

Steven D. Grierson

Eddie Rencher, Jr.

Petitioner In Propria Personam
Post Office Box 208, S.D.C.C.
Indian Springs, Nevada 89018

Electronically Filed
Feb 27 2019 11:33 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF CLARK

EDDIE RENCHER, Jr.
Petitioner,

vs.

JERRY HOWELL, Warden,
Respondent,

Case No. 06C-225668

Dept. No. XIX

Docket _____

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN, That the Petitioner/Defendant,
Eddie Rencher, Jr., in and through his proper person, hereby
appeals to the Supreme Court of Nevada from the ORDER denying and/or
dismissing the
Petition For Writ of Habeas Corpus (Post-Conviction) Actual
Innocence

ruled on the 23 day of January, 2019.

Dated this _____ day of February, 2019.

Respectfully Submitted,

Eddie Rencher Jr

RECEIVED
FEB 27 2019

CLERK OF THE COURT

CERTIFICATE OF SERVICE BY MAILING

I, Eddie Rencher, Jr., hereby certify, pursuant to NRCP 5(b), that on this 19th day of February, 2019, I mailed a true and correct copy of the foregoing, "

NOTICE OF APPEAL

by placing document in a sealed pre-postage paid envelope and deposited said envelope in the United State Mail addressed to the following:

District Attorney
Clark County, Nevada
200 Lewis Ave.
PO Box 552212
Las Vegas NV 89155-2212

CC: FILE

DATED: this 19th day of February, 2019.

M. Lorie Rencher
EDDIE RENCHER, JR. #1024946
Petitioner / In Propria Personam
Post Office Box 208, S.D.C.C.
Indian Springs, Nevada 89018
IN FORMA PAUPERIS:

AFFIRMATION
Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding _____

NOTICE OF APPEAL

(Title of Document)

filed in District Court Case number 06-C-225668

☒ Does not contain the social security number of any person.

-OR-

☐ Contains the social security number of a person as required by:

A. A specific state or federal law, to wit:

(State specific law)

-or-

B. For the administration of a public program or for an application
for a federal or state grant.

M. Gossie Rose
Signature

2-19-19
Date

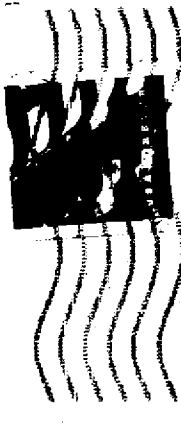
EDDIE RENCHER, Jr.
Print Name

PETITIONER PRO SE
Title

MR. EDDIE RENCHER, JR.
ID# 1024946 2A-20A
5000 P.O. Box 208
Indian Springs, NV. 89070

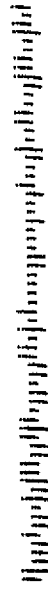
LAS VEGAS NV 890

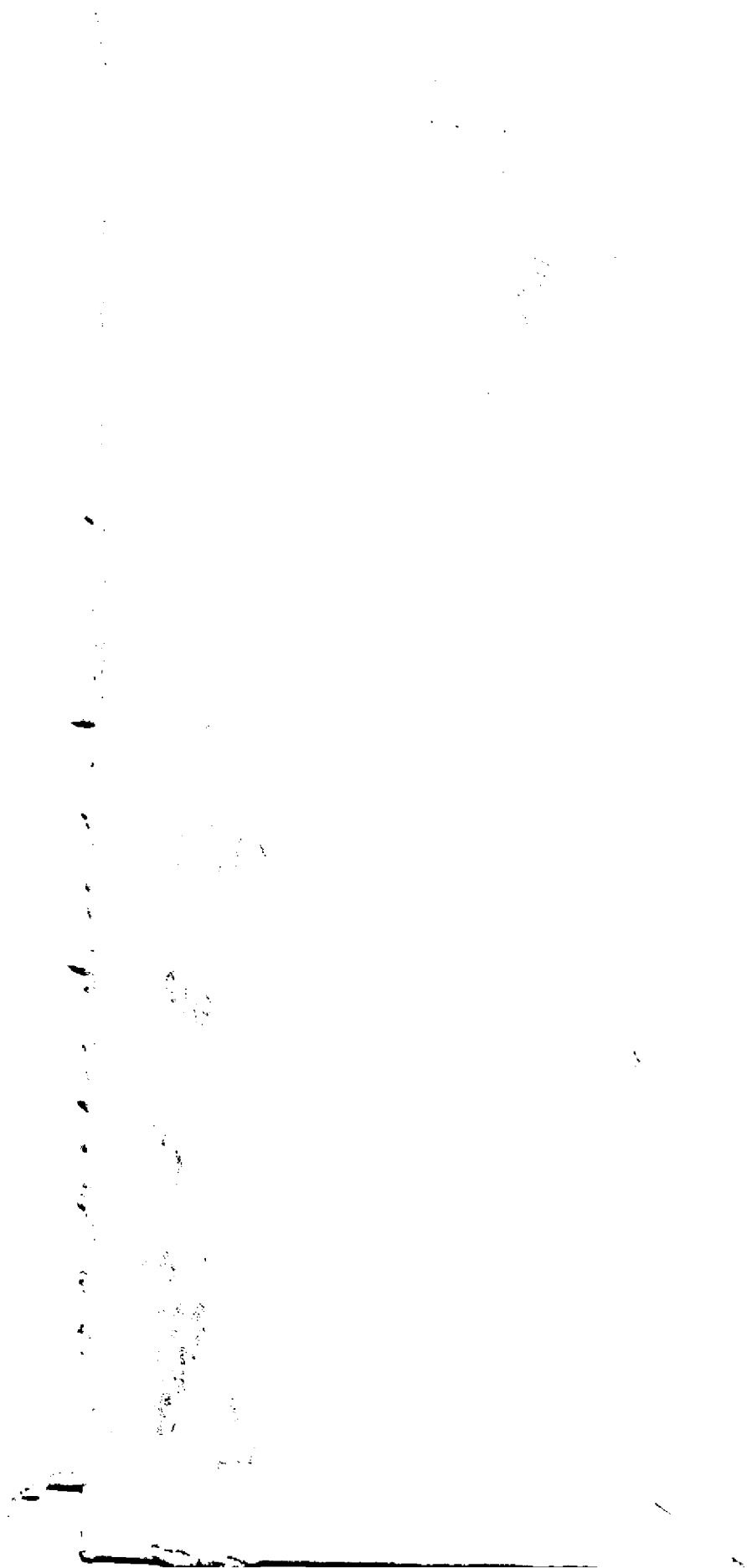
19 FEB 2019 PM 5 L

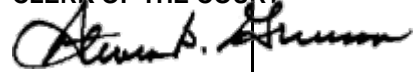


CLERK OF THE COURT
Eighth Judicial Dist Court
200 LEWIS AVE. 3RD FLOOR
LAS VEGAS, NV. 89155

89101-630000







1 ASTA

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6 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**
7 **STATE OF NEVADA IN AND FOR**
8 **THE COUNTY OF CLARK**
9

10 STATE OF NEVADA,

11 Plaintiff(s),

12 vs.

13 EDDIE RENCHER, JR.
14 aka EDDIE RENCHER,

15 Defendant(s),

Case No: 06C225668

Dept No: XIX

16
17 **CASE APPEAL STATEMENT**
18

19 1. Appellant(s): Eddie Rencher, Jr.

20 2. Judge: William D. Kephart

21 3. Appellant(s): Eddie Rencher, Jr.

22 Counsel:

23 Eddie Rencher, Jr. #1024946
24 P.O. Box 208
Indian Springs, NV 89070

25 4. Respondent: The State of Nevada

26 Counsel:

27 Steven B. Wolfson, District Attorney
28 200 Lewis Ave.

Las Vegas, NV 89101
(702) 671-2700

5. Appellant(s)'s Attorney Licensed in Nevada: N/A
Permission Granted: N/A

Respondent(s)'s Attorney Licensed in Nevada: Yes
Permission Granted: N/A

6. Has Appellant Ever Been Represented by Appointed Counsel In District Court: Yes

7. Appellant Represented by Appointed Counsel On Appeal: Yes

8. Appellant Granted Leave to Proceed in Forma Pauperis: N/A

9. Date Commenced in District Court: August 31, 2006

10. Brief Description of the Nature of the Action: Criminal

Type of Judgment or Order Being Appealed: Post-Conviction Relief

11. Previous Appeal: Yes

Supreme Court Docket Number(s): 52355, 59289, 67459

12. Child Custody or Visitation: N/A

Dated This 25 day of February 2019.

Steven D. Grierson, Clerk of the Court

/s/ Amanda Hampton

Amanda Hampton, Deputy Clerk
200 Lewis Ave
PO Box 551601
Las Vegas, Nevada 89155-1601
(702) 671-0512

cc: Eddie Rencher, Jr.

Eddie Rencher, Jr. #1024946
Petitioner/In Propria Persona
Post Office Box 208, SDCC
Indian Springs, Nevada 89070-0208

Please Send
Electronically Filed
2/21/2019 10:34 AM Ed
Steven D. Grierson
CLERK OF THE COURT

Steven D. Grierson

IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF CLARK

EDDIE RENCHER, Jr.
Appellant,

vs.

JERRY HOWELL, Warden
Appellee.

CASE No. 06-C-225668
DEPT. No. XIX

DESIGNATION OF RECORD ON APPEAL

TO: Clerk of the Court
Eighth Judicial Dist. Court
200 Lewis Ave.
3rd Floor
Las Vegas NV 89155-

The above-named Plaintiff hereby designates the entire record of the above-entitled case, to include all the papers, documents, pleadings, and transcripts thereof, as and for the Record on Appeal.

DATED this _____ day of February, 2019.

RESPECTFULLY SUBMITTED BY:

*
EDDIE RENCHER, Jr. #1024946
Appellant/In Propria Persona

RECEIVED
FEB 21 2019
CLERK OF THE COURT

37

CASE SUMMARY**CASE No. 06C225668****The State of Nevada vs Eddie Rencher Jr**§
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Location: **Department 19**
 Judicial Officer: **Kephart, William D.**
 Filed on: **08/31/2006**
 Case Number History:
 Cross-Reference Case Number: **C225668**
 Defendant's Scope ID #: **1924353**
 Lower Court Case # Root: **06F12241**
 Lower Court Case Number: **06F12241X**
 Supreme Court No.: **52355**
59289
67459

CASE INFORMATION

Offense	Deg	Date	Case Type:	Felony/Gross Misdemeanor
1. SEXUAL ASSAULT	F	01/01/1900	Case Status: 10/10/2011 Closed	
1. SEXUAL ASSUALT	F	01/01/1900		
2. SEXUAL ASSAULT	F	01/01/1900		
2. SEXUAL ASSUALT	F	01/01/1900		
3. SEXUAL ASSAULT	F	01/01/1900		
3. SEXUAL ASSUALT	F	01/01/1900		
4. SEXUAL ASSAULT	F	01/01/1900		
4. SEXUAL ASSUALT	F	01/01/1900		
5. SEXUAL ASSAULT	F	01/01/1900		
5. SEXUAL ASSUALT	F	01/01/1900		
6. SEXUAL ASSAULT	F	01/01/1900		
6. SEXUAL ASSUALT	F	01/01/1900		
7. SEXUAL ASSAULT	F	01/01/1900		
7. SEXUAL ASSUALT	F	01/01/1900		
8. SEXUAL ASSAULT	F	01/01/1900		
8. SEXUAL ASSUALT	F	01/01/1900		
9. SEXUAL ASSAULT	F	01/01/1900		
9. SEXUAL ASSUALT	F	01/01/1900		
10. SEXUAL ASSAULT	F	01/01/1900		
10. SEXUAL ASSUALT	F	01/01/1900		
11. SEXUAL ASSAULT	F	01/01/1900		
11. SEXUAL ASSUALT	F	01/01/1900		
12. SEXUAL ASSAULT	F	01/01/1900		
12. SEXUAL ASSUALT	F	01/01/1900		
13. SEXUAL ASSAULT	F	01/01/1900		
13. SEXUAL ASSUALT	F	01/01/1900		
14. SEXUAL ASSAULT	F	01/01/1900		
14. SEXUAL ASSUALT	F	01/01/1900		
15. LEWDNESS WITH CHILD UNDER 14 YEARS	F	01/01/1900		
16. LEWDNESS WITH CHILD UNDER 14 YEARS	F	01/01/1900		
17. LEWDNESS WITH CHILD UNDER 14 YEARS	F	01/01/1900		
18. LEWDNESS WITH CHILD UNDER 14 YEARS	F	01/01/1900		
19. LEWDNESS WITH CHILD UNDER 14 YEARS	F	01/01/1900		
20. LEWDNESS WITH CHILD UNDER 14 YEARS	F	01/01/1900		

Related Cases

06F12241X (Bind Over Related Case)

A-18-780636-W (Writ Related Case)

Statistical Closures

10/10/2011 Other Manner of Disposition - Criminal

CASE SUMMARY**CASE NO. 06C225668**

09/08/2008 USJR Reporting Statistical Closure
 01/28/2009 USJR Reporting Statistical Closure

DATE	CASE ASSIGNMENT
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Current Case Assignment

Case Number	06C225668
Court	Department 19
Date Assigned	01/05/2015
Judicial Officer	Kephart, William D.

PARTY INFORMATION**Defendant Rencher Jr, Eddie****Plaintiff State of Nevada****Wolfson, Steven B**
702-671-2700(W)
















DATE	EVENTS & ORDERS OF THE COURT	INDEX
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EVENTS

08/31/2006	 Criminal Bindover	
08/31/2006	 Information	
10/24/2006	 Notice of Expert Witnesses <i>Notice of Expert Witnesses [NRS 174.234(2)]</i>	
10/24/2006	 Notice of Witnesses <i>Notice of Witnesses [NRS 174.234 (1)(a)]</i>	
04/24/2007	 Motion for Discovery	
05/01/2007	 Opposition to Motion <i>State's Opposition to Defendant's Motion for Discovery</i>	
05/03/2007	 Notice of Witnesses and/or Expert Witnesses <i>Supplemental Notice of Witnesses and/or Expert Witnesses [NRS 174.234]</i>	
05/10/2007	 Receipt of Copy	
05/15/2007	 Filed Under Seal <i>Order Releasing all Department of Child and Family Services Records, Child Protective Services Records and Child Haven Records Pertaining to Subject Minor, Dakota Harris for In-Camera Inspection by Court (Sealed)</i>	
06/12/2007	 Notice of Motion <i>Notice of Motion and Motion to Admit Evidence of Other Crimes, Wrongs or Acts</i>	
06/13/2007	 Motion to Continue Trial <i>Motion to Continue Trial Date</i>	
















CASE SUMMARY

CASE NO. 06C225668

06/15/2007	 Opposition to Motion Filed By: Defendant Rencher Jr, Eddie <i>Rencher's Opposition to State's Motion to Admit Bad Acts</i>
06/28/2007	 Reporters Transcript <i>Transcript of Hearing Held on August 28, 2006</i>
09/27/2007	 Order Filed By: Defendant Rencher Jr, Eddie <i>Order for Appointment of Counsel</i>
09/27/2007	 Ex Parte Order Filed By: Defendant Rencher Jr, Eddie <i>Ex Parte Order for Retention of Investigative Services</i>
10/02/2007	 Receipt of Copy Filed by: Defendant Rencher Jr, Eddie
10/02/2007	 Supplemental Filed by: Defendant Rencher Jr, Eddie <i>Supplemental Motion for Discovery</i>
10/03/2007	 Certificate of Facsimile Filed By: Defendant Rencher Jr, Eddie
11/01/2007	 Motion to Compel <i>Motion to Compel Psychiatric Examination of Complaining Witness Dakota Harris</i>
11/13/2007	 Opposition to Motion <i>Opposition to Defendant's Motion to Compel Psychiatric Examination of Complaining Witness Dakota Harris</i>
11/15/2007	 Supplemental <i>Supplemental Motion for Discovery</i>
11/15/2007	 Receipt of Copy Filed by: Defendant Rencher Jr, Eddie
11/16/2007	 Notice of Witnesses Party: Defendant Rencher Jr, Eddie
11/16/2007	 Ex Parte Application Party: Defendant Rencher Jr, Eddie <i>Ex Parte Application for Order Shortening Time</i>
11/16/2007	 Response <i>State's Response to Defendant's Ex Parte Application for Order Shortening Time and State's Motion in Limine</i>
11/20/2007	 Motion <i>Motion to Preserve Testimony of Brianna Chapman</i>

CASE SUMMARY

CASE NO. 06C225668

11/20/2007	 Ex Parte Application Party: Defendant Rencher Jr, Eddie <i>Ex Parte Application for Order Shortening Time</i>
11/20/2007	 Certificate of Facsimile Filed By: Defendant Rencher Jr, Eddie <i>Certificate of Fasimile Service</i>
11/20/2007	 Certificate of Facsimile Filed By: Defendant Rencher Jr, Eddie <i>Certificate of Fasimile Service</i>
11/21/2007	 Ex Parte Filed By: Defendant Rencher Jr, Eddie <i>Ex Parte Request and Order for More Money for Investigative Services</i>
11/21/2007	 Subpoena Duces Tecum Filed by: Defendant Rencher Jr, Eddie
11/26/2007	 Opposition to Motion <i>State's Opposition to Defendant's Motion to Preserve Testimony of Brianna Chapman (Correct Spelling Chatmon)</i>
11/29/2007	 Receipt of Copy
12/03/2007	 Order Denying Motion <i>Order Denying Defendant's Motion to Compel Psychiatric Exam of Complaining Witness, Dakota Harris</i>
12/11/2007	 Ex Parte Order Filed By: Defendant Rencher Jr, Eddie <i>Exparte Order for Transcript</i>
01/08/2008	 Reporters Transcript <i>Transcript of Hearing Held on September 21, 2007</i>
01/11/2008	 Request Filed by: Defendant Rencher Jr, Eddie <i>Request for Copy(ies) or to View a Juvenile File</i>
01/18/2008	 Order Filed By: Defendant Rencher Jr, Eddie
02/08/2008	 Order <i>Expedited Order for Transcript</i>
02/19/2008	 Reporters Transcript <i>Transcript of Hearing Held on January 30, 2008</i>
03/05/2008	 Order Denying Motion <i>Order Denying State's Motion to Exclude Testimony of Brianna Chatmon</i>
04/08/2008	











CASE SUMMARY

CASE NO. 06C225668

	 Notice of Motion <i>Notice of Motion and Motion to Admit Evidence of Other Crimes, Wrongs or Acts</i>
04/09/2008	 Order <i>Order Releasing Confidential Records for In-Camera Inspection by Court</i>
04/09/2008	 Ex Parte Motion <i>Ex Parte Motion for Release of Confidential Records for In-Camera Inspection by Court</i>
04/11/2008	 Notice of Motion
04/11/2008	 Notice of Motion
04/15/2008	 Opposition to Motion <i>State's Opposition to Defendant's Motion to Preclude Use of Prejudicial Term "Victim"</i>
04/15/2008	 Opposition to Motion in Limine <i>State's Opposition to Defendant's Motion in Limine to Preclude Impermissible Testimony at Trial</i>
04/16/2008	 Motion <i>Motion for Jury Questionnaire with Memorandum and Proposed Questionnaire</i>
04/16/2008	 Notice of Witnesses <i>Second Supplemental Notice of Witnesses [NRS 174.234]</i>
04/16/2008	 Notice of Witnesses Party: Defendant Rencher Jr, Eddie <i>Third Supplemental Notice of Witnesses</i>
04/17/2008	 Opposition to Motion <i>State's Opposition to Defendant's Motion for Jury Questionnaire with Memorandum and Proposed Questionnaire</i>
04/18/2008	 Opposition to Motion Filed By: Defendant Rencher Jr, Eddie <i>Rencher's Opposition to States' Motion to Admit Bad Acts, Evidence of Other Crimes, Wrong Acts</i>
04/21/2008	 Motion to Quash <i>Motion to Quash Subpoena for Records of Brianna Chatmon, Cortez Bowen and Chandler Clayton</i>
04/21/2008	 Motion to Quash <i>Motion to Quash Subpoena for Employee Personnel Records</i>
04/21/2008	 Motion to Quash <i>Motion to Quash Subpoena Requesting Testimony of Foster Children Brianna Chatmon and Chandler Clayton</i>
04/21/2008	 Amended Information

CASE SUMMARY

CASE NO. 06C225668

04/23/2008	 Opposition to Motion Filed By: Defendant Rencher Jr, Eddie <i>Rencher's Opposition to States' Motion to Quash</i>
04/23/2008	 Receipt of Copy
04/24/2008	 Objection <i>Objection to Inspection of File and Motion to Quash Subpoena</i>
04/24/2008	 Motion to Dismiss <i>Discussion Defendant's Motion to Dismiss on Grounds of the State's Failure to Comply with Brady and Provide Defendant with Material Evidence Necessary to Defense</i>
04/25/2008	 Order <i>Order on Motions to Quash</i>
04/25/2008	 Order Denying Motion <i>Order Denying Defendant's Motion to Preclude the use of Prejudicial Term "Victim"</i>
04/28/2008	 Notice of Entry of Order Filed By: Defendant Rencher Jr, Eddie
05/05/2008	 Order <i>Order for Transcript</i>
05/05/2008	 Receipt of Copy
05/08/2008	 Order Granting Motion Filed By: Defendant Rencher Jr, Eddie <i>Order Partially Granting State's Motion to Admit Evidence of Other Crimes, Wrongs or Acts</i>
05/08/2008	 Order Granting Motion <i>Order Granting Defense Motion to Preclude Impermissible Testimony of Nurse</i>
05/15/2008	 Reporters Transcript <i>Transcript of Hearing Held on April 24, 2008</i>
05/23/2008	 Order Denying Motion <i>Order Denying Defendant's Motion to Dismiss on Grounds of State's Failure to Comply With Brady</i>
05/30/2008	 Ex Parte Filed By: Defendant Rencher Jr, Eddie <i>Ex Parte Request and Order for More Money for Investigative Services</i>
06/02/2008	 Notice of Motion <i>Notice of Motion and Motion in Limine to Strike Defense Expert Witness Karen Cruey, M.D.</i>
06/03/2008	 Opposition to Motion in Limine Filed By: Defendant Rencher Jr, Eddie <i>Defendant's Opposition to the State's Motion in Limine to Strike Defense Witness Karen Cruey, M.D.</i>

CASE SUMMARY

CASE NO. 06C225668

06/03/2008	 Notice of Witnesses Party: Defendant Rencher Jr, Eddie <i>Amended Notice of Witnesses</i>
06/09/2008	 Notice of Witnesses <i>Notice of Rebuttal Witness [NRS 174.234]</i>
06/10/2008	 Notice of Witnesses Party: Defendant Rencher Jr, Eddie <i>Amended Notice of Rebuttal Witness [NRS 174.234]</i>
06/19/2008	 Ex Parte <i>Ex Parte Request and Order for Expert Witness Fees</i>
07/02/2008	 Order to Show Cause
07/07/2008	 Jury List
07/08/2008	 Amended Jury List
07/09/2008	 Verdict Party: Defendant Rencher Jr, Eddie
07/09/2008	 Instructions to the Jury
07/09/2008	 Amended Jury List <i>Second Amended Jury List</i>
08/19/2008	 PSI <i>Pre-Sentence Investigation Report (Unfiled) Confidential</i>
08/27/2008	 Motion to Withdraw As Counsel <i>Motion to Withdraw as Counsel of Record</i>
09/04/2008	 Notice of Appeal (criminal) Party: Defendant Rencher Jr, Eddie <i>Timely Filed 10 day Notice to Proceed to Suprem Court Notice to Appeal</i>
09/05/2008	 Case Appeal Statement Filed By: Defendant Rencher Jr, Eddie
09/05/2008	 Notice of Appeal (criminal) Party: Defendant Rencher Jr, Eddie <i>Notice of Appeal</i>
09/05/2008	 Receipt of Copy Filed by: Defendant Rencher Jr, Eddie
09/05/2008	 Case Appeal Statement Filed By: Defendant Rencher Jr, Eddie

















CASE SUMMARY

CASE NO. 06C225668

09/05/2008	 Notice of Appeal (criminal) <i>Notice of Appeal</i>
09/17/2008	 Order Filed By: Defendant Rencher Jr, Eddie
09/23/2008	 Judgment of Conviction <i>Judgment of Conviction (Jury Trial)</i>
10/09/2008	 Notice of Entry of Order Filed By: Defendant Rencher Jr, Eddie
10/13/2008	 Order Filed By: Defendant Rencher Jr, Eddie <i>Order Appointing Appellate Counsel</i>
10/29/2008	 Order Filed By: Defendant Rencher Jr, Eddie <i>Order Authorizing the Preparation of Transcripts at State's Expense</i>
11/24/2008	 Reporters Transcript <i>Transcript of Hearing Held on July 9, 2008</i>
11/24/2008	 Reporters Transcript <i>Transcript of Hearing Held on July 7, 2008</i>
11/24/2008	 Reporters Transcript <i>Transcript of Hearing Held on July 8, 2008</i>
12/16/2008	 Reporters Transcript <i>Transcript of Hearing Held on July 3, 2008</i>
12/19/2008	 Reporters Transcript <i>Transcript of Hearing Held on October 15, 2007</i>
12/19/2008	 Reporters Transcript <i>Transcript of Hearing Held on April 28, 2008</i>
12/19/2008	 Reporters Transcript <i>Transcript of Hearing Held on September 14, 2007</i>
12/19/2008	 Reporters Transcript <i>Transcript of Hearing Held on July 30, 2007</i>
12/19/2008	 Reporters Transcript <i>Transcript of Hearing Held on November 21, 2007</i>
12/19/2008	 Reporters Transcript <i>Transcript of Hearing Held on April 23, 2008</i>
12/19/2008	 Reporters Transcript

CASE SUMMARY

CASE NO. 06C225668

	<i>Transcript of Hearing Held on May 19, 2008</i>
12/19/2008	 Reporters Transcript <i>Transcript of Hearing Held on April 24, 2008</i>
12/19/2008	 Reporters Transcript <i>Transcript of Hearing Held on December 7, 2007</i>
12/19/2008	 Reporters Transcript <i>Transcript of Hearing Held on April 21, 2008</i>
01/06/2009	 Motion <i>Motion for Payment of Funds for Invoice Submitted by Attorney</i>
01/28/2009	 Opposition to Motion <i>Opposition to Motion for Payment of Funds per Invoice Submitted by Attorney</i>
12/06/2009	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>Nevada Supreme Court Clerk's Certificate Judgment - Affirmed</i>
03/04/2010	 Petition for Writ of Habeas Corpus <i>Petition for Writ of Habeas Corpus (Post-Conviction); Evidentiary Hearing Requested</i>
03/04/2010	 Certificate Filed By: Defendant Rencher Jr, Eddie <i>Certificate of Inmate's Institutional Account</i>
03/04/2010	 Application to Proceed in Forma Pauperis Filed By: Defendant Rencher Jr, Eddie
03/05/2010	 Order for Petition for Writ of Habeas Corpus
05/18/2010	 Opposition <i>State's Opposition to Defendant's Petition for Writ of Habeas Corpus (Post-Conviction)</i>
05/20/2010	 Motion <i>Petitioner's Motion for Confession of Error and/or Motion to Strike any Improper Response</i>
05/24/2010	 Order for Production of Inmate <i>Order for Production of Inmate Eddie Rencher, Jr., BAC # 1024946</i>
06/08/2010	 Order Denying Motion <i>Order Denying Defendant's Pro Per Motion for Confession of Error</i>
06/16/2010	 Order Filed By: Defendant Rencher Jr, Eddie <i>Order to Appoint Counsel and Waive District Court Filing Fees</i>
09/30/2010	 Motion Filed By: Defendant Rencher Jr, Eddie <i>Motion to Place on Calendar for Appointment of Investigator</i>















CASE SUMMARY

CASE NO. 06C225668

10/11/2010	 Opposition to Motion <i>State's Opposition to Defendant's Motion to Place on Calendar for Appointment of Investigator</i>
10/18/2010	 Order
11/19/2010	 Stipulation and Order <i>Stipulation and Order to Set Briefing Schedule</i>
01/28/2011	 Writ of Habeas Corpus <i>Supplemental Writ of Habeas Corpus for Post-Conviction Relief and Request for Evidentiary Hearing</i>
02/07/2011	 Exhibits Filed By: Defendant Rencher Jr, Eddie <i>Petitioner's Exhibits for Supplemental Writ of Habeas Corpus for Post-Conviction Relief and Request for Evidentiary Hearing</i>
03/24/2011	 Opposition <i>State's Opposition to Defendant's Supplemental Petition for Writ of Habeas Corpus (Post-Conviction)</i>
03/24/2011	 Supplemental <i>State's Supplemental to State's Opposition to Defendant's Supplemental Petition for Writ of Habeas Corpus (Post-Conviction)</i>
03/25/2011	 Ex Parte Application <i>Ex-Parte Application for an Order for Expert Witness Fees</i>
04/28/2011	 Reply to Opposition <i>Reply to State's Opposition to Defendant's Petition for Writ of Habeas Corpus (Post-Conviction)</i>
05/05/2011	 Supplemental Filed by: Defendant Rencher Jr, Eddie <i>Supplemental Exhibit to Defendant's Reply to State's Opposition to Defendant's Petition for Writ of Habeas Corpus (Post-Conviction)</i>
05/11/2011	 Order for Production of Inmate <i>Order for Production of Inmate Eddie Rencher, Jr., BAC # 1024946</i>
06/30/2011	 Transcript of Proceedings Party: Plaintiff State of Nevada <i>Transcript of Hearing Held on June 17, 2011</i>
08/15/2011	 Findings of Fact, Conclusions of Law and Order Filed By: Plaintiff State of Nevada
09/20/2011	 Notice of Entry of Decision and Order
09/23/2011	 Notice of Appeal (criminal) Party: Defendant Rencher Jr, Eddie <i>Notice of Appeal</i>











CASE SUMMARY

CASE NO. 06C225668

09/26/2011	 Order to Withdraw as Attorney of Record Filed by: Defendant Rencher Jr, Eddie <i>Order to Withdraw Defense Counsel as Attorney of Record</i>
09/27/2011	 Case Appeal Statement Filed By: Plaintiff State of Nevada
09/28/2011	 Notice of Appeal (criminal) Party: Defendant Rencher Jr, Eddie <i>Notice of Appeal</i>
09/30/2011	 Case Appeal Statement
10/07/2011	 Criminal Order to Statistically Close Case
07/17/2012	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>Nevada Supreme Court Clerk's Certificate Judgment - Affirmed</i>
12/19/2012	 Certificate of Mailing Filed By: Defendant Rencher Jr, Eddie <i>Certificate of Mailing (File Verification)</i>
11/17/2014	 Exhibits Filed By: Defendant Rencher Jr, Eddie <i>Index of Exhibits in Support of Petition for Writ of Habeas Corpus (Post-Conviction) Volume 1 of 2</i>
11/17/2014	 Exhibits Filed By: Defendant Rencher Jr, Eddie <i>Index of Exhibits in Support of Petition for Writ of Habeas Corpus (Post-Conviction) Volume 2 of 2</i>
11/21/2014	 Inmate Filed - Petition for Writ of Habeas Corpus Party: Defendant Rencher Jr, Eddie <i>Petition for Writ of Habeas Corpus (Post-Conviction)</i>
11/25/2014	 Order for Petition for Writ of Habeas Corpus
01/05/2015	Case Reassigned to Department 19 <i>District Court Case Reassignment 2015</i>
01/07/2015	 Response Filed by: Plaintiff State of Nevada <i>State's Response and Motion to Dismiss Defendant's Petition for Writ of Habeas Corpus (Post-Conviction)</i>
02/08/2015	 Notice of Appeal (criminal) <i>Notice of Appeal</i>
02/10/2015	 Findings of Fact, Conclusions of Law and Order Filed By: Plaintiff State of Nevada

CASE SUMMARY

CASE NO. 06C225668

02/17/2015	 Notice of Entry Filed By: Plaintiff State of Nevada <i>Notice of Entry of Findings of Fact, Conclusions of Law and Order</i>
02/23/2015	 Notice of Appeal (criminal) Party: Defendant Rencher Jr, Eddie <i>Notice of Appeal</i>
02/24/2015	 Case Appeal Statement Filed By: Defendant Rencher Jr, Eddie
03/02/2015	 Case Appeal Statement Filed By: Defendant Rencher Jr, Eddie
07/17/2015	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>Nevada Supreme Court Clerk's Certificate Judgment - Affirmed</i>
01/18/2019	 Findings of Fact, Conclusions of Law and Order
01/23/2019	 Notice of Entry Filed By: Plaintiff State of Nevada <i>Notice of Entry of Findings of Fact, Conclusions of Law and Order</i>
02/21/2019	 Notice of Appeal (criminal) <i>Notice of Appeal</i>
02/21/2019	 Designation of Record on Appeal <i>Designation of Record on Appeal</i>
02/25/2019	 Case Appeal Statement Filed By: Defendant Rencher Jr, Eddie <i>Case Appeal Statement</i>

DISPOSITIONS

01/01/1900	Plea (Judicial Officer: User, Conversion) 1. SEXUAL ASSAULT Not Guilty PCN: Sequence:
01/01/1900	Plea (Judicial Officer: User, Conversion) 1. SEXUAL ASSAULT Not Guilty PCN: Sequence:
01/01/1900	Plea (Judicial Officer: User, Conversion) 2. SEXUAL ASSAULT Not Guilty PCN: Sequence:
01/01/1900	Plea (Judicial Officer: User, Conversion) 2. SEXUAL ASSAULT Not Guilty PCN: Sequence:

CASE SUMMARY

CASE NO. 06C225668

01/01/1900 **Plea** (Judicial Officer: User, Conversion)
3. SEXUAL ASSAULT
Not Guilty
PCN: Sequence:

01/01/1900 **Plea** (Judicial Officer: User, Conversion)
3. SEXUAL ASSAULT
Not Guilty
PCN: Sequence:

01/01/1900 **Plea** (Judicial Officer: User, Conversion)
4. SEXUAL ASSAULT
Not Guilty
PCN: Sequence:

01/01/1900 **Plea** (Judicial Officer: User, Conversion)
4. SEXUAL ASSAULT
Not Guilty
PCN: Sequence:

01/01/1900 **Plea** (Judicial Officer: User, Conversion)
5. SEXUAL ASSAULT
Not Guilty
PCN: Sequence:

01/01/1900 **Plea** (Judicial Officer: User, Conversion)
5. SEXUAL ASSAULT
Not Guilty
PCN: Sequence:

01/01/1900 **Plea** (Judicial Officer: User, Conversion)
6. SEXUAL ASSAULT
Not Guilty
PCN: Sequence:

01/01/1900 **Plea** (Judicial Officer: User, Conversion)
6. SEXUAL ASSAULT
Not Guilty
PCN: Sequence:

01/01/1900 **Plea** (Judicial Officer: User, Conversion)
7. SEXUAL ASSAULT
Not Guilty
PCN: Sequence:

01/01/1900 **Plea** (Judicial Officer: User, Conversion)
7. SEXUAL ASSAULT
Not Guilty
PCN: Sequence:

CASE SUMMARY

CASE NO. 06C225668

01/01/1900 **Plea** (Judicial Officer: User, Conversion)
8. SEXUAL ASSAULT
Not Guilty
PCN: Sequence:

01/01/1900 **Plea** (Judicial Officer: User, Conversion)
8. SEXUAL ASSAULT
Not Guilty
PCN: Sequence:

01/01/1900 **Plea** (Judicial Officer: User, Conversion)
9. SEXUAL ASSAULT
Not Guilty
PCN: Sequence:

01/01/1900 **Plea** (Judicial Officer: User, Conversion)
9. SEXUAL ASSAULT
Not Guilty
PCN: Sequence:

01/01/1900 **Plea** (Judicial Officer: User, Conversion)
10. SEXUAL ASSAULT
Not Guilty
PCN: Sequence:

01/01/1900 **Plea** (Judicial Officer: User, Conversion)
10. SEXUAL ASSAULT
Not Guilty
PCN: Sequence:

01/01/1900 **Plea** (Judicial Officer: User, Conversion)
11. SEXUAL ASSAULT
Not Guilty
PCN: Sequence:

01/01/1900 **Plea** (Judicial Officer: User, Conversion)
11. SEXUAL ASSAULT
Not Guilty
PCN: Sequence:

01/01/1900 **Plea** (Judicial Officer: User, Conversion)
12. SEXUAL ASSAULT
Not Guilty
PCN: Sequence:

01/01/1900 **Plea** (Judicial Officer: User, Conversion)
12. SEXUAL ASSAULT
Not Guilty
PCN: Sequence:

CASE SUMMARY

CASE NO. 06C225668

01/01/1900	Plea (Judicial Officer: User, Conversion) 13. SEXUAL ASSAULT Not Guilty PCN: Sequence:
01/01/1900	Plea (Judicial Officer: User, Conversion) 13. SEXUAL ASSAULT Not Guilty PCN: Sequence:
01/01/1900	Plea (Judicial Officer: User, Conversion) 14. SEXUAL ASSAULT Not Guilty PCN: Sequence:
01/01/1900	Plea (Judicial Officer: User, Conversion) 14. SEXUAL ASSAULT Not Guilty PCN: Sequence:
01/01/1900	Plea (Judicial Officer: User, Conversion) 15. LEWDNESS WITH CHILD UNDER 14 YEARS Not Guilty PCN: Sequence:
01/01/1900	Plea (Judicial Officer: User, Conversion) 16. LEWDNESS WITH CHILD UNDER 14 YEARS Not Guilty PCN: Sequence:
01/01/1900	Plea (Judicial Officer: User, Conversion) 17. LEWDNESS WITH CHILD UNDER 14 YEARS Not Guilty PCN: Sequence:
01/01/1900	Plea (Judicial Officer: User, Conversion) 18. LEWDNESS WITH CHILD UNDER 14 YEARS Not Guilty PCN: Sequence:
01/01/1900	Plea (Judicial Officer: User, Conversion) 19. LEWDNESS WITH CHILD UNDER 14 YEARS Not Guilty PCN: Sequence:
01/01/1900	Plea (Judicial Officer: User, Conversion) 20. LEWDNESS WITH CHILD UNDER 14 YEARS Not Guilty PCN: Sequence:
07/09/2008	Disposition (Judicial Officer: User, Conversion)

CASE SUMMARY

CASE NO. 06C225668

	2. SEXUAL ASSAULT Not Guilty PCN: Sequence:
07/09/2008	Disposition (Judicial Officer: User, Conversion) 2. SEXUAL ASSUALT Not Guilty PCN: Sequence:
07/09/2008	Disposition (Judicial Officer: User, Conversion) 8. SEXUAL ASSAULT Not Guilty PCN: Sequence:
07/09/2008	Disposition (Judicial Officer: User, Conversion) 8. SEXUAL ASSUALT Not Guilty PCN: Sequence:
07/09/2008	Disposition (Judicial Officer: User, Conversion) 9. SEXUAL ASSAULT Not Guilty PCN: Sequence:
07/09/2008	Disposition (Judicial Officer: User, Conversion) 9. SEXUAL ASSUALT Not Guilty PCN: Sequence:
07/09/2008	Disposition (Judicial Officer: User, Conversion) 10. SEXUAL ASSAULT Not Guilty PCN: Sequence:
07/09/2008	Disposition (Judicial Officer: User, Conversion) 10. SEXUAL ASSUALT Not Guilty PCN: Sequence:
07/09/2008	Disposition (Judicial Officer: User, Conversion) 13. SEXUAL ASSAULT Not Guilty PCN: Sequence:
07/09/2008	Disposition (Judicial Officer: User, Conversion) 13. SEXUAL ASSUALT Not Guilty PCN: Sequence:
08/27/2008	Disposition (Judicial Officer: User, Conversion) 1. SEXUAL ASSAULT

CASE SUMMARY**CASE NO. 06C225668**

	Guilty PCN: Sequence:
08/27/2008	Disposition (Judicial Officer: User, Conversion)
08/27/2008	Disposition (Judicial Officer: User, Conversion) 1. SEXUAL ASSUALT Guilty PCN: Sequence:
08/27/2008	Disposition (Judicial Officer: User, Conversion) 3. SEXUAL ASSAULT Guilty PCN: Sequence:
08/27/2008	Disposition (Judicial Officer: User, Conversion)
08/27/2008	Disposition (Judicial Officer: User, Conversion) 3. SEXUAL ASSUALT Guilty PCN: Sequence:
08/27/2008	Disposition (Judicial Officer: User, Conversion) 4. SEXUAL ASSAULT Guilty PCN: Sequence:
08/27/2008	Disposition (Judicial Officer: User, Conversion)
08/27/2008	Disposition (Judicial Officer: User, Conversion) 4. SEXUAL ASSUALT Guilty PCN: Sequence:
08/27/2008	Disposition (Judicial Officer: User, Conversion) 5. SEXUAL ASSAULT Guilty PCN: Sequence:
08/27/2008	Disposition (Judicial Officer: User, Conversion)
08/27/2008	Disposition (Judicial Officer: User, Conversion) 5. SEXUAL ASSUALT Guilty PCN: Sequence:
08/27/2008	Disposition (Judicial Officer: User, Conversion) 6. SEXUAL ASSAULT Guilty PCN: Sequence:
08/27/2008	Disposition (Judicial Officer: User, Conversion)

CASE SUMMARY

CASE NO. 06C225668

08/27/2008	Disposition (Judicial Officer: User, Conversion) 6. SEXUAL ASSUALT Guilty PCN: Sequence:
08/27/2008	Disposition (Judicial Officer: User, Conversion) 7. SEXUAL ASSAULT Guilty PCN: Sequence:
08/27/2008	Disposition (Judicial Officer: User, Conversion)
08/27/2008	Disposition (Judicial Officer: User, Conversion) 7. SEXUAL ASSUALT Guilty PCN: Sequence:
08/27/2008	Disposition (Judicial Officer: User, Conversion) 11. SEXUAL ASSAULT Guilty PCN: Sequence:
08/27/2008	Disposition (Judicial Officer: User, Conversion)
08/27/2008	Disposition (Judicial Officer: User, Conversion) 11. SEXUAL ASSUALT Guilty PCN: Sequence:
08/27/2008	Disposition (Judicial Officer: User, Conversion) 12. SEXUAL ASSAULT Guilty PCN: Sequence:
08/27/2008	Disposition (Judicial Officer: User, Conversion)
08/27/2008	Disposition (Judicial Officer: User, Conversion) 12. SEXUAL ASSUALT Guilty PCN: Sequence:
08/27/2008	Disposition (Judicial Officer: User, Conversion) 14. SEXUAL ASSAULT Guilty PCN: Sequence:
08/27/2008	Disposition (Judicial Officer: User, Conversion)
08/27/2008	Disposition (Judicial Officer: User, Conversion) 14. SEXUAL ASSUALT Guilty PCN: Sequence:

CASE SUMMARY**CASE NO. 06C225668**

08/27/2008	Disposition (Judicial Officer: User, Conversion) 15. LEWDNESS WITH CHILD UNDER 14 YEARS Guilty PCN: Sequence:
08/27/2008	Disposition (Judicial Officer: User, Conversion)
08/27/2008	Disposition (Judicial Officer: User, Conversion) 16. LEWDNESS WITH CHILD UNDER 14 YEARS Guilty PCN: Sequence:
08/27/2008	Disposition (Judicial Officer: User, Conversion)
08/27/2008	Disposition (Judicial Officer: User, Conversion) 17. LEWDNESS WITH CHILD UNDER 14 YEARS Guilty PCN: Sequence:
08/27/2008	Disposition (Judicial Officer: User, Conversion)
08/27/2008	Disposition (Judicial Officer: User, Conversion) 18. LEWDNESS WITH CHILD UNDER 14 YEARS Guilty PCN: Sequence:
08/27/2008	Disposition (Judicial Officer: User, Conversion)
08/27/2008	Disposition (Judicial Officer: User, Conversion) 19. LEWDNESS WITH CHILD UNDER 14 YEARS Guilty PCN: Sequence:
08/27/2008	Disposition (Judicial Officer: User, Conversion)
08/27/2008	Disposition (Judicial Officer: User, Conversion) 20. LEWDNESS WITH CHILD UNDER 14 YEARS Guilty PCN: Sequence:
08/27/2008	Disposition (Judicial Officer: User, Conversion)
08/27/2008	Adult Adjudication (Judicial Officer: User, Conversion) 1. SEXUAL ASSAULT 01/01/1900 (F) 200.366 (200.366) PCN: Sequence:

Converted Disposition:

Sentence# 0001: LIFE WITHOUT POSSIBILITY OF PAROLE

Converted Disposition:

Sentence# 0002: LIFETIME SUPERVISION

Converted Disposition:

Sentence# 0003: CREDIT FOR TIME SERVED

CASE SUMMARY

CASE NO. 06C225668

08/27/2008	<p>Minimum 775 Days to Maximum 775 Days</p> <p>Converted Disposition: Sentence# 0004: DNA FEE/GENETIC MARKERS ANALYSIS Amount: \$150.00</p> <p>Converted Disposition: Sentence# 0005: ADMINISTRATION FEE Amount: \$25.00</p> <p>Adult Adjudication (Judicial Officer: User, Conversion)</p> <p>3. SEXUAL ASSAULT 01/01/1900 (F) 200.366 (200.366) PCN: Sequence:</p> <hr/> <p>Converted Disposition: Sentence# 0001: LIFE WITHOUT POSSIBILITY OF PAROLE Cons/Conc: Concurrent w/Charge Item: 0001 and Sentence#: 0001</p>
08/27/2008	<p>Adult Adjudication (Judicial Officer: User, Conversion)</p> <p>4. SEXUAL ASSAULT 01/01/1900 (F) 200.366 (200.366) PCN: Sequence:</p> <hr/> <p>Converted Disposition: Sentence# 0001: LIFE WITHOUT POSSIBILITY OF PAROLE Cons/Conc: Concurrent w/Charge Item: 0005 and Sentence#: 0001</p>
08/27/2008	<p>Adult Adjudication (Judicial Officer: User, Conversion)</p> <p>5. SEXUAL ASSAULT 01/01/1900 (F) 200.366 (200.366) PCN: Sequence:</p> <hr/> <p>Converted Disposition: Sentence# 0001: LIFE WITHOUT POSSIBILITY OF PAROLE Cons/Conc: Concurrent w/Charge Item: 0005 and Sentence#: 0001</p>
08/27/2008	<p>Adult Adjudication (Judicial Officer: User, Conversion)</p> <p>6. SEXUAL ASSAULT 01/01/1900 (F) 200.366 (200.366) PCN: Sequence:</p> <hr/> <p>Converted Disposition: Sentence# 0001: LIFE WITHOUT POSSIBILITY OF PAROLE Cons/Conc: Concurrent w/Charge Item: 0005 and Sentence#: 0001</p>
08/27/2008	<p>Adult Adjudication (Judicial Officer: User, Conversion)</p> <p>7. SEXUAL ASSAULT 01/01/1900 (F) 200.366 (200.366) PCN: Sequence:</p> <hr/> <p>Converted Disposition: Sentence# 0001: LIFE WITHOUT POSSIBILITY OF PAROLE Cons/Conc: Concurrent w/Charge Item: 0005 and Sentence#: 0001</p>

CASE SUMMARY**CASE NO. 06C225668**

08/27/2008	<p>Adult Adjudication (Judicial Officer: User, Conversion) 11. SEXUAL ASSAULT 01/01/1900 (F) 200.366 (200.366) PCN: Sequence:</p> <hr/> <p>Converted Disposition: Sentence# 0001: LIFE WITHOUT POSSIBILITY OF PAROLE Cons/Conc: Concurrent w/Charge Item: 0005 and Sentence#: 0001</p>
08/27/2008	<p>Adult Adjudication (Judicial Officer: User, Conversion) 12. SEXUAL ASSAULT 01/01/1900 (F) 200.366 (200.366) PCN: Sequence:</p> <hr/> <p>Converted Disposition: Sentence# 0001: LIFE WITHOUT POSSIBILITY OF PAROLE Cons/Conc: Concurrent w/Charge Item: 0005 and Sentence#: 0001</p>
08/27/2008	<p>Adult Adjudication (Judicial Officer: User, Conversion) 14. SEXUAL ASSAULT 01/01/1900 (F) 200.366 (200.366) PCN: Sequence:</p> <hr/> <p>Converted Disposition: Sentence# 0001: LIFE WITHOUT POSSIBILITY OF PAROLE Cons/Conc: Concurrent w/Charge Item: 0005 and Sentence#: 0001</p>
08/27/2008	<p>Adult Adjudication (Judicial Officer: User, Conversion) 15. LEWDNESS WITH CHILD UNDER 14 YEARS 01/01/1900 (F) 201.230 (201.230) PCN: Sequence:</p> <hr/> <p>Converted Disposition: Sentence# 0001: LIFE WITHOUT POSSIBILITY OF PAROLE Cons/Conc: Concurrent w/Charge Item: 0005 and Sentence#: 0001</p>
08/27/2008	<p>Adult Adjudication (Judicial Officer: User, Conversion) 16. LEWDNESS WITH CHILD UNDER 14 YEARS 01/01/1900 (F) 201.230 (201.230) PCN: Sequence:</p> <hr/> <p>Converted Disposition: Sentence# 0001: LIFE WITHOUT POSSIBILITY OF PAROLE Cons/Conc: Concurrent w/Charge Item: 0005 and Sentence#: 0001</p>
08/27/2008	<p>Adult Adjudication (Judicial Officer: User, Conversion) 17. LEWDNESS WITH CHILD UNDER 14 YEARS 01/01/1900 (F) 201.230 (201.230) PCN: Sequence:</p> <hr/> <p>Converted Disposition: Sentence# 0001: LIFE WITHOUT POSSIBILITY OF PAROLE Cons/Conc: Concurrent</p>

CASE SUMMARY

CASE No. 06C225668

	<p>w/Charge Item: 0005 and Sentence#: 0001</p>
08/27/2008	<p>Adult Adjudication (Judicial Officer: User, Conversion) 18. LEWDNESS WITH CHILD UNDER 14 YEARS 01/01/1900 (F) 201.230 (201.230) PCN: Sequence:</p> <hr/> <p>Converted Disposition: Sentence# 0001: LIFE WITHOUT POSSIBILITY OF PAROLE Cons/Conc: Concurrent w/Charge Item: 0005 and Sentence#: 0001</p>
08/27/2008	<p>Adult Adjudication (Judicial Officer: User, Conversion) 19. LEWDNESS WITH CHILD UNDER 14 YEARS 01/01/1900 (F) 201.230 (201.230) PCN: Sequence:</p> <hr/> <p>Converted Disposition: Sentence# 0001: LIFE WITHOUT POSSIBILITY OF PAROLE Cons/Conc: Concurrent w/Charge Item: 0005 and Sentence#: 0001</p>
08/27/2008	<p>Adult Adjudication (Judicial Officer: User, Conversion) 20. LEWDNESS WITH CHILD UNDER 14 YEARS 01/01/1900 (F) 201.230 (201.230) PCN: Sequence:</p> <hr/> <p>Converted Disposition: Sentence# 0001: LIFE WITHOUT POSSIBILITY OF PAROLE Cons/Conc: Concurrent w/Charge Item: 0005 and Sentence#: 0001</p>
	<p>HEARINGS</p>
09/11/2006	<p>Initial Arraignment (1:30 PM) <i>INITIAL ARRAIGNMENT Court Clerk: Melissa Swinn Relief Clerk: Chanel West/cw Reporter/Recorder: Kiara Schmidt Heard By: Kevin Williams</i> Matter Heard; INITIAL ARRAIGNMENT Court Clerk: Melissa Swinn Relief Clerk: Chanel West/cw Reporter/Recorder: Kiara Schmidt Heard By: Kevin Williams</p>
09/20/2006	<p>Request of Court (9:00 AM) <i>AT THE REQUEST OF THE COURT: RESET TRIAL DATE Relief Clerk: Michelle Jones Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley</i> Matter Heard; AT THE REQUEST OF THE COURT: RESET TRIAL DATE Relief Clerk: Michelle Jones Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley</p>
10/17/2006	<p>CANCELED Calendar Call (8:30 AM) <i>Vacated</i></p>
10/23/2006	<p>CANCELED Jury Trial (10:00 AM) <i>Vacated</i></p>
11/15/2006	<p>Calendar Call (9:00 AM) <i>CALENDAR CALL Court Clerk: Kristen Brown Relief Clerk: Denise Trujillo/dt Reporter/Recorder: Deniece Lopez Heard By: Nancy Saitta</i> Matter Heard; CALENDAR CALL Court Clerk: Kristen Brown Relief Clerk: Denise Trujillo/dt Reporter/Recorder: Deniece Lopez Heard By: Nancy Saitta</p>
11/20/2006	<p>CANCELED Jury Trial (1:30 PM)</p>

CASE SUMMARY

CASE No. 06C225668

	<i>Vacated</i>
05/02/2007	Motion for Discovery (8:30 AM) Events: 04/24/2007 Motion for Discovery <i>DEFT'S MTN FOR DISCOVERY /11 Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker</i> Matter Resolved; DEFT'S MTN FOR DISCOVERY /11 Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker
05/16/2007	CANCELED Calendar Call (9:00 AM) <i>Vacated</i>
05/21/2007	CANCELED Jury Trial (1:30 PM) <i>Vacated</i>
06/18/2007	All Pending Motions (8:15 AM) <i>ALL PENDING MOTIONS (6-18-07) Court Clerk: Phyllis Irby/pi Reporter/Recorder: Richard Kangas Heard By: David Barker</i> Matter Heard; ALL PENDING MOTIONS (6-18-07) Court Clerk: Phyllis Irby/pi Reporter/Recorder: Richard Kangas Heard By: David Barker
06/18/2007	Calendar Call (8:30 AM) <i>CALENDAR CALL</i>
06/18/2007	Motion to Admit Evidence (8:30 AM) Events: 06/12/2007 Notice of Motion <i>PLTF'S MOTION TO ADMIT EVIDENCE OF OTHERCRIMES /12 Heard By: David Barker</i>
06/18/2007	Motion to Continue (8:30 AM) Events: 06/13/2007 Motion to Continue Trial <i>DEFT'S MTN TO CONTINUE /13 Heard By: David Barker</i>
06/25/2007	CANCELED Jury Trial (10:30 AM) <i>Vacated</i>
07/30/2007	Motion to Admit Evidence (8:15 AM) <i>PLTF'S MOTION TO ADMIT EVIDENCE OF OTHERCRIMES /12 Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker</i> Matter Continued; PLTF'S MOTION TO ADMIT EVIDENCE OF OTHERCRIMES /12 Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker
08/07/2007	Minute Order (0:00 AM) <i>MINUTE ORDER RE: SEALING OF ORDER DATED 5/15/07 Court Clerk: Sharon Chun Heard By: David Barker</i> Matter Heard; MINUTE ORDER RE: SEALING OF ORDER DATED 5/15/07 Court Clerk: Sharon Chun Heard By: David Barker
08/17/2007	Hearing (8:15 AM) <i>PETROCELLI HEARING Relief Clerk: Carole D'Aloia Reporter/Recorder: Richard Kangas Heard By: Barker, David</i> Matter Continued; PETROCELLI HEARING Relief Clerk: Carole D'Aloia Reporter/Recorder: Richard Kangas Heard By: Barker, David
09/14/2007	Hearing (10:00 AM) <i>PETROCELLI HEARING Relief Clerk: Willa Pettice Reporter/Recorder: Richard Kangas Heard By: David Barker</i> Denied; PETROCELLI HEARING Relief Clerk: Willa Pettice Reporter/Recorder: Richard Kangas Heard By: David Barker
09/21/2007	Status Check (8:15 AM) <i>STATUS CHECK: APPOINTMENT OF COUNSEL Court Clerk: Sandra Anderson Reporter/Recorder: Richard Kangas Heard By: David Barker</i>

CASE SUMMARY

CASE No. 06C225668

	Matter Heard; STATUS CHECK: APPOINTMENT OF COUNSEL Court Clerk: Sandra Anderson Reporter/Recorder: Richard Kangas Heard By: David Barker
10/15/2007	Motion for Discovery (8:15 AM) <i>DEFT'S SUPPLEMENTAL MTN FOR DISCOVERY /20 Relief Clerk: Nora Pena Reporter/Recorder: Angela Lee Heard By: David Wall</i> Granted; DEFT'S SUPPLEMENTAL MTN FOR DISCOVERY /20 Relief Clerk: Nora Pena Reporter/Recorder: Angela Lee Heard By: David Wall
11/14/2007	Motion to Compel (8:15 AM) Events: 11/01/2007 Motion to Compel <i>DEFT'S MTN TO COMPEL PSYCHIATRIC EXAM OFWITNESS DAKOTA HARRIS/21 Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: Barker, David</i> Matter Continued; DEFT'S MTN TO COMPEL PSYCHIATRIC EXAM OFWITNESS DAKOTA HARRIS/21 Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: Barker, David
11/21/2007	Calendar Call (8:15 AM) <i>CALENDAR CALL Heard By: David Barker</i>
11/21/2007	Motion to Compel (8:15 AM) <i>DEFT'S MTN TO COMPEL PSYCHIATRIC EXAM OFWITNESS DAKOTA HARRIS/21 Heard By: David Barker</i>
11/21/2007	Motion for Discovery (8:15 AM) <i>DEFT'S SUPPLEMENTAL MTN FOR DISCOVERY/22 Heard By: David Barker</i>
11/21/2007	Motion (8:15 AM) <i>DEFT'S MTN TO PRESERVE TESTIMON OF BRIANNA CHAPMAN/23 Heard By: David Barker</i>
11/21/2007	All Pending Motions (8:15 AM) <i>ALL PENDING MOTIONS (11/21/07)</i>
11/21/2007	All Pending Motions (8:15 AM) <i>ALL PENDING MOTIONS (11/21/07) Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker</i> Matter Heard; ALL PENDING MOTIONS (11/21/07) Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker
11/26/2007	CANCELED Jury Trial (10:30 AM) <i>Vacated</i>
11/28/2007	Motion for Discovery (8:15 AM) Events: 11/15/2007 Supplemental <i>DEFT'S SUPPLEMENTAL MTN FOR DISCOVERY/22 Heard By: David Barker</i>
11/28/2007	Motion (8:15 AM) <i>DEFT'S MTN TO PRESERVE TESTIMON OF BRIANNA CHAPMAN/23 Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: Barker, David</i> Matter Continued; DEFT'S MTN TO PRESERVE TESTIMON OF BRIANNA CHAPMAN/23 Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: Barker, David
12/03/2007	Motion (8:15 AM) Events: 11/20/2007 Motion <i>DEFT'S MTN TO PRESERVE TESTIMON OF BRIANNA CHAPMAN/23 Heard By: David Barker</i>
12/07/2007	Motion (8:15 AM) <i>DEFT'S MTN TO PRESERVE TESTIMON OF BRIANNA CHAPMAN/23 Court Clerk: Sandra Anderson Reporter/Recorder: Richard Kangas Heard By: David Barker</i>

CASE SUMMARY

CASE No. 06C225668

	Denied; DEFT'S MTN TO PRESERVE TESTIMON OF BRIANNA CHAPMAN/23 Court Clerk: Sandra Anderson Reporter/Recorder: Richard Kangas Heard By: David Barker
01/11/2008	Motion (8:15 AM) STATE'S MTN TO EXCLUDE BRIANNA CHATMON TESTIMONY/28 Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: Barker, David Matter Continued; STATE'S MTN TO EXCLUDE BRIANNA CHATMON TESTIMONY/28 Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: Barker, David
01/30/2008	Motion (8:15 AM) STATE'S MTN TO EXCLUDE BRIANNA CHATMON TESTIMONY/28 Relief Clerk: Tia Everett/te Reporter/Recorder: Richard Kangas Heard By: David Barker Denied; STATE'S MTN TO EXCLUDE BRIANNA CHATMON TESTIMONY/28 Relief Clerk: Tia Everett/te Reporter/Recorder: Richard Kangas Heard By: David Barker
04/21/2008	All Pending Motions (8:00 AM) ALL PENDING MOTIONS 4-21-08 Relief Clerk: Cheryl Case Reporter/Recorder: Richard Kangas Heard By: David Barker Matter Heard; ALL PENDING MOTIONS 4-21-08 Relief Clerk: Cheryl Case Reporter/Recorder: Richard Kangas Heard By: David Barker
04/21/2008	Motion to Admit Evidence (8:15 AM) Events: 04/08/2008 Notice of Motion STATES MTN: ADMIT EVIDENCE OF OTHER CRIMES/29 Heard By: David Barker
04/21/2008	Motion (8:15 AM) Events: 04/11/2008 Notice of Motion DEFT'S MTN TO PRECLUDE THE USE OF PREJUDICIAL TERM/30 Heard By: David Barker
04/21/2008	Motion in Limine (8:15 AM) Events: 04/11/2008 Notice of Motion DEFT'S MTN IN LIMINE TO PRECLUDE IMPERMISSIBLE TESTIM/31 Heard By: David Barker
04/21/2008	Motion (8:15 AM) Events: 04/16/2008 Motion DEFT'S MTN FOR JURY QUESTIONNAIRE/32 Heard By: David Barker
04/23/2008	Calendar Call (8:15 AM) CALENDAR CALL Heard By: David Barker
04/23/2008	Motion (8:15 AM) DEFT'S MTN FOR JURY QUESTIONNAIRE/32 Heard By: David Barker
04/23/2008	Motion to Quash Bench Warrant (8:15 AM) Events: 04/21/2008 Motion to Quash QUASH BENCH WARRANT / 36 Heard By: David Barker
04/23/2008	Motion to Quash (8:15 AM) Events: 04/21/2008 Motion to Quash DEFT'S MTN TO QUASH SUBPOENA FOR EMPLOYEE PERSONNEL RECORDS /37 Heard By: David Barker
04/23/2008	Motion to Quash (8:15 AM) Events: 04/21/2008 Motion to Quash DEFT'S MTN TO QUASH SUBPOENA REQUESTING TESTIMONY OF/ 38 Heard By: David Barker
04/23/2008	All Pending Motions (8:15 AM) ALL PENDING MOTIONS (4/23/08) Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker

CASE SUMMARY

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Matter Heard; ALL PENDING MOTIONS (4/23/08) Court Clerk: Sharon Chun
Reporter/Recorder: Richard Kangas Heard By: David Barker

04/24/2008	All Pending Motions (8:15 AM) <i>ALL PENDING MOTIONS (4/24/08) Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker</i> Matter Heard; ALL PENDING MOTIONS (4/24/08) Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker
04/24/2008	Motion to Admit Evidence (9:30 AM) <i>STATES MTN: ADMIT EVIDENCE OF OTHER CRIMES/29 Heard By: David Barker</i>
04/24/2008	Evidentiary Hearing (9:30 AM) <i>EVIDENTIARY HEARING Heard By: David Barker</i>
04/24/2008	Further Proceedings (9:30 AM) <i>FURTHER PROCEEDINGS: MOTION TO QUASH Heard By: David Barker</i>
04/25/2008	Motion to Admit Evidence (9:30 AM) <i>STATES MTN: ADMIT EVIDENCE OF OTHER CRIMES/29 Heard By: David Barker</i>
04/25/2008	Evidentiary Hearing (10:00 AM) <i>EVIDENTIARY HEARING Heard By: David Barker</i>
04/25/2008	Further Proceedings (10:00 AM) <i>FURTHER PROCEEDINGS: MOTION TO QUASH Heard By: David Barker</i>
04/28/2008	CANCELED Jury Trial (10:30 AM) <i>Vacated</i>
04/28/2008	Motion to Quash (10:30 AM) Events: 04/24/2008 Objection <i>DEFT'S OBJECTION TO INSPECTION OF FILE & MTN TO QUASH SUBPOENA/39 Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker</i> Granted; DEFT'S OBJECTION TO INSPECTION OF FILE & MTN TO QUASH SUBPOENA/39 Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker
05/14/2008	Motion to Dismiss (8:15 AM) Events: 04/24/2008 Motion to Dismiss <i>DEFT'S MTN TO DISMISS ON GROUNDS OF STATE'S FAILURE TO COMPLY WITH BRADY /40 Heard By: David Barker</i>
05/19/2008	Motion to Dismiss (8:15 AM) <i>DEFT'S MTN TO DISMISS ON GROUNDS OF STATE'S FAILURE TO COMPLY WITH BRADY /40 Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker</i> Denied; DEFT'S MTN TO DISMISS ON GROUNDS OF STATE'S FAILURE TO COMPLY WITH BRADY /40 Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker
06/16/2008	Motion in Limine (8:15 AM) Events: 06/02/2008 Notice of Motion <i>PLTF'S MTN IN LIMINE TO STRIKE DEFENSE EXPERT WITNESS KAREN CUEY MD /45 Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker</i> Denied; PLTF'S MTN IN LIMINE TO STRIKE DEFENSE EXPERT WITNESS KAREN CUEY MD /45 Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker
07/02/2008	Calendar Call (8:15 AM) <i>CALENDAR CALL (HEARD IN DEPT XV) Court Clerk: Sharon Chun Reporter/Recorder: Julie Lever Heard By: Loehrer, Sally</i>

CASE SUMMARY

CASE NO. 06C225668

Matter Continued; CALENDAR CALL (HEARD IN DEPT XV) Court Clerk: Sharon Chun
Reporter/Recorder: Julie Lever Heard By: Loehrer, Sally

07/03/2008	Calendar Call (9:00 AM) <i>CALENDAR CALL (HEARD IN DEPT XV) Heard By: Sally Loehrer</i>
07/03/2008	Hearing (9:00 AM) <i>HEARING: ORDER SHOW CAUSE (HEARD IN DEPT XV) Heard By: David Barker</i>
07/03/2008	All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS (7/3/08) Court Clerk: Sharon Chun Reporter/Recorder: Jill Lever Heard By: Sally Loehrer</i> Matter Heard; ALL PENDING MOTIONS (7/3/08) Court Clerk: Sharon Chun Reporter/Recorder: Jill Lever Heard By: Sally Loehrer
07/07/2008	Jury Trial (1:00 PM) <i>TRIAL BY JURY Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: Barker, David</i> Matter Continued; TRIAL BY JURY Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: Barker, David
07/08/2008	Jury Trial (10:00 AM) <i>TRIAL BY JURY Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: Barker, David</i> Matter Continued; TRIAL BY JURY Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: Barker, David
07/09/2008	Jury Trial (10:00 AM) <i>TRIAL BY JURY Court Clerk: Sharon Chun Reporter/Recorder: Patti Slattery/Relief Recorder Heard By: David Barker</i> Matter Heard; TRIAL BY JURY Court Clerk: Sharon Chun Reporter/Recorder: Patti Slattery/Relief Recorder Heard By: David Barker
08/27/2008	Sentencing (8:15 AM) <i>SENTENCING (CTS 1, 3-7, 11,12, & 14-20) 16,17,18,19,20 Heard By: David Barker</i>
08/27/2008	Status Check (8:15 AM) <i>STATUS CK: DISMISSAL CTS 2, 8-10 & 13 Heard By: David Barker</i>
08/27/2008	All Pending Motions (8:15 AM) <i>ALL PENDING MOTIONS (8/27/08) Relief Clerk: Roshonda Mayfield Reporter/Recorder: Richard Kangas Heard By: David Barker</i> Matter Heard; ALL PENDING MOTIONS (8/27/08) Relief Clerk: Roshonda Mayfield Reporter/Recorder: Richard Kangas Heard By: David Barker
09/08/2008	Motion to Withdraw as Counsel (8:15 AM) Events: 08/27/2008 Motion to Withdraw As Counsel <i>SIMMS' MTN TO WITHDRAW AS COUNSEL /50 Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker</i> Matter Heard; SIMMS' MTN TO WITHDRAW AS COUNSEL /50 Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker
01/21/2009	Motion (8:15 AM) Events: 01/06/2009 Motion <i>SIMM'S MTN FOR PAYMENT OF FUNDS PER INVOICE SUBMITTED BY ATTORNEY /52 Relief Clerk: Phyllis Irby/pi Reporter/Recorder: Richard Kangas Heard By: Barker, David</i> Matter Continued; SIMM'S MTN FOR PAYMENT OF FUNDS PER INVOICE SUBMITTED BY ATTORNEY /52 Relief Clerk: Phyllis Irby/pi Reporter/Recorder: Richard Kangas Heard By: Barker, David
01/28/2009	Motion (8:15 AM) <i>SIMM'S MTN FOR PAYMENT OF FUNDS PER INVOICE SUBMITTED BY ATTORNEY /52</i>

CASE SUMMARY

CASE No. 06C225668

Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker
Matter Continued; SIMM'S MTN FOR PAYMENT OF FUNDS PER INVOICE
SUBMITTED BY ATTORNEY /52 Court Clerk: Sharon Chun Reporter/Recorder: Richard
Kangas Heard By: David Barker

05/19/2010

Petition for Writ of Habeas Corpus (8:15 AM)

Events: 03/04/2010 Petition for Writ of Habeas Corpus
PTN FOR WRIT OF HABEAS CORPUS Court Clerk: Sharon Chun Reporter/Recorder:
Richard Kangas Heard By: David Barker
Matter Heard; PTN FOR WRIT OF HABEAS CORPUS Court Clerk: Sharon Chun
Reporter/Recorder: Richard Kangas Heard By: David Barker
Journal Entry Details:
*Ms. Dustin stated she only represented Deft Rencher through the direct appeal, and made Oral
Motion to Withdraw as Counsel. COURT ORDERED, WITHDRAWAL GRANTED. COURT
NOTED that Deft had filed for Petition of Habeas Corpus, but, after reading Deft's document,
COURT ACCEPTS this as a Petition re Ineffective Assistance of Counsel at trial. COURT
NOTED that Ms. Sims was trial counsel and Deft will need to be present for the post-
conviction hearing. COURT ORDERED, COUNSEL TO BE APPOINTED THROUGH DREW
CHRISTENSEN'S OFFICE and MATTER SET FOR STATUS CHECK. NDC 6/16/10 8:15 AM
STATUS CHECK: CONFIRMATION OF APPOINTED COUNSEL (THROUGH DREW
CHRISTENSEN'S OFFICE)...STATUS CHECK: SET HEARING FOR PETITION RE
INEFFECTIVE ASSISTANCE OF COUNSEL ;*

06/02/2010

Motion (8:15 AM)

Events: 05/20/2010 Motion
DEFT'S PRO PER MTN FOR CONFESSION OF ERROR/M Court Clerk: Melissa Benson
Reporter/Recorder: Richard Kangas Heard By: David Barker
Denied; DEFT'S PRO PER MTN FOR CONFESSION OF ERROR/M Court Clerk: Melissa
Benson Reporter/Recorder: Richard Kangas Heard By: David Barker
Journal Entry Details:
*Court finds motion is a fugitive document, difficult to understand and ORDERED, matter
DENIED. NDC ;*

06/16/2010

Petition for Writ of Habeas Corpus (8:15 AM)

PTN FOR WRIT OF HABEAS CORPUS (INEFFECTIVE ASSISTANCE OF COUNSEL)

06/16/2010

Status Check (8:15 AM)

STATUS CHECK: CONFIRMATION OF APPOINTED COUNSEL

06/16/2010

Status Check (8:15 AM)

STATUS CHECK: SET HEARING DATE FOR WRIT

06/16/2010

All Pending Motions (8:15 AM)

ALL PENDING MOTIONS 6/16/10 Court Clerk: Sharon Chun Reporter/Recorder: Richard
Kangas Heard By: David Barker
Matter Heard; ALL PENDING MOTIONS 6/16/10 Court Clerk: Sharon Chun
Reporter/Recorder: Richard Kangas Heard By: David Barker
Journal Entry Details:
*ALL PENDING MATTERS, AS LISTED BELOW. STATUS CHECK: CONFIRMATION OF
APPOINTED COUNSEL: Mr. Castillo confirmed Kristina Wildeveld as appointed counsel for
Deft Rencher. PETITION FOR WRIT OF HABEAS CORPUS (INEFFECTIVE ASSISTANCE
OF COUNSEL) and STATUS CHECK: SET HEARING DATE FOR WRIT: COURT
ORDERED, BOTH MATTERS OFF CALENDAR, Supplemental Petition for Writ of Habeas
Corpus pending since new counsel now appointed. NDC. ;*

10/13/2010



Motion (8:15 AM) (Judicial Officer: Barker, David)

10/13/2010, 10/18/2010

Events: 09/30/2010 Motion
Defendant's Motion To Place On Calendar For Appointment Of Investigator
Matter Continued;
Granted; Defendant's Motion To Place On Calendar For Appointment Of Investigator
Journal Entry Details:

No parties present at recall of the case. COURT STATED it will render its decision without

CASE SUMMARY

CASE NO. 06C225668

argument today and ORDERED, MOTION DENIED. After calendar, Ms. Wildeveld appeared and was told of the Court's decision. CLERK'S NOTE: Per the Judicial Executive Assistant: Following calendar, Ms. Wildeveld appeared in Chambers with District Attorney Agnes Botelho, and, the COURT GRANTED THE MOTION. NDC ;
Matter Continued;
Granted; Defendant's Motion To Place On Calendar For Appointment Of Investigator
Journal Entry Details:
Attorney Peiper advised, this is Attorney Sweetin's matter and he requests a continuance. There being no opposition, COURT SO ORDERED. NDC 10/27/10 8:15 A.M. DEFENDANT'S MOTION TO PLACE ON CALENDAR FOR APPOINTMENT OF INVESTIGATOR ;

03/14/2011



Petition for Writ of Habeas Corpus (8:15 AM) (Judicial Officer: Barker, David)

Events: 01/28/2011 Writ of Habeas Corpus
Supplemental Writ of Habeas Corpus for Post-Conviction Relief and Request for evidentiary Hearing
Matter Heard;
Journal Entry Details:
Deft not present. Counsel not present. Court noted, briefing schedule has already been set. COURT ORDERED, MATTER SET FOR HEARING. NDC 5-06-11 1:00 PM HEARING (DEPT. XVIII) ;

05/06/2011



Hearing (1:00 PM) (Judicial Officer: Barker, David)

Events: 11/19/2010 Stipulation and Order
Matter Heard;
Journal Entry Details:
Deputy District Attorneys Tyler Smith and Taleen Pandukht present for the State. Kristina Wildeveld present for Defendant. Defendant not present. Court called the case for the record. Court to determine whether it is necessary and appropriate for an Evidentiary Hearing on Defendant's Petition for Writ of Habeas Corpus Post Conviction Relief. Arguments by counsel. Court stated its findings, and ORDERED, matter SET for Evidentiary Hearing on Defendant's Petition for Writ of Habeas Corpus Post Conviction Relief. Ms. Pandukht to confer with co-counsel Glen O'Brien to determine if the next Court date is good. The State to prepare an Order to Transport for defendant to be present. Ms. Wildeveld to subpoena Marsha Simms, who will be the only witness. Court estimated a two hour Hearing. NDC 6/17/11 1:00 PM EVIDENTIARY HEARING ON DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS POST CONVICTION RELIEF ;

06/17/2011



Evidentiary Hearing (1:00 PM) (Judicial Officer: Barker, David)

Deft's Petition for Writ of Habeas Corpus Post Conviction Relief
Matter Heard;
Journal Entry Details:
Witness sworn and testified. Court DIRECTED counsel to provide proposed findings of fact and conclusions of law, submit them to chambers and to opposing party and ORDERED, matter SET for Status Check. State requested a copy of transcripts from today's hearing. Court noted Deft. will not be remanded. NDC 7/18/11 8:15 AM STATUS CHECK: TRANSCRIPTS ;

07/18/2011



Status Check (8:15 AM) (Judicial Officer: Barker, David)



07/18/2011, 08/15/2011

TRANSCRIPTS/FINDINGS
Matter Heard;
Off Calendar;
Journal Entry Details:
There being no appearance by counsel, COURT ORDERED, matter OFF CALENDAR. NDC ;
Matter Heard;
Off Calendar;
Journal Entry Details:
Attorney Figler advised, he is standing in as counsel on behalf of the Defendant today. Further, a continuance is requested in this matter as Attorney Wildeveld will be out of town this entire month. There being no opposition, COURT ORDERED, matter CONTINUED for the presence of counsel. NDC 8/15/11 8:15 A.M. STATUS CHECK:
TRANSCRIPTS/FINDINGS ;

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. 06C225668

07/18/2011	CANCELED Status Check (8:15 AM) (Judicial Officer: Barker, David) <i>Vacated</i>
11/07/2011	 Appointment of Counsel (8:15 AM) (Judicial Officer: Barker, David) <i>Appointment of Counsel Per Supreme Court Remand</i> Matter Heard; Journal Entry Details: <i>Kristina Wildeveld, Esq., present. Ms. Wildeveld stated she will accept appointment. Further, Ms. Wildeveld advised once case was remanded, there was a letter sent to the Supreme Court indicating Deft. did not want counsel, letter sent to Deft. by counsel advising she would be counsel of record, Deft. advised he only wants counsel on this case only and no one else. Additionally, Ms. Wildeveld stated she has been advised the Supreme Court has rescinded order. Court stated the only order he has is directing him to appoint counsel and ORDERED, Kristina Wildeveld, Esq., APPOINTED as counsel. NDC CLERK'S NOTE: After Court, the Court received order from Supreme Court rescinding there order for appointment of counsel. As such, Ms. Wildeveld is NOT APPOINTED in this matter at this time. aw 11/7/11 ;</i>
01/26/2015	 Petition for Writ of Habeas Corpus (8:30 AM) (Judicial Officer: Kephart, William D.) <i>Defendant's Pro Per Petition for Writ of Habeas Corpus (Post Conviction)</i> Motion Denied; Defendant's Pro Per Petition for Writ of Habeas Corpus (Post Conviction) Journal Entry Details: <i>Defendant not present. Court FINDS, the Petition is untimely, excessive, it is an abuse of the Writ, and there is no good cause. COURT ORDERED, Motion DENIED. NDC CLERK'S NOTE: The above minute order has been distributed via U.S. Regular Mail to: Defendant EDDIE RENCHER, JR., BAC#1024946 S.D.C.C. P.O. BOX 208 INDIAN SPRINGS, NV 89070 - YP 1-27-15 ;</i>

DATE	FINANCIAL INFORMATION	
	Defendant Rencher Jr, Eddie	
	Total Charges	183.00
	Total Payments and Credits	8.00
	Balance Due as of 2/25/2019	175.00

ORIGINAL

Electronically Filed
1/18/2019 8:09 AM
Steven D. Grierson
CLERK OF THE COURT

Steven D. Grierson

FCL
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
JAMES R. SWEETIN
Chief Deputy District Attorney
Nevada Bar #005144
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

**DISTRICT COURT
CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,
Plaintiff,

-vs-

EDDIE RENCHER,
#1924353

Defendant.

CASE NO: **A-18-780636-W**
06C225668

DEPT NO: **XIX**

FINDINGS OF FACT, CONCLUSIONS OF
LAW AND ORDER

DATE OF HEARING: **DECEMBER 12, 2018**
TIME OF HEARING: **8:30 AM**

THIS CAUSE having presented before the Honorable WILLIAM D. KEPHART, District Judge, on the 12th day of December, 2018; Petitioner not being present, proceeding IN PROPER PERSON; Respondent being represented by STEVEN B. WOLFSON, Clark County District Attorney, by and through MICHAEL DICKERSON, Deputy District Attorney; and having considered the matter, including briefs, transcripts, arguments of counsel, and documents on file herein, the Court makes the following Findings of Fact and Conclusions of Law:

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1 **FINDINGS OF FACT**

2 **CONCLUSIONS OF LAW**

3 On August 31, 2006, Petitioner was charged by way of Information with 14 counts of
4 Sexual Assault of a Child under 14 Years of Age and 6 counts of Lewdness with a Child under
5 14 Years of Age. Trial began on July 7, 2008. The jury found Petitioner guilty on counts 1, 3–
6 7, 11–12, and 14–20. The Judgment of Conviction was filed on September 23, 2008. Petitioner
7 was sentenced to 15 terms of life without the possibility of parole, two of which were ordered
8 to run consecutively.

9 Petitioner filed a Notice of Appeal on September 5, 2008. On November 5, 2009, the
10 Nevada Supreme Court affirmed Petitioner's conviction. Remittitur was issued on December
11 1, 2009.

12 Petitioner filed his first Petition for Writ of Habeas Corpus on March 4, 2010. The State
13 responded on May 18, 2010. Petitioner filed a supplement to his petition on January 28, 2011,
14 and the State responded on March 24, 2011. On June 17, 2011, the District Court denied
15 Petitioner's first petition. Petitioner filed a second Notice of Appeal on September 23, 2011.
16 On June 13, 2012, the Nevada Supreme Court affirmed the district court's denial of
17 Petitioner's first petition. Remittitur was issued on July 9, 2012.

18 Petitioner then filed a Federal Petition for Writ of Habeas Corpus. On August 18, 2014,
19 the United States District Court for the District of Nevada found that Petitioner's first petition
20 contained both exhausted and unexhausted claims and was subject to dismissal.

21 Petitioner filed his second petition on November 21, 2014. The State responded on
22 January 7, 2015. The District Court denied his second petition on January 26, 2015. On
23 February 23, 2015, Petitioner filed a third Notice of Appeal. The Nevada Supreme Court
24 affirmed the denial and Remittitur was issued on July 14, 2015.

25 Petitioner filed his third petition on August 31, 2018. The State responded on October
26 25, 2018. The Court denied the petition on December 12, 2018.

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1 ANALYSIS

2 **I. THE PETITION IS PROCEDURALLY BARRED.**

3 Petitioner's petition is procedurally barred for being untimely with no good cause
4 shown and as a successive petition. Further, the State pleaded laches.

5 **a. The petition is untimely.**

6 A petition challenging a judgment of conviction's validity must be filed within one year
7 of the judgment filed or within one year of the remittitur issued, unless there is good cause to
8 show delay. NRS 34.726(1). The Supreme Court of Nevada has held that NRS 34.726 should
9 be construed by its plain meaning. Pellegrini v. State, 117 Nev. 860, 873–74, 34 P.3d 519, 528
10 (2001). Under the statute, the one-year time bar proscribed by NRS 34.726 begins to run from
11 the date the judgment of conviction is filed or a remittitur from a timely direct appeal is filed.
12 Dickerson v. State, 114 Nev. 1084, 1087, 967 P.2d 1132, 1133–34 (1998).

13 The one-year time limit for preparing petitions for post-conviction relief under NRS
14 34.726 is strictly applied. In Gonzales v. State, 118 Nev. 590, 596, 53 P.3d 901, 904 (2002),
15 the Nevada Supreme Court rejected a habeas petition that was filed two days late despite
16 evidence presented by the defendant that he purchased postage through the prison and mailed
17 the Notice within the one-year time limit.

18 Furthermore, the Nevada Supreme Court has held that the district court has a *duty* to
19 consider whether a defendant's post-conviction petition claims are procedurally barred. State
20 v. Eighth Judicial Dist. Court (Riker), 121 Nev. 225, 231, 112 P.3d 1070, 1074 (2005). The
21 Riker Court found that “[a]pplication of the statutory procedural default rules to post-
22 conviction habeas petitions is mandatory,” noting:

23 Habeas corpus petitions that are filed many years after conviction
24 are an unreasonable burden on the criminal justice system. The
25 necessity for a workable system dictates that there must exist a
time when a criminal conviction is final.

26 Id. (quoting Groesbeck v. Warden, 100 Nev. 259, 261, 679 P.2d 1268, 1269 (1984)).
27 Additionally, the Court noted that procedural bars “cannot be ignored [by the district court]
28 when properly raised by the State.” Id. at 233, 112 P.3d at 1075. The Nevada Supreme Court

1 has granted no discretion to the district courts regarding whether to apply the statutory
2 procedural bars; the rules *must* be applied.

3 Here, Petitioner's petition is filed well beyond the one-year time bar. The Judgment of
4 Conviction was filed on September 23, 2008. Petitioner filed a direct appeal and Remittitur
5 was issued on December 1, 2009. That is almost nine years ago. Also, Petitioner's second
6 petition was denied as untimely. Therefore, this petition is dismissed as untimely.

7 **b. The petition is successive.**

8 Petitioner's petition is procedurally barred because it is successive. NRS 34.810(2)
9 reads:

10 A second or successive petition *must* be dismissed if the judge or
11 justice determines that it fails to allege new or different grounds
12 for relief and that the prior determination was on the merits or, if
13 new and different grounds are alleged, the judge or justice finds
14 that the failure of the petitioner to assert those grounds in a prior
15 petition constituted an abuse of the writ.

16 (emphasis added).

17 Second or successive petitions are petitions that either fail to allege new or different
18 grounds for relief and the grounds have already been decided on the merits or that allege new
19 or different grounds but a judge finds that the petitioner's failure to assert those grounds in a
20 prior petition would constitute an abuse of the writ. Second or successive petitions will only
21 be decided on the merits if the petitioner can show good cause and prejudice. NRS 34.810(3);
22 Lozada v. State, 110 Nev. 349, 358, 871 P.2d 944, 950 (1994).

23 The Nevada Supreme Court has stated: "Without such limitations on the availability of
24 post-conviction remedies, prisoners could petition for relief in perpetuity and thus abuse post-
25 conviction remedies. In addition, meritless, successive and untimely petitions clog the court
26 system and undermine the finality of convictions." Lozada, 110 Nev. at 358, 871 P.2d at 950.
27 The Nevada Supreme Court recognizes that "[u]nlike initial petitions which certainly require
28 a careful review of the record, successive petitions may be dismissed based solely on the face
of the petition." Ford v. Warden, 111 Nev. 872, 882, 901 P.2d 123, 129 (1995). In other words,
if the claim or allegation was previously available with reasonable diligence, it is an abuse of

1 the writ to wait to assert it in a later petition. McClesky v. Zant, 499 U.S. 467, 497–98 (1991).
2 Application of NRS 34.810(2) is mandatory. See Riker, 121 Nev. at 231, 112 P.3d at 1074.

3 Here, Petitioner’s claim was available to him when he filed his previous petitions, and
4 thus it is an abuse of the writ to assert them now. His claim is based on legislation from 1951,
5 which would have been available to him in 2010 and 2014. Also, Petitioner’s second petition
6 was denied as successive and an abuse of the writ. Therefore, Petitioner’s petition is dismissed
7 as a successive petition.

8 **c. Petitioner cannot show good cause.**

9 Good cause for delay requires that: 1) the delay is not the petitioner’s fault, and 2) the
10 dismissal as untimely will unduly prejudice the petitioner. NRS 34.726(1). The petitioner must
11 show some external factor that prevented him from complying with the time-bar. Clem v.
12 State, 119 Nev. 615, 621, 81 P.3d 521, 525 (2003). Also, a petitioner cannot attempt to create
13 good cause. Id. at 621, 81 P.3d at 526.

14 Petitioner cannot show good cause. The delay is Petitioner’s fault because he could
15 have included this claim in his previous petitions. His claim is based on legislation from 1951,
16 which would have been available to him in 2010 and 2014. Also, the Court found no good
17 cause for delay for Petitioner’s second petition. Thus, because the delay is Petitioner’s fault,
18 he is prevented from showing good cause.

19 **a. The State pleaded laches.**

20 There is a rebuttable presumption that the State is prejudiced when five or more years
21 elapses between a decision on direct appeal of a judgment of conviction and the filing of a
22 petition for writ of habeas corpus. NRS 34.800(2). The Nevada Supreme Court observed in
23 Groesbeck v. Warden, “[P]etitions that are filed many years after conviction are an
24 unreasonable burden on the criminal justice system. The necessity for a workable system
25 dictates that there must exist a time when a criminal conviction is final.” 100 Nev. 259, 261,
26 679 P.2d 1268, 1269 (1984).

27 //

28 //

1 Here, the State affirmatively pleaded laches. The Judgment of Conviction was filed on
2 September 23, 2008. Petitioner appealed and Remittitur was filed on December 1, 2009. That
3 is almost nine years ago. Thus, there is a rebuttable presumption that the State is prejudiced.

4 **II. PETITIONER'S REQUEST FOR AN EVIDENTIARY HEARING IS**
5 **DENIED BECAUSE THERE IS NO NEED TO EXPAND THE RECORD.**

6 NRS 34.770 determines when a defendant is entitled to an evidentiary hearing. It reads:

- 7 1. The judge or justice, upon review of the return, answer and
8 all supporting documents which are filed, shall determine
9 whether an evidentiary hearing is required. A petitioner must
10 not be discharged or committed to the custody of a person
11 other than the respondent *unless an evidentiary hearing is*
12 *held.*
- 13 2. If the judge or justice determines that the petitioner is not
14 entitled to relief and an evidentiary hearing is not required, he
15 shall dismiss the petition without a hearing.
- 16 3. If the judge or justice determines that an evidentiary hearing
17 is required, he shall grant the writ and shall set a date for the
18 hearing.

19 NRS 34.770.

20 If a petition can be resolved without expanding the record, then an evidentiary hearing
21 is not required. Mann v. State, 118 Nev. 351, 356, 46 P.3d 1228, 1231 (2002). A defendant is
22 entitled to an evidentiary hearing if his petition is supported by specific factual allegations,
23 which, if true, would entitle him to relief unless the factual allegations are repelled by the
24 record. Marshall v. State, 110 Nev. 1328, 1331, 885 P.2d 603, 605 (1994); see also Hargrove
25 v. State, 100 Nev. 498, 503, 686 P.2d 222, 225 (1984) (holding that "[a] defendant seeking
26 post-conviction relief is not entitled to an evidentiary hearing on factual allegations belied or
27 repelled by the record").

28 Here, the petition can be resolved without expanding the record. Petitioner makes no
factual allegation that entitles him to relief. Instead, Petitioner's petition is procedurally barred
and must be dismissed. Because his petition is procedurally barred, there is no reason to expand
the record. Thus, Petitioner's request for an evidentiary hearing is denied.

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ORDER

THEREFORE, **IT IS HEREBY ORDERED** that the Petition for Post-Conviction Relief shall be, and is, denied.

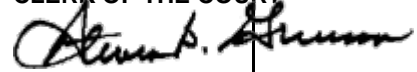
DATED this 11th day of January, 2019.



DISTRICT JUDGE

STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565

BY  for
MICHAEL DICKERSON
Deputy District Attorney
Nevada Bar #013476



NEO

**DISTRICT COURT
CLARK COUNTY, NEVADA**

EDDIE RENCHER, JR.,

Petitioner,

vs.

THE STATE OF NEVADA,

Respondent,

Case No: 06C225668

Dept No: XIX

**NOTICE OF ENTRY OF FINDINGS OF FACT,
CONCLUSIONS OF LAW AND ORDER**

PLEASE TAKE NOTICE that on January 18, 2019, the court entered a decision or order in this matter, a true and correct copy of which is attached to this notice.

You may appeal to the Supreme Court from the decision or order of this court. If you wish to appeal, you must file a notice of appeal with the clerk of this court within thirty-three (33) days after the date this notice is mailed to you. This notice was mailed on January 23, 2019.

STEVEN D. GRIERSON, CLERK OF THE COURT

/s/ Amber Lasby

Amber Lasby, Deputy Clerk

CERTIFICATE OF E-SERVICE / MAILING

I hereby certify that on this 23 day of January 2019, I served a copy of this Notice of Entry on the following:

☒ By e-mail:

Clark County District Attorney's Office
Attorney General's Office – Appellate Division-

☒ The United States mail addressed as follows:

Eddie Rencher, Jr. # 1024946
P.O. Box 208
Indian Springs, NV 89070

/s/ Amber Lasby

Amber Lasby, Deputy Clerk

ORIGINAL

Electronically Filed
1/18/2019 8:09 AM
Steven D. Grierson
CLERK OF THE COURT

Steven D. Grierson

FCL
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
JAMES R. SWEETIN
Chief Deputy District Attorney
Nevada Bar #005144
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

**DISTRICT COURT
CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,
Plaintiff,

-vs-

EDDIE RENCHER,
#1924353

Defendant.

CASE NO: **A-18-780636-W**
06C225668

DEPT NO: **XIX**

FINDINGS OF FACT, CONCLUSIONS OF
LAW AND ORDER

DATE OF HEARING: **DECEMBER 12, 2018**
TIME OF HEARING: **8:30 AM**

THIS CAUSE having presented before the Honorable WILLIAM D. KEPHART, District Judge, on the 12th day of December, 2018; Petitioner not being present, proceeding IN PROPER PERSON; Respondent being represented by STEVEN B. WOLFSON, Clark County District Attorney, by and through MICHAEL DICKERSON, Deputy District Attorney; and having considered the matter, including briefs, transcripts, arguments of counsel, and documents on file herein, the Court makes the following Findings of Fact and Conclusions of Law:

//

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//

1 **FINDINGS OF FACT**

2 **CONCLUSIONS OF LAW**

3 On August 31, 2006, Petitioner was charged by way of Information with 14 counts of
4 Sexual Assault of a Child under 14 Years of Age and 6 counts of Lewdness with a Child under
5 14 Years of Age. Trial began on July 7, 2008. The jury found Petitioner guilty on counts 1, 3–
6 7, 11–12, and 14–20. The Judgment of Conviction was filed on September 23, 2008. Petitioner
7 was sentenced to 15 terms of life without the possibility of parole, two of which were ordered
8 to run consecutively.

9 Petitioner filed a Notice of Appeal on September 5, 2008. On November 5, 2009, the
10 Nevada Supreme Court affirmed Petitioner's conviction. Remittitur was issued on December
11 1, 2009.

12 Petitioner filed his first Petition for Writ of Habeas Corpus on March 4, 2010. The State
13 responded on May 18, 2010. Petitioner filed a supplement to his petition on January 28, 2011,
14 and the State responded on March 24, 2011. On June 17, 2011, the District Court denied
15 Petitioner's first petition. Petitioner filed a second Notice of Appeal on September 23, 2011.
16 On June 13, 2012, the Nevada Supreme Court affirmed the district court's denial of
17 Petitioner's first petition. Remittitur was issued on July 9, 2012.

18 Petitioner then filed a Federal Petition for Writ of Habeas Corpus. On August 18, 2014,
19 the United States District Court for the District of Nevada found that Petitioner's first petition
20 contained both exhausted and unexhausted claims and was subject to dismissal.

21 Petitioner filed his second petition on November 21, 2014. The State responded on
22 January 7, 2015. The District Court denied his second petition on January 26, 2015. On
23 February 23, 2015, Petitioner filed a third Notice of Appeal. The Nevada Supreme Court
24 affirmed the denial and Remittitur was issued on July 14, 2015.

25 Petitioner filed his third petition on August 31, 2018. The State responded on October
26 25, 2018. The Court denied the petition on December 12, 2018.

27 //

28 //

1 ANALYSIS

2 **I. THE PETITION IS PROCEDURALLY BARRED.**

3 Petitioner's petition is procedurally barred for being untimely with no good cause
4 shown and as a successive petition. Further, the State pleaded laches.

5 **a. The petition is untimely.**

6 A petition challenging a judgment of conviction's validity must be filed within one year
7 of the judgment filed or within one year of the remittitur issued, unless there is good cause to
8 show delay. NRS 34.726(1). The Supreme Court of Nevada has held that NRS 34.726 should
9 be construed by its plain meaning. Pellegrini v. State, 117 Nev. 860, 873–74, 34 P.3d 519, 528
10 (2001). Under the statute, the one-year time bar proscribed by NRS 34.726 begins to run from
11 the date the judgment of conviction is filed or a remittitur from a timely direct appeal is filed.
12 Dickerson v. State, 114 Nev. 1084, 1087, 967 P.2d 1132, 1133–34 (1998).

13 The one-year time limit for preparing petitions for post-conviction relief under NRS
14 34.726 is strictly applied. In Gonzales v. State, 118 Nev. 590, 596, 53 P.3d 901, 904 (2002),
15 the Nevada Supreme Court rejected a habeas petition that was filed two days late despite
16 evidence presented by the defendant that he purchased postage through the prison and mailed
17 the Notice within the one-year time limit.

18 Furthermore, the Nevada Supreme Court has held that the district court has a *duty* to
19 consider whether a defendant's post-conviction petition claims are procedurally barred. State
20 v. Eighth Judicial Dist. Court (Riker), 121 Nev. 225, 231, 112 P.3d 1070, 1074 (2005). The
21 Riker Court found that “[a]pplication of the statutory procedural default rules to post-
22 conviction habeas petitions is mandatory,” noting:

23 Habeas corpus petitions that are filed many years after conviction
24 are an unreasonable burden on the criminal justice system. The
25 necessity for a workable system dictates that there must exist a
time when a criminal conviction is final.

26 Id. (quoting Groesbeck v. Warden, 100 Nev. 259, 261, 679 P.2d 1268, 1269 (1984)).
27 Additionally, the Court noted that procedural bars “cannot be ignored [by the district court]
28 when properly raised by the State.” Id. at 233, 112 P.3d at 1075. The Nevada Supreme Court

1 has granted no discretion to the district courts regarding whether to apply the statutory
2 procedural bars; the rules *must* be applied.

3 Here, Petitioner's petition is filed well beyond the one-year time bar. The Judgment of
4 Conviction was filed on September 23, 2008. Petitioner filed a direct appeal and Remittitur
5 was issued on December 1, 2009. That is almost nine years ago. Also, Petitioner's second
6 petition was denied as untimely. Therefore, this petition is dismissed as untimely.

7 **b. The petition is successive.**

8 Petitioner's petition is procedurally barred because it is successive. NRS 34.810(2)
9 reads:

10 A second or successive petition *must* be dismissed if the judge or
11 justice determines that it fails to allege new or different grounds
12 for relief and that the prior determination was on the merits or, if
13 new and different grounds are alleged, the judge or justice finds
14 that the failure of the petitioner to assert those grounds in a prior
15 petition constituted an abuse of the writ.

16 (emphasis added).

17 Second or successive petitions are petitions that either fail to allege new or different
18 grounds for relief and the grounds have already been decided on the merits or that allege new
19 or different grounds but a judge finds that the petitioner's failure to assert those grounds in a
20 prior petition would constitute an abuse of the writ. Second or successive petitions will only
21 be decided on the merits if the petitioner can show good cause and prejudice. NRS 34.810(3);
22 Lozada v. State, 110 Nev. 349, 358, 871 P.2d 944, 950 (1994).

23 The Nevada Supreme Court has stated: "Without such limitations on the availability of
24 post-conviction remedies, prisoners could petition for relief in perpetuity and thus abuse post-
25 conviction remedies. In addition, meritless, successive and untimely petitions clog the court
26 system and undermine the finality of convictions." Lozada, 110 Nev. at 358, 871 P.2d at 950.
27 The Nevada Supreme Court recognizes that "[u]nlike initial petitions which certainly require
28 a careful review of the record, successive petitions may be dismissed based solely on the face
of the petition." Ford v. Warden, 111 Nev. 872, 882, 901 P.2d 123, 129 (1995). In other words,
if the claim or allegation was previously available with reasonable diligence, it is an abuse of

1 the writ to wait to assert it in a later petition. McClesky v. Zant, 499 U.S. 467, 497–98 (1991).
2 Application of NRS 34.810(2) is mandatory. See Riker, 121 Nev. at 231, 112 P.3d at 1074.

3 Here, Petitioner’s claim was available to him when he filed his previous petitions, and
4 thus it is an abuse of the writ to assert them now. His claim is based on legislation from 1951,
5 which would have been available to him in 2010 and 2014. Also, Petitioner’s second petition
6 was denied as successive and an abuse of the writ. Therefore, Petitioner’s petition is dismissed
7 as a successive petition.

8 **c. Petitioner cannot show good cause.**

9 Good cause for delay requires that: 1) the delay is not the petitioner’s fault, and 2) the
10 dismissal as untimely will unduly prejudice the petitioner. NRS 34.726(1). The petitioner must
11 show some external factor that prevented him from complying with the time-bar. Clem v.
12 State, 119 Nev. 615, 621, 81 P.3d 521, 525 (2003). Also, a petitioner cannot attempt to create
13 good cause. Id. at 621, 81 P.3d at 526.

14 Petitioner cannot show good cause. The delay is Petitioner’s fault because he could
15 have included this claim in his previous petitions. His claim is based on legislation from 1951,
16 which would have been available to him in 2010 and 2014. Also, the Court found no good
17 cause for delay for Petitioner’s second petition. Thus, because the delay is Petitioner’s fault,
18 he is prevented from showing good cause.

19 **a. The State pleaded laches.**

20 There is a rebuttable presumption that the State is prejudiced when five or more years
21 elapses between a decision on direct appeal of a judgment of conviction and the filing of a
22 petition for writ of habeas corpus. NRS 34.800(2). The Nevada Supreme Court observed in
23 Groesbeck v. Warden, “[P]etitions that are filed many years after conviction are an
24 unreasonable burden on the criminal justice system. The necessity for a workable system
25 dictates that there must exist a time when a criminal conviction is final.” 100 Nev. 259, 261,
26 679 P.2d 1268, 1269 (1984).

27 //

28 //

1 Here, the State affirmatively pleaded laches. The Judgment of Conviction was filed on
2 September 23, 2008. Petitioner appealed and Remittitur was filed on December 1, 2009. That
3 is almost nine years ago. Thus, there is a rebuttable presumption that the State is prejudiced.

4 **II. PETITIONER'S REQUEST FOR AN EVIDENTIARY HEARING IS**
5 **DENIED BECAUSE THERE IS NO NEED TO EXPAND THE RECORD.**

6 NRS 34.770 determines when a defendant is entitled to an evidentiary hearing. It reads:

- 7 1. The judge or justice, upon review of the return, answer and
8 all supporting documents which are filed, shall determine
9 whether an evidentiary hearing is required. A petitioner must
10 not be discharged or committed to the custody of a person
11 other than the respondent *unless an evidentiary hearing is*
12 *held.*
- 13 2. If the judge or justice determines that the petitioner is not
14 entitled to relief and an evidentiary hearing is not required, he
15 shall dismiss the petition without a hearing.
- 16 3. If the judge or justice determines that an evidentiary hearing
17 is required, he shall grant the writ and shall set a date for the
18 hearing.

19 NRS 34.770.

20 If a petition can be resolved without expanding the record, then an evidentiary hearing
21 is not required. Mann v. State, 118 Nev. 351, 356, 46 P.3d 1228, 1231 (2002). A defendant is
22 entitled to an evidentiary hearing if his petition is supported by specific factual allegations,
23 which, if true, would entitle him to relief unless the factual allegations are repelled by the
24 record. Marshall v. State, 110 Nev. 1328, 1331, 885 P.2d 603, 605 (1994); see also Hargrove
25 v. State, 100 Nev. 498, 503, 686 P.2d 222, 225 (1984) (holding that "[a] defendant seeking
26 post-conviction relief is not entitled to an evidentiary hearing on factual allegations belied or
27 repelled by the record").

28 Here, the petition can be resolved without expanding the record. Petitioner makes no
factual allegation that entitles him to relief. Instead, Petitioner's petition is procedurally barred
and must be dismissed. Because his petition is procedurally barred, there is no reason to expand
the record. Thus, Petitioner's request for an evidentiary hearing is denied.

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ORDER

THEREFORE, **IT IS HEREBY ORDERED** that the Petition for Post-Conviction Relief shall be, and is, denied.

DATED this 11th day of January, 2019.



DISTRICT JUDGE

STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565

BY  for
MICHAEL DICKERSON
Deputy District Attorney
Nevada Bar #013476

THE SEALED PORTION
OF THESE MINUTES
WILL FOLLOW VIA
U.S. MAIL.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 19, 2010

06C225668

The State of Nevada vs Eddie Rencher Jr

May 19, 2010

8:15 AM

Petition for Writ of Habeas
Corpus

**PTN FOR WRIT OF
HABEAS CORPUS**
**Court Clerk: Sharon
Chun**
**Reporter/Recorder:
Richard Kangas**
**Heard By: David
Barker**

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Dustin, Cynthia L.
Lavell, Maria

Attorney
Attorney

JOURNAL ENTRIES

- Ms. Dustin stated she only represented Deft Rencher through the direct appeal, and made Oral Motion to Withdraw as Counsel. COURT ORDERED, WITHDRAWAL GRANTED. COURT NOTED that Deft had filed for Petition of Habeas Corpus, but, after reading Deft's document, COURT ACCEPTS this as a Petition re Ineffective Assistance of Counsel at trial. COURT NOTED that Ms. Sims was trial counsel and Deft will need to be present for the post-conviction hearing. COURT ORDERED, COUNSEL TO BE APPOINTED THROUGH DREW CHRISTENSEN'S OFFICE and MATTER SET FOR STATUS CHECK.

NDC

6/16/10 8:15 AM STATUS CHECK: CONFIRMATION OF APPOINTED COUNSEL (THROUGH DREW CHRISTENSEN'S OFFICE)...STATUS CHECK: SET HEARING FOR PETITION RE INEFFECTIVE ASSISTANCE OF COUNSEL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 02, 2010**

06C225668

The State of Nevada vs Eddie Rencher Jr

June 02, 2010**8:15 AM****Motion**

**DEFT'S PRO PER
MTN FOR
CONFESSION OF
ERROR/M Court
Clerk: Melissa
Benson
Reporter/Recorder:
Richard Kangas
Heard By: David
Barker**

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Iskan, Ercan E
Parris, John P.

Attorney
Attorney

JOURNAL ENTRIES

- Court finds motion is a fugitive document, difficult to understand and ORDERED, matter DENIED.
NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 16, 2010

06C225668

The State of Nevada vs Eddie Rencher Jr

June 16, 2010

8:15 AM

All Pending Motions

**ALL PENDING
MOTIONS 6/16/10
Court Clerk: Sharon
Chun
Reporter/Recorder:
Richard Kangas
Heard By: David
Barker**

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Castillo, Michael V.
Rogan, Jeffrey

Attorney
Attorney

JOURNAL ENTRIES

- ALL PENDING MATTERS, AS LISTED BELOW.

STATUS CHECK: CONFIRMATION OF APPOINTED COUNSEL: Mr. Castillo confirmed Kristina Wildeveld as appointed counsel for Deft Rencher.

PETITION FOR WRIT OF HABEAS CORPUS (INEFFECTIVE ASSISTANCE OF COUNSEL) and
STATUS CHECK: SET HEARING DATE FOR WRIT: COURT ORDERED, BOTH MATTERS OFF
CALENDAR, Supplemental Petition for Writ of Habeas Corpus pending since new counsel now
appointed.
NDC.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 13, 2010

06C225668

The State of Nevada vs Eddie Rencher Jr

October 13, 2010

8:15 AM

Motion

HEARD BY: Barker, David

COURTROOM: RJC Courtroom 11B

COURT CLERK: Roshonda Mayfield

RECORDER: Richard Kangas

REPORTER:

PARTIES

PRESENT: Nichol, Stephen

Attorney

JOURNAL ENTRIES

- Attorney Peiper advised, this is Attorney Sweetin's matter and he requests a continuance. There being no opposition, COURT SO ORDERED.

NDC

10/27/10 8:15 A.M. DEFENDANT'S MOTION TO PLACE ON CALENDAR FOR APPOINTMENT OF INVESTIGATOR

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****October 18, 2010**

06C225668

The State of Nevada vs Eddie Rencher Jr

October 18, 2010**8:15 AM****Motion****Defendant's Motion
To Place On Calendar
For Appointment Of
Investigator****HEARD BY:** Barker, David**COURTROOM:** RJC Courtroom 11B**COURT CLERK:** Sharon Chun**RECORDER:** Richard Kangas**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- No parties present at recall of the case. COURT STATED it will render its decision without argument today and ORDERED, MOTION DENIED. After calendar, Ms. Wildeveld appeared and was told of the Court's decision.

CLERK'S NOTE: Per the Judicial Executive Assistant: Following calendar, Ms. Wildeveld appeared in Chambers with District Attorney Agnes Botelho, and, the COURT GRANTED THE MOTION.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 14, 2011

06C225668

The State of Nevada vs Eddie Rencher Jr

March 14, 2011

8:15 AM

**Petition for Writ of Habeas
Corpus**

HEARD BY: Barker, David

COURTROOM: RJC Courtroom 11B

COURT CLERK: Phyllis Irby

RECORDER: Richard Kangas

REPORTER:

PARTIES

PRESENT:

Ponticello, Frank M.
State of Nevada

Attorney
Plaintiff

JOURNAL ENTRIES

- Deft not present. Counsel not present. Court noted, briefing schedule has already been set.
COURT ORDERED, MATTER SET FOR HEARING.

NDC

5-06-11 1:00 PM HEARING (DEPT. XVIII)

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****May 06, 2011**

06C225668

The State of Nevada vs Eddie Rencher Jr

May 06, 2011**1:00 PM****Hearing****HEARD BY:** Barker, David**COURTROOM:** RJC Courtroom 11B**COURT CLERK:** Billie Jo Craig**RECORDER:****REPORTER:****PARTIES****PRESENT:****JOURNAL ENTRIES**

- Deputy District Attorneys Tyler Smith and Taleen Pandukht present for the State. Kristina Wildeveld present for Defendant. Defendant not present.

Court called the case for the record. Court to determine whether it is necessary and appropriate for an Evidentiary Hearing on Defendant's Petition for Writ of Habeas Corpus Post Conviction Relief. Arguments by counsel. Court stated its findings, and ORDERED, matter SET for Evidentiary Hearing on Defendant's Petition for Writ of Habeas Corpus Post Conviction Relief. Ms. Pandukht to confer with co-counsel Glen O'Brien to determine if the next Court date is good. The State to prepare an Order to Transport for defendant to be present. Ms. Wildeveld to subpoena Marsha Simms, who will be the only witness. Court estimated a two hour Hearing.

NDC

6/17/11 1:00 PM EVIDENTIARY HEARING ON DEFENDANT'S PETITION
FOR WRIT OF HABEAS CORPUS POST CONVICTION RELIEF

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****June 17, 2011**

06C225668

The State of Nevada vs Eddie Rencher Jr

June 17, 2011**1:00 PM****Evidentiary Hearing****HEARD BY:** Barker, David**COURTROOM:** RJC Courtroom 11B**COURT CLERK:** Melissa Benson**RECORDER:** Richard Kangas**REPORTER:****PARTIES****PRESENT:**

O'Brien, Glen

Attorney

Pandukht, Taleen R.

Attorney

Rencher Jr, Eddie

Defendant

State of Nevada

Plaintiff

Wildeveld, Kristina M.

Attorney

JOURNAL ENTRIES

- Witness sworn and testified. Court DIRECTED counsel to provide proposed findings of fact and conclusions of law, submit them to chambers and to opposing party and ORDERED, matter SET for Status Check. State requested a copy of transcripts from today s hearing. Court noted Deft. will not be remanded.

NDC

7/18/11 8:15 AM STATUS CHECK: TRANSCRIPTS

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****July 18, 2011**

06C225668

The State of Nevada vs Eddie Rencher Jr

July 18, 2011**8:15 AM****Status Check****HEARD BY:** Barker, David**COURTROOM:** RJC Courtroom 11B**COURT CLERK:** Roshonda Mayfield**RECORDER:** Richard Kangas**REPORTER:****PARTIES****PRESENT:**

O'Brien, Glen

Attorney

Pandukht, Taleen R.

Attorney

State of Nevada

Plaintiff

JOURNAL ENTRIES

- Attorney Figler advised, he is standing in as counsel on behalf of the Defendant today. Further, a continuance is requested in this matter as Attorney Weldeveld will be out of town this entire month. There being no opposition, COURT ORDERED, matter CONTINUED for the presence of counsel.

NDC

8/15/11 8:15 A.M. STATUS CHECK: TRANSCRIPTS/FINDINGS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 15, 2011

06C225668

The State of Nevada vs Eddie Rencher Jr

August 15, 2011

8:15 AM

Status Check

HEARD BY: Barker, David

COURTROOM: RJC Courtroom 11B

COURT CLERK: Roshonda Mayfield

April Watkins

RECORDER: Richard Kangas

REPORTER:

PARTIES

PRESENT:

Botelho, Agnes M.
State of Nevada

Attorney
Plaintiff

JOURNAL ENTRIES

- There being no appearance by counsel, COURT ORDERED, matter OFF CALENDAR.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****November 07, 2011**

06C225668

The State of Nevada vs Eddie Rencher Jr

November 07, 2011 8:15 AM Appointment of Counsel**HEARD BY:** Barker, David**COURTROOM:** RJC Courtroom 11B**COURT CLERK:** April Watkins**RECORDER:** Cheryl Carpenter**REPORTER:****PARTIES****PRESENT:**Botelho, Agnes M.
State of NevadaAttorney
Plaintiff**JOURNAL ENTRIES**

- Kristina Wildeveld, Esq., present.

Ms. Wildeveld stated she will accept appointment. Further, Ms. Wildeveld advised once case was remanded, there was a letter sent to the Supreme Court indicating Deft. did not want counsel, letter sent to Deft. by counsel advising she would be counsel of record, Deft. advised he only wants counsel on this case only and no one else. Additionally, Ms. Wildeveld stated she has been advised the Supreme Court has rescinded order. Court stated the only order he has is directing him to appoint counsel and ORDERED, Kristina Wildeveld, Esq., APPOINTED as counsel.

NDC

CLERK'S NOTE: After Court, the Court received order from Supreme Court rescinding there order for appointment of counsel. As such, Ms. Wildeveld is NOT APPOINTED in this matter at this time.
aw 11/7/11

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 26, 2015**

06C225668

The State of Nevada vs Eddie Rencher Jr

January 26, 2015**8:30 AM****Petition for Writ of Habeas
Corpus****Defendant's Pro Per
Petition for Writ of
Habeas Corpus (Post
Conviction)****HEARD BY:** Kephart, William D.**COURTROOM:** RJC Courtroom 03E**COURT CLERK:** Ying Pan**RECORDER:** Christine Erickson**REPORTER:****PARTIES****PRESENT:**Laurent, Christopher J
State of NevadaAttorney
Plaintiff**JOURNAL ENTRIES**

- Defendant not present.

Court FINDS, the Petition is untimely, excessive, it is an abuse of the Writ, and there is no good cause. COURT ORDERED, Motion DENIED.

NDC

CLERK'S NOTE: The above minute order has been distributed via U.S. Regular Mail to: Defendant

EDDIE RENCHER, JR., BAC#1024946
S.D.C.C.
P.O. BOX 208
INDIAN SPRINGS, NV 89070

- YP 1-27-15

State's

EXHIBIT LIST

Sure
TRIAL

OR HEARING DATE July 7, 2008

Case No.	C 225668	Clerk:	Sharon Chun
Dept.	XVIII	Judge:	DAVID BARKER
Pltf(s):	The State of Nevada	Pltf's Counsel:	T. Pandukht + G. O'Brien
Def(s):	Eddie Rencher	Def's Counsel:	M. Kimble-Simms

Exhibit No.	Description	Date Offered	Obj.	Adm.	Date Admitted
1	Photograph of victim	7-8-08	-	✓	7-8-08
2	" of family group	7-8-08	-	✓	7-8-08
3	" of group (4 people)	7-8-08	-	✓	7-8-08
4	Drawing of female child, nude	7-8-08	-	✓	7-8-08
5	Drawing of male, nude	7-8-08	-	✓	7-8-08
6	Drawing of male, nude -	7-8-08	-		7/8/08

STATE'S

EXHIBITS

CASE NO.

C225608

Date _____

Offered OBJ

Admitted

Date _____

[illegible]

VAULT EXHIBIT FORM

CASE NO:	C225668	HEARING DATE::	9/14/07
DEPT. NO.	18	JUDGE:	David Barker
		CLERK:	Willa Pettit
		REPORTER	Richard Langford
		JURY FEES:	
			Sean O'Brien
		COUNSEL FOR PLAINTIFF	
			Bryan Cox & Stacey Rountree
		COUNSEL FOR DEFENDANT	

Sept's Exhibits

Date Offered	Objection	Date Admitted
--------------	-----------	---------------

[illegible]

TRIAL OR HEARING DATE 1-1-08

T:\DEPT 18\EXHIBIT LIST FORMS-GENERIC.doc

Count's

EXHIBITS

CASE NO.

C225668

Date _____

Offered OBJ

Admitted

Date _____

[illegible]

VAULT EXHIBIT FORM

CASE NO: C 2254608

~~TRIAL~~ DATE: 1/30/08

DEPT. NO. 18

JUDGE: DAVID BARKER

CLERK: TIA EVERETT

State of Nevada

REPORTER: Dick Vangs

PLAINTIFF_____

Taleen Perduwint

VS

COUNSEL FOR PLAINTIFF

Eddie Berner

marsh wimple-simms

DEFENDANT__.

COUNSEL FOR DEFENDANT

Court's Exhibits

[illegible]

EXHIBIT LIST

TRIAL OR HEARING DATE

4-28-08

Case No. <u>C225668</u>	Recorder: <u>Richard Kangas</u>
Dept. <u>XVIII</u> Judge: <u>DAVID BARKER</u>	Clerk: <u>Sharon Chun</u>
Pltf(s) <u>State of Nevada</u>	Pltf's Counsel: <u>T. Pandukht</u>
Def(s) <u>Eddie Rencher, Jr.</u>	Def's Counsel: <u>M. Kimball-Simons</u>

Re: Motion to Suppress

[illegible]

EXHIBIT LIST

CASE NO. C 225668

TRIAL OR HEARING DATE 7-7-08

[illegible]

T:\DEPT 18\EXHIBIT LIST FORMS-GENERIC.doc

Certification of Copy

State of Nevada }
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DESIGNATION OF RECORD ON APPEAL; DISTRICT COURT DOCKET ENTRIES; FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER; NOTICE OF ENTRY OF FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER; DISTRICT COURT MINUTES; EXHIBITS LIST

STATE OF NEVADA,

Plaintiff(s),

vs.

EDDIE RENCHER, JR.
aka EDDIE RENCHER,

Defendant(s).

Case No: 06C225668

Dept No: XIX

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 25 day of February 2019.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk