



SUPREME COURT OF NEVADA
OFFICE OF THE CLERK
ELIZABETH A. BROWN, CLERK
201 SOUTH CARSON STREET, SUITE 201
CARSON CITY, NEVADA 89701-4702

Telephone
(775) 684-1600

November 4, 2020

Jack Leal
Inmate ID: 1183500
Southern Desert Correctional Center
P.O. Box 208
Indian Springs, NV 89070

Re: LEAL (JACK) VS. WARDEN (79243)

Dear Mr. Leal:

We are returning, unfiled, the "Motion for Status Check of Previous Motion" received in this office on November 4, 2020 in the above-entitled matter.

A decision was filed in this case on October 9, 2020 and the remittitur issued on November 3, 2020. Therefore, this court no longer has jurisdiction over this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Lococo".

A. Lococo
Deputy Clerk

20-40247

1 Jack Leal ID NO. 1183500

**RETURNED
UNFILED**

2 SOUTHERN DESERT CORRECTIONAL CTN.
3 20825 COLD CREEK RD.
4 P.O. BOX 208
5 INDIAN SPRINGS, NV 89070

NOV 04 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY _____
DEPUTY CLERK

6 In the Supreme Court of the State of Nevada

8 Jack Leal,
9 Appellant,
10 v.

Supreme Court Case

~~CASE~~ NO.: 79243

District Court Case

~~FILE~~ NO.: C3726064

DOCKET: _____

11 Jerry Howell, Wardens,
12 Southern Desert Correctional Center,
13 Respondent,

14 Motion for Status Check of Previous Motion

17 COMES NOW, Appellant, Jack Leal, herein above respectfully
18 moves this Honorable Court for an Order clarifying which Judgment of
19 Conviction is the "final judgment" per NRS 76.105

21 This Motion is made and based upon the accompanying Memorandum of Points and
22 Authorities,

23 DATED: this 20th day of October, 2020

24 BY: _____

Jack Leal

#1183500

25 ~~Respondent~~ In Proper Personant
26 Appellant

27 **RECEIVED**

NOV 02 2020

28 ELIZABETH A. BROWN
CLERK OF SUPREME COURT
DEPUTY CLERK

1 On February 24th 2020 Leal filed a "Motion for clarification as to date of
2 final judgment" which was filed with this Court on March 2nd 2020.

3 On April 15th 2020 this Court issued a Order stating that it would consider the
4 date of the Judgment of Conviction as needed.

5 On October 9th 2020, this Court issued a Order of Affirmance without addressing
6 the Motion in any way or context.

7 As this Motion is essentially questioning the jurisdiction of this Court and Leal's
8 actual appeal to this Court in this case number, it should be addressed
9 in some manner, in writing, so that any future, higher courts receive this
10 Court's ruling on the matter.

11 If Leal's Amended Judgment of Conviction filed on May 9th 2019 is the actual
12 "final judgment" in the case per NRS 176.105, then his Petition for Writ of
13 Habeas Corpus filed on March 21st 2019 (prior to the final judgment) would be
14 void as it was filed prematurely and would be moot and nullified.

15 Subsequently his appeal of the denial of that Petition, filed on July 19th 2019, would
16 also be void as it was against a premature judgment which was not final
17 (the August 2017 J.O.C.) and therefore this appeal before this Court in
18 case number 79243 would need to be dismissed as this Court would then
19 not have jurisdiction at this point in time.


20 Based on this, Leal believes that the court would need to address this
21 Motion in order to clarify the effective date of his judgment of conviction.

22 Without doing so, Leal's previous Motion for clarification remains unresolved.

23 This motion is made in good faith and not for the purposes of undue delay.

24 I declare under penalty of perjury the factual representations set forth in the foregoing memorandum
25 are true and correct.

Respectfully submitted,

26 
27 Jack Leal #1183500

Appellant in proper person

AFFIRMATION
Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding _____

Motion for Status Check of Previous Motion
(Title of Document)

filed in ^{Supreme}~~District~~ Court Case number 79243

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.

[Signature]
Signature

10-20-2020
Date

Jack Leal
Print Name

Appellant
Title