

FILED

NOV 24 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

Jack Leal ID NO. 1183500

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

In the Court of Appeals of the State of Nevada

Jack Leal,
Appellant,
v.

Supreme Court
CASE NO.: 79243

District Court
CASE NO.: C 322664

DOCKET: _____

Jerry Howell, Warden,
Southern Desert Correctional Center,
Respondent.

Motion for Status Check of Previous Motion

COMES NOW, Appellant, Jack Leal, herein above respectfully
moves this Honorable Court for an Order clarifying which Judgment of
Conviction is the "Final Judgment" per NRS 176.105

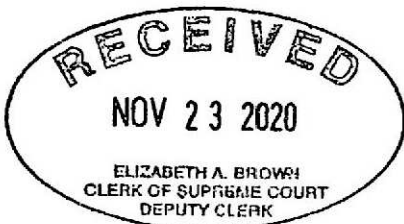
This Motion is made and based upon the accompanying Memorandum of Points and
Authorities,

DATED: this 17th day of November, 2020

BY [Signature]

Jack Leal # 1183500

~~Defendant~~ In Proper Personam
Appellant



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, however on October 9th 2020,

5 this Court issued a Order of Affirmance without addressing the Motion in any way.

6 As this Motion is a question of jurisdiction and of Leal's appeal presently before
7 this Court, it should be addressed in some manner, in writing, so that it is on
8 the record for any future Court's consideration on the matter.

9 If Leal's Amended Judgment of Conviction Filed on May 9th 2019 is the actual

10 "final judgment" in this case per NRS 176.105, then his Petition for Writ of

11 Habeas Corpus Filed on March 21st 2019 would be considered premature, as it was
12 prior to the date of the final judgment, and therefore would be null and void.

13 Subsequently his appeal of the denial of that Petition, filed on July 19th 2019, would
14 also be void as it was against a judgment which was not final (the August

15 2017 J.O.C.) and this appeal presently before this Court in case number 79243
16 would also be null and void as this Court would not have jurisdiction at this time.

17

18 Based on this, Leal believes that the Court would need to address the
19 jurisdictional issues in the Motion ~~and~~ to clarify the effective date
20 of his judgment of conviction. Without doing so, Leal's previous Motion for
21 clarification remains unresolved.

22

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
25 memorandum are true and correct.

26

27

28

Respectfully submitted,

Jack Leal

Appellant in Proper Person

CERTIFICATE OF SERVICE BY MAILING

I, Jack Leal, hereby certify, pursuant to NRCP 5(b), that on this 17th day of November, 2020, I mailed a true and correct copy of the foregoing, "Motion for Status Check of Previous Motion"

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

Jerry Howell, Warden
Southern Desert Correctional Center
20825 Cold Creek Road
Indian Springs, NV 89170

Aaron Ford, ESQ.
Nevada Attorney General
100 North Carson Street
Carson City, NV 89701

Steven B Wolfson, ESQ.
Clark County District Attorney
200 Lewis Avenue
Las Vegas, NV 89101

Supreme Court of Nevada
Office of the Clerk
801 South Carson Street
Suite 201
Carson City, NV 89701

CC:FILE

DATED: this 17th day of November, 2020.

Jack Leal #1183520
Appellant /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 _____

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

filed in ~~DISTRICT~~ ^{Supreme} 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

11-17-2020
Date

Jack Leal
Print Name

Appellant
Title