

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

JACK LEAL,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

S.Ct. No. 83451

D.C. No. A-20-814368-W  
C-17-322664-2

Electronically Filed  
Sep 10 2021 09:54 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

DOCKETING STATEMENT  
CRIMINAL APPEALS

**GENERAL INFORMATION**

1. Eighth Judicial District; Clark County, Department XVII Judge: The Honorable Michael Villani; District Court Case: A-20-814368-W stemming from C-17-322664-2
2. On January 18, and January 19 2019, Mr. Charlot was adjudicated Guilty after an 11/6/2017 guilty plea to 3 counts of Robbery with Use of a Deadly Weapon under NRS 200.380 with 4 codefendants.
  - b) The Appellant's sentence has not been stayed.
  - c) The Appellant has not been admitted to bail pending appeal.
3. All attorneys who represented Appellant in District Court were appointed.
4. Attorney filing this docketing statement:  
Diane C. Lowe Esq.  
Lowe Law, LLC  
7350 West Centennial Parkway #3085  
Las Vegas, NV 89131  
Telephone 725 212 2451
5. Appellate counsel is appointed.
6. Respondent Attorney:

District Attorney Alexander G. Chen, Esq.  
Clark County District Attorney's Office

200 Lewis Avenue, 9<sup>th</sup> Floor  
Las Vegas, Nevada 89155  
(702) 671-2750

Attorney General Aaron D. Ford Nevada Department of Justice Office  
of the Attorney General 100 North Carson Street Carson City Nevada  
89701  
(775) 684-1100  
Client: The State of Nevada

7. Disposition Below: Judgment upon guilty plea.
  
8. Does this appeal raises an issue concerning a LIFE sentence, death, juvenile, pretrial? No
  
9. Appellant is not in favor of proceeding in an expedited manner.
  
10. Prior proceedings in this court:  

Two appeals have been filed by Mr. Leal. The first was direct appeal 74050. The second was a denial of his first writ action 79243.
  
11. Prior proceedings in other courts: There is the current writ action that was denied in the District Court. A-20-814369-W. On September 30 2016 the State filed in the Eighth Judicial District Court a complaint for forfeiture against inter alia, property located located at 1024 Santa Helena Avenue in Henderson NV 89001 case A-16-744347-C. There was a first writ of habeas corpus action that he lost. It proceeded under the criminal case number C-17-322664-2. There was a civil action that related partly to the matters in this

case. A-18-771769-C. The criminal case at the district court was C-17-322664-3. Justice Court 17F19220B.

12. Nature of Action. Briefly describe the nature of the action and the result below.

Mr. LEAL was charged November 29, 2016 with his wife JESSICA GARCIA and their company PARCELNOMICS, LLC (d/b/a Investment Deals) under three cases at the Las Vegas Justice Court for 14 felony B criminal charges: 1 Racketeering, 12 theft, and 1 Multiple transactions involving fraud or deceit in course of enterprise or occupation. Justice Court Case 16F19220B (Jack Leal), 16F19220A (Parcelnomics, LLC), 16F19220C (Jessica Garcia). Thirteen people claimed they sold them houses and did not comply with disclosure requirements to alert them about liens on the properties, defrauding them of a combined amount of \$757,420.00 between March 1, 2015 and March 31, 2016. On April 24, 2017 Mr. Leal entered a guilty plea agreement to Count 14 – Multiple transactions involving fraud or deceit in course of enterprise or occupation with all the other counts being incorporated into Count 14.

13. Issues Appellant is raising in this appeal:

Is the action time barred? Were issues raised, law of the case or barred because they could have been raised in the prior writ of habeas corpus action – successive petitions? Ineffective assistance of counsel.

14. N/A No challenges to the Constitutionality of Statutes at issue.

15. This appeal is presumptively routed to the Nevada Court of Appeals because it relates to a post-conviction Petition for a Category B felony. NRAP 17(b)(3).
16. First Impression? No.  
Public Interest? No.
17. The jury trial. Not applicable this was a plea agreement case.
18. I would object to the submission of this appeal for disposition without oral argument.

#### **TIMELINESS OF NOTICE OF APPEAL**

19. The District Court announced its decision on Appellant's Writ of Habeas Corpus and Supplement: August 27, 2021 orally at hearing wherein he entertained argument on the briefing.
20. In lieu of a Written Order of Findings of Fact, Conclusions of Law and Order there was an Order Dismissing Petition for Writ of Habeas Corpus eFiling September 6, 2021.
21. If this appeal is from an order granting or denying a petition for a writ of habeas corpus indicate the date written notice of entry of judgment or order was served by the district court: September 6, 2021.
22. N/A.

23. The Notice of Appeal was filed on August 29, 2021.
24. The statute governing the time limit for filing the Notice of Appeal is NRAP 4(a).
25. The statute which grants this Court jurisdiction to review the instant appeal is NRS 34.575(1).

### VERIFICATION

I certify that the information provided in this docketing statement is true and complete to the best of my knowledge, information and belief.

Jack Leal  
Name of Appellant

Diane C. Lowe, Esq.  
Name of Counsel of Record

September 10, 2021  
Date

/s/ Diane C. Lowe, Esq.  
Signature of Counsel of Record

Dated this 10th day of September 2021

Respectfully submitted,

/s/ Diane C. Lowe  
DIANE C. LOWE, ESQ.  
Lowe Law LLC  
7350 W Centennial Pkwy #3085  
Las Vegas, NV 89131  
(725)212-2451  
dianelowe@lowelawllc.com  
Counsel for Appellant

### CERTIFICATE OF SERVICE

I certify that on September 10, 2021 an electronic copy of the foregoing DOCKETING STATEMENT was sent via the master transmission list with the

Nevada Supreme Court to the following:

AARON D. FORD, ESQ.  
Nevada Attorney General

ALEXANDER G. CHEN, ESQ.  
District Attorney

/s/ Diane C. Lowe  
DIANE C. LOWE, ESQ.  
Lowe Law LLC  
7350 W Centennial Pkwy #3085  
Las Vegas, NV 89131  
(725)212-2451  
dianelowe@lowelawllc.com  
Counsel for Appellant