012	S3370	Sealed Order	RECOMMENDATION AND ORDER FOR PAYMENT OF INTERIM ATTORNEY'S FEES - Transaction 2973596		
5/23/2012	2490	Motion ...			
5/23/2012	NEF	Proof of Electronic Service	Transaction 2973638 - Approved By: NOREVIEW : 05-23-2012:10:30:06		
6/5/2012	3795	Reply...	REPLY TO RESPONSE TO LETTER		
6/11/2012	NEF	Proof of Electronic Service	Transaction 3010305 - Approved By: NOREVIEW : 06-11-2012:16:42:25		
6/11/2012	1670	Ex-Parte Mtn...	EX PARTE MOTION FOR PAYMENT OF INTERIM ATTORNEY FEES IN SUPPORT OF THE PETITION FOR 1		
6/22/2012	NEF	Proof of Electronic Service	Transaction 3037545 - Approved By: NOREVIEW : 06-22-2012:15:19:29		
6/22/2012	S3370	Sealed Order	RECOMMENDATION AND ORDER FOR PAYMENT OF INTERIM ATTORNEY'S FEES - Transaction 3037540		
7/9/2012	2610	Notice ...	NOTICE OF LAWSUIT AND REQUEST FOR ALTERNATE COUNSEL		
8/2/2012	2610	Notice ...			
8/13/2012	2490	Motion ...	MOTION FOR COURT ORDERED CONFERENCE CALL		
8/21/2012	NEF	Proof of Electronic Service	Transaction 3165863 - Approved By: NOREVIEW : 08-21-2012:14:51:25		
8/21/2012	2610	Notice ...	NOTICE OF CONTACT FROM DNA EXPERT IN SUPPORT OF THE SUPPLEMENTAL PETITION FOR WRIT 1		
8/24/2012	NEF	Proof of Electronic Service	Transaction 3174543 - Approved By: NOREVIEW : 08-24-2012:14:49:51		
8/24/2012	2610	Notice ...	NOTICE OF EXPERT WITNESS MEJUL B. ANJARIA'S REPORT IN SUPPORT OF PETITION AND SUPPLEM		
9/18/2012	NEF	Proof of Electronic Service	Transaction 3224906 - Approved By: NOREVIEW : 09-18-2012:14:53:48		
9/18/2012	2610	Notice ...	NOTICE OF NO SUPPLEMENTAL PETITION FOR WRIT OF HABEAS CORPUS (POSTCONVICTION) - Trans		
9/21/2012	1670	Ex-Parte Mtn...	*SEALED* EXPARTE MOTION FOR PAYMENT OF INTERIM ATTY FEES IN SUPPORT OF THE PETITION F		
9/21/2012	NEF	Proof of Electronic Service	Transaction 3233866 - Approved By: NOREVIEW : 09-21-2012:15:58:20		
9/24/2012	2610	Notice ...	NOTICE OF CONFLICT		
10/4/2012	NEF	Proof of Electronic Service	Transaction 3262995 - Approved By: NOREVIEW : 10-04-2012:16:06:21		
10/4/2012	S3370	Sealed Order	RECOMMENDATION AND ORDER FOR PAYMENT OF INTERIM ATTORNEY'S FEES - Transaction 3262985		
10/9/2012	NEF	Proof of Electronic Service	Transaction 3271461 - Approved By: NOREVIEW : 10-09-2012:15:13:29		
10/9/2012	4105	Supplemental ...	SUPPLEMENTAL PETITION FOR WRIT OF HABEAS CORPUS		
10/9/2012	3880	Response...	RESPONSE TO NOTICE OF CONFLICT - Transaction 3271425 - Approved By: AZION : 10-09-2012:15:09:51		
10/11/2012	2650	Opposition to ...	OPPOSITION TO NOTICE OF NO SUPPLEMENTAL PETITION FOR WRIT OF HABEAS CORPUS POST-CON		
10/15/2012	NEF	Proof of Electronic Service	Transaction 3282490 - Approved By: NOREVIEW : 10-15-2012:11:35:12		
10/15/2012	2260	Mtn to Relieve Counsel	MARY LOU WILSON - Transaction 3282142 - Approved By: SHAMBRIG : 10-15-2012:11:26:13		
10/18/2012	2610	Notice ...	NOTICE OF NON-OPPOSITION TO REQUEST TO DISCHARGE COUNSEL - Transaction 3291336 - Approvec		
10/18/2012	NEF	Proof of Electronic Service	Transaction 3291364 - Approved By: NOREVIEW : 10-18-2012:13:34:56		
10/19/2012	3862	**Criminal Submit	DOCUMENT TITLE: NO S1 BUILT - MOTION TO PROCEED IN PRO SE		
10/19/2012	2385	Mtn Proceed Forma Pauperis	MOTION TO PROCEED IN PRO SE		
10/22/2012	3795	Reply...	REPLY TO RESPONSE TO NOTICE OF CONFLICT		
10/30/2012	4105	Supplemental ...	SUPPLEMENTAL EXHIBITS IN SUPPORT OF PETITION FOR WRIT OF HABEAS CORPUS		

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11/2/2012	NEF	Proof of Electronic Service	Transaction 3322321 - Approved By: NOREVIEW : 11-02-2012:14:55:21		
11/2/2012	2075	Mtn for Extension of Time	Transaction 3322089 - Approved By: SHAMBRIG : 11-02-2012:14:39:09		
11/6/2012	4105	Supplemental ...	SUPPLEMENTAL EXHIBITS		
12/10/2012	NEF	Proof of Electronic Service	Transaction 3397863 - Approved By: NOREVIEW : 12-10-2012:16:58:42		
12/10/2012	1670	Ex-Parte Mtn...	EX PARTE MOTION FOR FINAL PAYMENT OF DNA EXPERT FOR CASE REVIEW, EVALUATION AND REPI		
1/9/2013	2490	Motion ...	MOTION FOR EVIDENTIARY HEARING		
1/11/2013	NEF	Proof of Electronic Service	Transaction 3460004 - Approved By: NOREVIEW : 01-11-2013:15:20:14		
1/11/2013	S3370	Sealed Order	RECOMMENDATION AND ORDER GRANTING MOTION FOR EXPERT WITNESS FEES - Transaction 34599:		
1/23/2013	4105	Supplemental ...	SUPPLEMENTAL EXHIBITS		
1/29/2013	NEF	Proof of Electronic Service	Transaction 3495377 - Approved By: NOREVIEW : 01-29-2013:11:54:55		
1/29/2013	2528	Not/Doc/Rc'd/Not/Cons/by Crt	Transaction 3495364 - Approved By: NOREVIEW : 01-29-2013:11:52:59		
2/5/2013	NEF	Proof of Electronic Service	Transaction 3512314 - Approved By: NOREVIEW : 02-05-2013:15:50:08		
2/5/2013	2645	Opposition to Mtn ...	OPPOSITION TO MOTION FOR SANCTIONS - Transaction 3512368 - Approved By: JYOST : 02-05-2013:16:0		
2/5/2013	3860	Request for Submission	MOTION TO RELIEVE COUNSEL - Transaction 3512231 - Approved By: JYOST : 02-05-2013:15:47:26		
2/5/2013	2185	Mtn for Sanctions			
2/5/2013	NEF	Proof of Electronic Service	Transaction 3512396 - Approved By: NOREVIEW : 02-05-2013:16:09:05		
2/8/2013	3060	Ord Granting Mtn ...	TO WITHDRAW - MARY LOU WILSON - Transaction 3519201 - Approved By: NOREVIEW : 02-08-2013:08:27:		
2/8/2013	S200	Request for Submission Complet	order		
2/8/2013	NEF	Proof of Electronic Service	Transaction 3519206 - Approved By: NOREVIEW : 02-08-2013:08:28:42		
2/15/2013	1670	Ex-Parte Mtn...	EX PARTE MOTION FOR FINAL PAYMENT AFTER WITHDRAWAL OF ATTORNEY IN THE PETITION FOR V		
2/19/2013	3790	Reply to/in Opposition	REPLY TO OPPOSITION TO MOTION FOR SANCTIONS		
2/19/2013	NEF	Proof of Electronic Service	Transaction 3537929 - Approved By: NOREVIEW : 02-19-2013:08:33:48		
2/20/2013	2610	Notice ...	EXPARTE JUDICIAL NOTICE		
2/20/2013	2490	Motion ...	MOTION TO RENEW ALL MOTIONS AND PLEADINGS		
3/5/2013	3860	Request for Submission	DOCUMENT TITLE: MOTION TO RENEW ALL PREVIOUSLY FILED MOTIONS AND PLEADINGS FILED BY		
3/5/2013	4105	Supplemental ...	SECOND SUPPLEMENTAL TO PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION) RELIEF		
3/13/2013	1670	Ex-Parte Mtn...	EX PARTE MOTION FOR PAYMENT OF REIMBURSEMENT FOR SENDING PETITIONER PECK HIS FILE IN		
3/13/2013	NEF	Proof of Electronic Service	Transaction 3588619 - Approved By: NOREVIEW : 03-13-2013:13:52:40		
3/18/2013	4105	Supplemental ...	THIRD SUPPLEMENT TO PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION) RELIEF NRS 3		
3/21/2013	NEF	Proof of Electronic Service	Transaction 3606419 - Approved By: NOREVIEW : 03-21-2013:09:06:21		
3/21/2013	2842	Ord Denying Motion	TO RENEW ALL MOTIONS AND PLEADINGS - Transaction 3606404 - Approved By: NOREVIEW : 03-21-2013		
3/21/2013	S200	Request for Submission Complet	order		
3/28/2013	NEF	Proof of Electronic Service	Transaction 3622209 - Approved By: NOREVIEW : 03-28-2013:10:27:05		
3/28/2013	S3370	Sealed Order	RECOMMENDATION AND ORDER FOR PAYMENT OF INTERIM ATTORNEY'S FEES - Transaction 3622197		
4/1/2013	S3370	Sealed Order	RECOMMENDATION AND ORDER FOR PAYMENT OF ATTORNEY'S COSTS - Transaction 3629004 - Appro		
4/1/2013	NEF	Proof of Electronic Service	Transaction 3629045 - Approved By: NOREVIEW : 04-01-2013:14:18:35		
4/3/2013	NEF	Proof of Electronic Service	Transaction 3636747 - Approved By: NOREVIEW : 04-03-2013:16:46:31		
4/3/2013	3645	Petition ...	PETITION FOR WRIT OF PROHIBITION - Transaction 3636724 - Approved By: MFERNAND : 04-03-2013:16:4		
4/3/2013	1188	Supreme Court Receipt for Doc	SUPREME COURT CASE NO. 62908/RECEIPT FOR DOCUMENTS - Transaction 3636724 - Approved By: MF		

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5/3/2013	1670	Ex-Parte Mtn...	EX PARTE JUDICIAL NOTICE AND MOTION		
5/15/2013	NEF	Proof of Electronic Service	Transaction 3726420 - Approved By: NOREVIEW : 05-15-2013:09:18:52		
5/15/2013	4128	Supreme Court Order Denying	SUPREME COURT NO. 62908/ORDER DENYING PETITION - Transaction 3726398 - Approved By: NOREVIEW		
5/20/2013	3860	Request for Submission	DOCUMENT TITLE: MOTION FILED ON 05-03-13		
5/28/2013	4100	Supplemental Petition	SUPPLEMENTAL PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION) RELIEF #4		
6/3/2013	2842	Ord Denying Motion	Transaction 3760636 - Approved By: NOREVIEW : 06-03-2013:09:10:05		
6/3/2013	NEF	Proof of Electronic Service	Transaction 3760661 - Approved By: NOREVIEW : 06-03-2013:09:13:48		
6/3/2013	S200	Request for Submission Complet	ORDER		
6/3/2013	1050	Affidavit of Prejudice-Crim	AFFIDAVIT OF PREJUDICE		
6/6/2013	4105	Supplemental ...	SUPPLEMENTAL EXHIBIT IN SUPPORT OF MOTION FILED ON MAY 3, 2013		
6/13/2013	NEF	Proof of Electronic Service	Transaction 3786330 - Approved By: NOREVIEW : 06-13-2013:11:37:19		
6/13/2013	4131	Supreme Ct Not/Lieu/Remittitur	SUPREME COURT NO. 62908/NOTICE IN LIEU OF REMITTITUR - Transaction 3786286 - Approved By: NORI		
6/14/2013	4105	Supplemental ...	SUPPLEMENTAL EXHIBIT INESCAPABLE FACTS		
6/14/2013	2490	Motion ...	MOTION AND ADDENDA FOR RECONSIDERATION		
6/19/2013	4105	Supplemental ...	SUPPLEMENTAL EXHIBIT AND JUDICIAL NOTICE		
6/27/2013	2610	Notice ...	JUDICIAL NOTICE OF ADJUDICATIVE FACTS		
7/10/2013	3860	Request for Submission	DOCUMENT TITLE: MOTION AND ADDENDA FOR RECONSIDERATION		
7/12/2013	3373	Other ...	CLARIFICATION OF SCIENTIFIC TERM (CDNA)		
7/30/2013	4100	Supplemental Petition	SUPPLEMENTAL PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION) RELIEF # 5 NRS 34 ET		
8/1/2013	2842	Ord Denying Motion	Transaction 3895044 - Approved By: NOREVIEW : 08-01-2013:11:39:25		
8/1/2013	S200	Request for Submission Complet	ORDER		
8/1/2013	NEF	Proof of Electronic Service	Transaction 3895076 - Approved By: NOREVIEW : 08-01-2013:11:43:55		
8/8/2013	4105	Supplemental ...	SUPPLEMENTAL EXHIBIT AND REPROT OF OBSERVATIONS OF DNA EXPERT MEHUL B. ANJARIA		
8/8/2013	2490	Motion ...	(SEALED) MOTION FOR FINAL PAYMENT OF DNA EXPERTS REPORT OF OBSERVATIONS		
8/12/2013	4105	Supplemental ...	SUPPLEMENTAL PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION) RELEIF #6 NRS 34 et s		
8/22/2013	4105	Supplemental ...	NEWLY DISCOVERED FACTS IN SUPPORT OF PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVI		
8/30/2013	2515	Notice of Appeal Supreme Court			
9/3/2013	3860	Request for Submission	DOCUMENT TITLE: NO S1 BUILT - (REFERRED TO BOB BELL) MOTION FOR FINAL PAYMENT OF DNA E		
9/6/2013	3860	Request for Submission	DOCUMENT TITLE: MOTION FOR A NEW TRIAL		
9/6/2013	1350	Certificate of Clerk	CERTIFICATE OF CLERK AND TRANSMITTAL - NOTICE OF APPEAL - Transaction 3977721 - Approved By: I		
9/6/2013	NEF	Proof of Electronic Service	Transaction 3977771 - Approved By: NOREVIEW : 09-06-2013:11:34:25		
9/6/2013	1310E	Case Appeal Statement	Transaction 3977721 - Approved By: NOREVIEW : 09-06-2013:11:27:05		
9/9/2013	2650	Opposition to ...	OPPOSITION TO REQUEST FOR SUBMISSION OF MOTION - Transaction 3981945 - Approved By: SHAMBR		
9/9/2013	NEF	Proof of Electronic Service	Transaction 3981969 - Approved By: NOREVIEW : 09-09-2013:15:51:35		
9/13/2013	S3370	Sealed Order	RECOMMENDATION AND ORDER DENYING MOTION OFR EXPERT WITNESS FEES - Transaction 399608		
9/13/2013	NEF	Proof of Electronic Service	Transaction 3996093 - Approved By: NOREVIEW : 09-13-2013:15:34:34		
9/16/2013	NEF	Proof of Electronic Service	Transaction 3997340 - Approved By: NOREVIEW : 09-16-2013:08:54:14		
9/16/2013	1188	Supreme Court Receipt for Doc	SUPREME COURT NO. 63974/RECEIPT FOR DOCUMENTS - Transaction 3997309 - Approved By: NOREVIEW		
9/18/2013	3790	Reply to/in Opposition	REPLY TO/IN OPPOSITION TO RESPONDENTS OPPOSITION TO PETITIONERS REQUEST FOR SUBMISS		

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10/1/2013	4105	Supplemental ...	SUPPLEMENTAL EXHIBIT IN SUPPORT OF EVIDENTIARY HEARING		
10/4/2013	3373	Other ...	(SEALED) SWORN COMPLAINT AND DEMAND FOR PAYMENT OF DNA EXPERT MEHUL B. ANJARIA		
10/10/2013	4105	Supplemental ...	SUPPLEMENTAL PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION) RELIEF #7 NRS 34 ET		
10/11/2013	1478	**Consolidated To...	CONSOLIDATED INTO CR06-2580. PLEASE FILE ALL FUTURE PLEADINGS INTO CR06-2580.		

1 Code 3370
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6 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
7 IN AND FOR THE COUNTY OF WASHOE
8

9 FRANK M. PECK,

Case No. CR06-2580

10 Petitioner,

Dept No. 6

11 v.

12 THE STATE OF NEVADA

13 Respondent.
14
15 _____/

16 ORDER

17 On February 27, 2014, the State of Nevada filed a motion for dismissal of Petitioner's
18 petition for writ of habeas corpus (post-conviction). The State moved for dismissal on
19 several grounds: 1) Petitioner filed his petition prior to conviction in violation of NRS 34.
20 724; 2) failure of the Petitioner to timely file his petition pursuant to N.R.S. 34.726; 3) the
21 supplemental petitions filed by Petitioner are fugitive pleadings pursuant to NRS 34.750; 4)
22 Petitioner failed to present the petition in substantially the form required by NRS 34. 735;
23 and, 5) Petitioner incorrectly proposes the introduction of DNA analysis using the PCR
24 technique was improper. The State's motion was opposed by Petitioner on March 17, 2014.

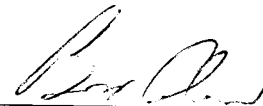
25 The State argues the petition is untimely pursuant to N.R.S. 34.726 because the
26 October, 2012 supplemental petition filed by Petitioner was outside the one year deadline,
27 and was therefore late. The State also argues the supplemental petitions filed by Petitioner
28 are fugitive pleadings under NRS 34.750. NRS 34.750 permits Petitioner's counsel to file a

1 supplemental petition after being appointed, but restricts further filing of pleading without
2 a court order. NRS 34.750(5). Petitioner has filed eight supplemental pleadings in this case,
3 the most recent of which was December 5, 2013. The Court finds the Petitioner has failed to
4 plead and demonstrate good cause for violating NRS 34.726 and has filed fugitive
5 documents under NRS 34.750.

6 The State finally argues the petition should be dismissed because Petitioner
7 incorrectly asserts the DNA analysis using the PCR technique was improperly admitted.
8 The Court agrees with the State's assertion. In *Bolin v. State*, 114 Nev. 503, 528, 960 P.2d 784,
9 800 (1998), the Nevada Supreme Court held, "[b]ecause the overwhelming weight of
10 authority has established that DNA analysis utilizing the PCR technique is reliable and
11 trustworthy for use within the forensic context, we hold that DNA result obtained through
12 the use of the PCR technique are admissible for use within the forensic context." The Court
13 does not find Petitioner's argument meritorious as the use of DNA analysis using the PCR
14 technique is admissible.

15 Accordingly, the State's motion to dismiss is granted.

16
17 DATED: This 30th day of April, 2014.

18
19 

20 DISTRICT JUDGE

1 **CERTIFICATE OF SERVICE**

2

3 I certify that I am an employee of THE SECOND JUDICIAL DISTRICT COURT;

4 that on the 30th day of April, 2014, I electronically filed the foregoing with the clerk of

5 the Court:

6 TERRENCE MCCARTHY, ESQ.

7

8

9

10

11

12 And, I deposited in the County mailing system for postage and mailing with the

13 United States Postal Service in Reno, Nevada, a true and correct copy of the attached

14 document addressed as follows:

15 Frank Milford Peck, #57106

16 High Desert State Prison

17 PO Box 650

18 Indian Springs, NV 89070

19

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22 Judicial Assistant

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Code MIN

DC-990000551-116
CR06-2580
STATE VS. FRANK MILFORD PECK
District Court
Washoe County
2 Pages
12/15/2006 12:53 PM

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

THE STATE OF NEVADA,

Plaintiff,

Case No. CR06-2580

vs.

Dept. No.

FRANK MILFORD PECK

Defendant.

MINUTES

CRIMINAL PROGRESS SHEET

IND 11-8-06
INF. _____
AI. _____
2AI. _____
2INF. _____

CASE NO. CR06-2580

DEFT: FRANK MILFORD PECK @3461

LANGUAGE:

CUSTODY STATUS: CUSTODY NIC BAIL \$ _____ OR OR W/COURT SERVICES

ARR. DATE: 12/15/06 DEPT. NO. 6 REPORTER: DOTSON CLERK: Corvantes

TRUE NAME: Same

- HANDED COPY
- WAIVED READING
- REQUESTED TIME TO PLEA
- REFERRED TO DRUG COURT
- ACCEPTED TO DRUG COURT
- WAIVED PSI

WAIVED 60 DAY RULE: YES NO DATE: 12/15/06

P & P Ref: _____

NOT GUILTY By: _____ GUILTY ALFORD NC TO: Verdictment

MOTION FOR PSYCH. EVAL: DATE: _____ DEPT. NO. _____ APPTD. DRS.: _____ & _____

REPORT ON PSYCH. EVAL: DATE: _____ DEPT. NO. _____ REPORTER: _____ CLERK: _____

COURT FOUND DEFT: COMPETENT INCOMPETENT; DEFT REMANDED

ENTRY OF PLEA: DATE: _____ DEPT. NO. _____ REPORTER: _____ CLERK: _____

NOT GUILTY By: _____ GUILTY ALFORD NC TO: _____

WAIVED PSI P & P Ref: _____

CHANGE OF PLEA: DATE: _____ DEPT. NO. _____ REPORTER: _____ CLERK: _____

HANDED COPY _____ WAIVED READING GUILTY ALFORD NC TO: _____

WAIVED PSI P & P Ref: _____ TRIAL DATE OF: _____ VACATED

CONTINUED TO: 9-5-07 9:00 FOR: MTD

CONTINUED TO: 9-17-07 9:00 FOR: Jury- 4 days

CONTINUED TO: _____ FOR: _____

CONTINUED TO: _____ FOR: _____

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CASE NO. CR06-2580

STATE OF NEVADA VS. FRANK MILFORD PECK

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES-HEARING

CONTINUED TO

12/15/06
HON. DEBORAH
AGOSTI
DEPT. NO. 6
T. Cervantes
(Clerk)
J. Dotson
(Reporter)

ARRAIGNMENT

Deputy D.A. Dave Clifton represented the State.
Defendant present with counsel, Ken McKenna, Esq.
TRUE NAME: **FRANK MILFORD PECK**. Defendant handed copy
of the Indictment; waived formal reading; waived time in which to
enter a plea and plead Not Guilty to the Indictment.
Defendant waived 60 day rule.
COURT ORDERED: Matter continued for trial by jury.
Defendant remanded to the custody of the Sheriff.

09/05/07
09:00 a.m.
Motion
Confirm

09/17/07
09:00 a.m.
Jury Trial
(4 Days)

CR06-2580 DC-990000392-133
STATE VS. FRANK MILFORD PECK 1 Page
District Court 12/15/2006 02:18 PM
Washoe County MIN

CASE NO. CR06-2580

STATE OF NEVADA VS. FRANK MILFORD PECK

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES-HEARING

CONTINUED TO

09/05/07
HON. BRENT
ADAMS
DEPT. NO. 6
T. Cervantes
(Clerk)
J. Kernan
(Reporter)

MOTION TO CONFIRM TRIAL

Deputy D.A. David Clifton represented the State.
Defendant present with counsel, Kenneth McKenna, Esq.
Probation Officer, Kim Strong, also present.
Counsel for Defendant moved to continue the trial and presented
argument; State responded and objection to the trial being
continued.
COURT ORDERED: Motion granted and noted there would be no
further continuances in this matter. The trial set for Monday,
September 17, 2007 is hereby vacated.
Defendant remanded to the custody of the Sheriff.

02/20/08
09:00 a.m.
Motion
Confirm

03/03/07
09:00 a.m.
Jury Trial
4 Days

CR06-2580 DC-9900001657-167
STATE VS. FRANK MILFORD PECK 1 Page
District Court 09/05/2007 09:12 PM
Washoe County MTN TCFR/VANT

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Howard W. Conyers

Clerk of the Court

Transaction # 477225

CASE NO. CR06-2480

STATE VS. FRANK MILFORD PECK

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

11/07/08

HEARING RE: MOTION FOR RECUSAL

HONORABLE
STEVEN P.

Respondent, State of Nevada was being represented by Deputy District Attorney David Clifton. Petitioner, Frank Milford Peck was present with counsel, Bruce Lindsay, Esq.

ELLIOTT

Respective counsel and the Court met in-chambers.

DEPT. NO. 10

Discussion between respective counsel and the Court ensued regarding the petitioner's claims for the recusal of Judge Brent Adams.

C. Lloyd

Defense counsel addressed the Court indicating he was recently appointed to represent the petitioner; further requesting to present argument on the claims, as he does not intend to call Judge Brent Adams to testify. Counsel for the petitioner further indicated that he is ill with the flu; and further indicated he needs more time review the petition. Counsel for the State indicated it will not object to a continuance; further objecting to the request to present arguments without testimony from Judge Brent Adams.

(Clerk)

COURT informed it reviewed a separate a notice submitted from the Petitioner for request for recusal this Court. Court further informed the parties that it is inclined to grant a continuance; and further indicted it would confer with the Chief Judge as to the issue regarding the petitioner's request to recuse Department 10.

J. Schonlau

In-chambers conference concluded.

(Reporter)

Court re-convened on the record.

COURT stated for the record of the discussion of the in-chambers conference.

Defense counsel addressed the Court requesting a continuance and further stated that he was newly appointed as counsel of record.

Court posed questions to the Defendant.

Petitioner responded and further agreeing to a continuance.

Counsel for the State had no objection to a continuance.

Court further noted for the record that it would confer with the Chief Judge on how it would proceed with the separate request to recuse Department 10.

COURT ORDERED: Petitioner's request for a continuance GRANTED. Court further set the matter to commence on November 25, 2008 at 2:00 p.m.

Court concluded and stood in recess.

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Howard W. Conyers

Clerk of the Court

Transaction # 539022

CASE NO. CR06-2580

STATE OF NEVADA VS. FRANK MILFORD PECK

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONTINUED TO

11/25/08

HEARING RE: DEFT'S MOTION FOR RECUSAL OF JUDGE ADAMS

HONORABLE

Chief Deputy District Attorney David Clifton represented the State.

STEVEN P.

Defendant was present with counsel, Bruce Lindsay, Esq.

ELLIOTT

The Court noted that the basis for this hearing is regarding the

DEPT. NO. 10

Defendant's motion for the recusal of Judge Adams, and the

M. Merkouris

Defendant's Notice, filed September 12, 2008, objecting to this Court hearing this matter.

(Clerk)

J. Schonlau

Defense counsel addressed the Court and withdrew any objection to Judge Elliott presiding over this hearing, however they would object to Judge Elliott being the trial judge.

(Reporter)

Defense counsel called the Defendant, who was sworn and direct examined; cross examined; re-direct examined and excused.

Defense rested; State rested.

Defense counsel gave closing statements and argued in support of the Motion to recuse Judge Adams.

Counsel for the State gave closing statements and argued in opposition of the Motion to recuse Judge Adams.

COURT ORDERED: The Court set forth Findings of Fact and Conclusion of Law; Court further ordered that the Defendant's Motion to recuse Judge Adams is DENIED.

Counsel for the State shall prepare the order.

Defendant remanded to the custody of the Department of Prisons.

CASE NO. CR06-2580

STATE OF NEVADA VS. FRANK MILFORD PECK

<u>DATE, JUDGE OFFICERS OF COURT PRESENT</u>	<u>APPEARANCES-HEARING</u>	<u>CONTINUED TO</u>
4/22/09 HONORABLE BRENT ADAMS DEPT. NO. 6 B. Johnson (Clerk) J. Kernan (Reporter)	<u>MOTION TO CONFIRM</u> Deputy District Attorney David Clifton represented the State. Defendant present with counsel, Bruce Lindsay. Probation Officer Laurie Flocchini was also present. Defense counsel confirmed the trial date, counsel further informed the Court that Defendant wishes to relieve him as counsel. Defendant addressed the Court and argued in support of new counsel. Counsel for State addressed the Court concerning the trial setting. COURT ORDERED: Trial date 5/4/09 confirmed; Defendant's motion to relieve counsel denied. Defendant's motion to proceed pro se was filed in open court. Court ordered Defendant's motion will be set on calendar. Defendant remanded to the Director of Prisons.	4/29/09 9:00 a.m. Motion to Proceed Pro Se

CASE NO. CR06-2580

STATE OF NEVADA VS. FRANK MILFORD PECK

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES-HEARING

05/11/09
HON. BRENT ADAMS
DEPT. NO. 6
T. Cervantes
(Clerk)
T. Herbert
(Reporter)

JURY TRIAL

Deputy D.A. David Clifton represented the State.
Defendant was present acting in pro per, with advisory counsel Bruce Lindsay.
William Carnahan called by Bruce Lindsay, sworn, testified and cross-examined by counsel Clifton.
The Court inquired if any juror had read or seen any coverage of this case over the weekend?
Each juror responded "no".
Outside the presence of jury, the Court canvassed the Defendant regarding his right not to testify and noted it was his decision alone to make and advised him further to discuss said rights with his advisory counsel.
Recess taken.
The jury returned to the courtroom.
Counsel for State requested the Court Reporter to read back a portion of Mr. Carnahan's testimony; SO ORDERD.
Larry Peck called by Defendant, sworn, testified and cross-examined by counsel Clifton.
Renee Romero heretofore sworn was called by Defendant, testified and cross-examined by counsel Clifton.
Defendant rested.
Leslie Crouser called by counsel Clifton, sworn, testified and cross-examined by counsel Lindsay and the Defendant.
State rested.
Court admonished and excused the jury.
COURT ORDERED: The trial continued until Tuesday, May 12, 2009 at 8:30 a.m.
Defendant remanded to the custody of the Sheriff.

CASE NO. CR06-2580

STATE OF NEVADA VS. FRANK PECK

DATE, JUDGE OFFICERS OF COURT PRESENT	APPEARANCES-HEARING	CONTINUED TO
5/6/09 HONORABLE BRENT ADAMS DEPT. NO. 6 B. Johnson (Clerk) R. Malnerich (Reporter)	<u>JURY TRIAL</u> Deputy District Attorney David Clifton represented the State. Defendant present in pro per. Bruce Lindsay present as advisory counsel. Upon stipulation of counsel, the roll of prospective jurors was waived. All prospective jurors were sworn to answer questions touching upon their qualifications to serve as jurors in this case. Court ordered that thirty-one (31) names be called and seated in the box. Introductions of Court, counsel, and respective parties were made to the prospective jurors. General and specific examination was had of the prospective jurors in the box. At 12:00 p.m. Court ordered recess taken. State's Exhibits 1-12 were marked for Identification. At 1:30 p.m. Court resumed with all parties present. General and specific examination was continued of the prospective jurors. Following peremptory challenges, the following twelve (12) jurors and one (1) alternate were sworn to try this case: James Brockhaus Deirdre L. Lane Linda M. Birchall Ronald Hinzen Linda K. McCarty Kim A. Brant Edna Getty Kenneth Birchall Melvin S. Cohen Matthew Rouse Ryan R. Braun Albert A. Vonthun Alternate – Elisa Manalo	
	Upon motion by counsel for the State, Court ordered the rule of exclusion invoked. At the direction of the Court, the Clerk read the Indictment which was filed in this case and stated the Defendant's plea thereto. Opening statements presented by counsel for the State and Defendant.	

CASE NO. CR06-2580

STATE OF NEVADA VS. FRANK PECK

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONTINUED TO

5/6/09

JURY TRIAL

Page 2

Candice Inman, called by counsel for the State, sworn and testified.
State's Exhibits 1, 1a, and 12 offered, no objection, exhibits admitted
into evidence

Witness continued on direct examination.

At 5:00 p.m. Court ordered recess taken, jury admonished. Trial
continued to Thursday, May 7, 2009 at 9:00 a.m.

Defendant remanded to the custody of the Sheriff.

CASE NO. CR06-2580

STATE OF NEVADA VS. FRANK PECK

DATE, JUDGE OFFICERS OF COURT PRESENT	APPEARANCES-HEARING	CONTINUED TO
5/7/09 HONORABLE BRENT ADAMS DEPT. NO. 6 B. Johnson (Clerk) J. Kernan (Reporter)	<u>CONTINUED JURY TRIAL</u> Deputy District Attorney David Clifton represented the State. Defendant present in pro per. Bruce Lindsay present as advisory counsel. Candice Inman, previously sworn, resumed the stand and was continued on direct examination. State's Exhibits 2-6 offered, no objection, exhibits admitted into evidence. State's Exhibit 13 marked for Identification. Witness continued on direct examination, cross examined and redirect examined. State's Exhibit 14 and 15 marked and offered, no objection, exhibits admitted into evidence. Counsel for State moved for a physical presentation of Defendant; so ordered. Witness further examined by respective counsel and excused. Outside the presence of the jury, counsel Lindsay moved to strike the testimony of witness Inman regarding her representation of the Defendant's familiar sounding voice. COURT ORDERED: Motion to strike testimony denied. Jury present. Samuel Neuharth, called by counsel for the State, sworn and testified, cross examined by counsel Lindsay, redirect examined, witness excused. Carol Phillips, called by counsel for the State, sworn and testified, cross examined by counsel Lindsay, redirect examined, witness excused. Defendant's Exhibit 16 marked and offered, exhibit admitted into evidence. Diane Hackworth, called by counsel for the State, sworn and testified. State's Exhibits 9b and 9a offered, no objection, exhibits admitted into evidence. At 12:00 p.m. Court ordered recess taken, jury admonished.	

CASE NO. CR06-2580

STATE OF NEVADA VS. FRANK PECK

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONTINUED TO

5/7/09

CONTINUED JURY TRIAL

Outside the presence of the jury, Court clarified its ruling as to the motion to strike testimony, prior ruling to stand.

Court stood in recess.

At 1:30 p.m. Court reconvened with all parties present. Jury present. Diane Hackworth, previously sworn, resumed the stand and was continued on direct examination, cross examined by counsel Lindsay and excused.

Dr. Dedolph, called by counsel for the State, sworn and testified, cross examined by counsel Lindsay, redirect examined and excused.

Peggy Stout, called by counsel for the State, sworn and testified, cross examined, redirect examined and excused.

Greta Woyciehowsky, called by counsel for the State, sworn and testified.

State's Exhibits 17-20 marked for Identification.

Witness continued on direct examination, cross examined and excused.

Linda Brown, called by counsel for the State, sworn and testified.

State's Exhibits 17-20 offered, witness examined on voir dire.

Direct examination was resumed.

State's Exhibits 10 and 11 offered, no objection, exhibits admitted into evidence.

After conferring with advisory counsel, counsel for the State moved to withdraw offer of Exhibits 10 and 11; so ordered.

Witness cross examined by counsel Lindsay and excused.

Steve Fiore, called by counsel for the State, sworn and testified.

State's Exhibit 7 offered, no objection, exhibit admitted into evidence.

State's Exhibit 21 marked and offered, no objection, exhibit admitted into evidence.

Witness cross examined and excused.

FILED

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Howard W. Conyers
Clerk of the Court
Transaction # 779912

CASE NO. CR06-2580

STATE OF NEVADA VS. FRANK PECK

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONTINUED TO

5/7/09

CONTINUED JURY TRIAL

Maria Fassett, called by counsel for the State, sworn and testified State's Exhibits 22 and 23 marked and offered, no objection, exhibits admitted into evidence.

Witness cross examined.

Defendant's Exhibit 24 marked and offered, no objection, exhibit admitted into evidence.

Witness continued on cross examination, redirect examined and excused.

At 4:30 p.m. Court ordered recess taken, jury admonished. Trial continued to Friday, May 8, 2009 at 9:00 a.m.

Defendant remanded to the custody of the Sheriff.

CASE NO. CR06-2580

STATE OF NEVADA VS. FRANK PECK

DATE, JUDGE OFFICERS OF COURT PRESENT	APPEARANCES-HEARING	CONTINUED TO
5/8/09 HONORABLE BRENT ADAMS DEPT. NO. 6 B. Johnson (Clerk) R. Martinelli (Reporter)	<u>CONTINUED JURY TRIAL</u> Deputy District Attorney David Clifton represented the State. Defendant present in pro per. Bruce Lindsay present as advisory counsel. Jeffrey Riolo, called by counsel for the State, sworn and testified, cross examined by counsel Lindsay, redirect examined, recross examined, witness excused. At 11:45 a.m. Court ordered recess taken, jury admonished. At 2:00 p.m. Court reconvened with all parties present. Jury present. Renee Romero, called by counsel for the State, sworn and testified, cross examined by counsel Lindsay, questioned by the Court and by Defendant. Witness reserved for possible callback. Counsel for the State moved to return biohazard exhibits 8, 9, 10, 11, 22 and 23 to the Police Department labs; no objection. Court ordered exhibits returned to the labs during the duration of the trial. Exhibits 13, 17-20 offered by the State, no objection, exhibits admitted into evidence. State rested. Sherry R. Gray, called by counsel Lindsay, sworn and testified. Exhibits 25-28 were marked for Identification by advisory counsel. Witness continued on direct examination, cross examined. At 4:50 p.m. Court ordered recess taken, jury admonished. Trial continued to Monday, May 11, 2009 at 1:00 p.m. Defendant remanded to the custody of the Sheriff.	

CASE NO. CR06-2580

STATE OF NEVADA VS. FRANK PECK

DATE, JUDGE OFFICERS OF COURT PRESENT	APPEARANCES-HEARING	CONTINUED TO
5/12/09 HONORABLE BRENT ADAMS DEPT. NO. 6 B. Johnson (Clerk) R. Malnerich (Reporter)	<u>CONTINUED JURY TRIAL</u> Deputy District Attorney David Clifton represented the State. Defendant present in pro per. Bruce Lindsay present as advisory counsel. In chambers, Court and counsel settled jury instructions on the record. At 9:00 a.m. Court reconvened with all parties present. Jury present. Court read the jury instructions 1-26 aloud. Opening, answering and closing arguments presented by respective counsel. At 11:17 a.m. the Bailiff was sworn to take charge of the jury. The jury retired to deliberate. Alternate juror excused. At 3:16 p.m. the jury returned the following verdict. VERDICT We, the jury in the above-entitled matter, find the defendant, FRANK PECK, GUILTY of SEXUAL ASSAULT. DATED this 12 day of May, 2009 /s/ James Brockhaus FOREPERSON Jurors were polled at the Court's direction and in response to the question, "Is this the verdict to which you agree? each juror answered "Yes." Whereupon the Court directed the Clerk to record the verdict. The jury was thanked and excused. Court ordered Presentence Investigation and matter continued for entry of judgment and imposition of sentence to Friday, July 10, 2009 at 9:00 a.m. Defendant remanded to the custody of the Sheriff	

EXHIBITS

Plaintiff: State of Nevada

PATY: David Clifton

Defendant: Frank M. Peck

DATY: Pro Per

Case No: CR06-2580

Dept. No: 6

Clerk: B. Johnson

Date: 5/6/09

Exhibit #	Party	Description	Marked	Offered	Admitted
1	Pltf	Large diagram of 445 Sullivan Lane #94	5/6	x	5/6
1-a	Pltf	8x11 of Exhibit 1	5/6	x	5/6
2	Pltf	Photograph – Candace Inman, cheek injury	5/6	x	5/7
3	Pltf	Photograph – Candace Inman	5/6	x	5/7
4	Pltf	Photograph – window screen, curtain, chair	5/6	x	5/7
5	Pltf	Photograph – pathway to apartment/lamp post	5/6	x	5/7
6	Pltf	Photograph - bathtub	5/6	x	5/7
7	Pltf	Birth Certificate of Frank Peck	5/6	x	5/7
8	Pltf	Envelope containing Blood Sample of Candace Inman	5/6		withdrawn
9	Pltf	Envelope containing Sexual Assault Evidence Kit	5/6		withdrawn
9a	Pltf	Stains on Skin	5/6		withdrawn
9b(1-3)	Pltf	Vaginal/Penile Swabs and Slides	5/6		withdrawn
9c	Pltf	Pubic Hair Brushing	5/6		withdrawn
9d	Pltf	Reference Head Hair	5/6		withdrawn
9e	Pltf	Reference Pubic Hair	5/6		withdrawn
9f	Pltf	Saliva Sample	5/6		withdrawn
9g	Pltf	History of Assault, page 1	5/6		withdrawn
9h	Pltf	History of Assault, page 2	5/6		withdrawn
9i	Pltf	Sexual Assault Protocol	5/6		withdrawn

EXHIBITS

Plaintiff: State of Nevada

PATY: David Clifton

Defendant: Frank M. Peck

DATY: Pro Per

Case No: CR06-2580

Dept. No: 6

Clerk: B. Johnson

Date: 5/6/09

Exhibit #	Party	Description	Marked	Offered	Admitted
10	Pltf	Envelope containing swab box, buccal swabs (2) of Peck	5/6		withdrawn
11	Pltf	Envelope containing buccal swabs (2) of Peck	5/6		withdrawn
12	Pltf	Photograph – bathroom	5/6	x	5/6
13	Pltf	Composite sketch by Det Asher	5/7	x	5/8
14	Pltf	Copy photo lineup	5/7	stip	5/7
15	Pltf	1996 Photograph – Frank Peck	5/7	x	5/7
16	Deft	St Mary's Emergency Record, Candace Inman	5/7	x	5/7
17	Pltf	Photograph – Frank Peck, left side, mole, taken by L. Brown	5/7	x	5/8
18	Pltf	Photograph – Frank Peck, left side, rib area, taken by L. Brown	5/7	x	5/8
19	Pltf	Photograph – Frank Peck, left side, scar feature	5/7	x	5/8
20	Pltf	Photograph – Frank Peck, left side, raised defect	5/7	x	5/8
21	Pltf	Photograph – Frank Peck taking measurements	5/7	x	5/7
22	Pltf	Envelope with 2 swab tips (cut)	5/7		withdrawn
23	Pltf	Envelope with DNA extracts vaginal swabs	5/7		withdrawn
24	Deft	WCSO Report of Maria Fassett, Analyst	5/7	x	5/7
25	Deft	AT&T Statement	5/8		

EXHIBITS

Plaintiff: State of Nevada

PATY: David Clifton

Defendant: Frank M. Peck

DATY: Pro Per

Case No: CR06-2580

Dept. No: 6

Clerk: B. Johnson

Date: 5/6/09

Exhibit #	Party	Description	Marked	Offered	Admitted
26	Deft	Invoice, Johnstone Supply from Las Vegas NV	5/8		
27	Deft	BofA Transaction Record, Donald J. Peck	5/8		
28	Deft	Check register belonging to Donald J. Peck	5/8		

CASE NO. CR06-2580

STATE OF NEVADA VS. FRANK PECK

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES-HEARING

CONTINUED TO

7/10/09
HONORABLE
BRENT
ADAMS
DEPT. NO. 6
B. Johnson
(Clerk)
L. Rosenthal
(Reporter)

ENTRY OF JUDGMENT AND IMPOSITION OF SENTENCE

Deputy District Attorney Bruce Hahn represented the State. Defendant was present in pro per. Probation Officer James Rountree was also present. Defendant addressed the Court and made changes to the PSI report; Defendant further moved to set aside the jury verdict. Larry James Peck, previously sworn, resumed the stand, testified and excused. COURT ORDERED: Defendant's motion to set aside jury verdict denied, Court proceeded with sentencing. The Defendant, having been found Guilty by Jury, and no sufficient cause being shown by Defendant as to why judgment should not be pronounced against him, the Court rendered judgment as follows: That Frank Peck is guilty of the crime of Sexual Assault, a violation of NRS 200.366, a felony, as charged in Indictment, and that he be punished by imprisonment in the Nevada State Prison for a Life with the possibility of parole, with eligibility for parole beginning when a minimum of five (5) years has been served. This sentence is to run consecutively to the sentence imposed in Case No. CR96-2687. The Defendant is not entitled to credit for time served relating to this case. It is further ordered that the Defendant pay the statutory Twenty Five Dollar (\$25.00) administrative assessment fee and pay the One Hundred Fifty Dollar (\$150.00) DNA testing fee. Defendant remanded to the custody of the Director of Prisons.

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Code 1350

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

FRANK M. PECK,

Petitioner,

vs.

Case No. CR06-2580

THE STATE OF NEVADA,

Dept. No. 6

Respondent.

CERTIFICATE OF CLERK AND TRANSMITTAL – NOTICE OF APPEAL

I certify that I am an employee of the Second Judicial District Court of the State of Nevada, County of Washoe; that on the 15th day of May, 2014, I electronically filed the Notice of Appeal in the above entitled matter to the Nevada Supreme Court.

I further certify that the transmitted record is a true and correct copy of the original pleadings on file with the Second Judicial District Court.

Dated this 15th day of May, 2014

JOEY ORDUNA HASTINGS
CLERK OF THE COURT

By /s/ Annie Smith
Annie Smith
Deputy Clerk