Keith Sullivan#92630 case NO: 85/09 COA SDCC POBOX 200 Indian springs, NV 89018

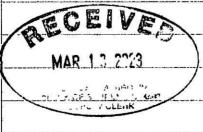
clerk of the Eoust,

3/6/23

Please include these documents with the Reply to the Respondent's Answering Brief Filed 2/23/23, Because T Nasn't able to copy these documents due to SDCC's law library schedualling policy until Mon. 3/6/23, I wasn't able to include them in a simultaneous way, Thank you, I. Bru

Keith Sullivan #92630 Petitioner, In Proger Person

The Motion to Admit a second Petition for Writ of Habeas corpus directly opposes the Respondent's assertion that I didn't important apply for permission to file a second Petition in a timely mappor I filed that motion once the NDOCS law libraries were available to inmate access and was informed to do so by inmate law library assignants. Please send me a file-stamped copy included within



## FILED

Keith Sullivan	ID NO. 92630
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AUG 3 0 2022

SOUTHERN DESERT CORRECTIONAL CTN.

20825 COLD CREEK RD.

P.O. BOX 208

IN THE SECONDATE OF NEVADA 9ND THE STATE OF NEVADA 9ND THE 2ND VIDECTAL DIST, COURT

Keith	Sullivan Petitioner	
1 1	Petitioner	

CASE NO .: CR18-0427

DEPT. NO .: Eight

Perry Russell, warden, et al Respondents DOCKET: \_

Motion to Admit Second Petition for Writ of Habeas corpus

comes now. Keith Sullivan Petitioner In ProsE, herein above respectfully moves this Honorable Court for an admission of a Second petition for Writ of Habeas Corpus

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

DATED this 27Nd day of AUgust . 2022

Keith Sullivan = 92630

Defendant In Proper Personam



## CERTFICATE OF SERVICE BY MAILING

2	I, <u>Keith Sullivan</u> , hereby certify, pursuant to NRCP 5(b), that on this
3	day of AUGUST, 2022, I mailed a true and correct copy of the foregoing, "MOTION TO
4	
5	. I was a second of the second
6	
7	
8	2Nd Judicial Dist. COUST Novada Attny Gen office
9	75 COUST ST. 100 N. Carson ST
10	Reno, NV 9950 Carson city, NW 8970Z
11	
12	Washoe Co, Dist. Attny. Novada Supreme court
13 <del>-14</del>	one s. sierra st. 201 s. carson St., 30/12/201
15	Reno, NW 99501 CONSON -17, NW 99702
16	
17	CC:FILE
18	
19	DATED: this 22/V day of AVQUST, 2022.
20	9
21	Heith Gar
22	Keith Suilivan # 92630 /In Propria Personam
23	Post Office Box 208, S.D.C.C.  Indian Springs, Nevada 89018
24	IN FORMA PAUPERIS:
25	
26	
27	
28	



#### State of Nevada **Department of Corrections**

#### INMATE GRIEVANCE REPORT

ISSUE ID# 20063147955 ISSUE DATE: 01/13/2023

INMATE NAME

NDOC ID 92630

TRANSACTION TYPE RTRN INF

**ASSIGNED TO GMORAN** 

SULLIVAN, KEITH WILLIAM

**FINDING** 

**USER ID** 

STATUS

IF

TRANSACTION DATE DAYS LEFT 01/24/2023

Partially Granted

**KCURRIER** 

INACTIVE

INMATE COMPLAINT

#### OFFICIAL RESPONSE

Offender Sullivan, K #92630, I am in response to informal grievance log#20063147954 alleging that due to being separated from your property, you missed a deadline with the courts to file an appeal. While investigating your claim, I was able to confirm that you were originally being transferred on April 28, 2022 from Warm Springs Correctional Center with four (4) boxes. I cannot confirm or speak on the contents of the boxes. However, I was also able to confirm that due to not having enough space on the transportation vehicle, you were reduced to one (1) box and the rest were held back to be on the next transportation run. As a result of being in a restrictive housing unit from April 28, 2022 to May 11, 2022, you were not able to attend law library appointments. However, the law library provides legal services in restrictive housing units

Partially Granted

GRIEVANCE RESPONDER

Report Name NVRIGR

Reference Name NOTIS-RPT-OR-0217.4

Run Date JAN-24-23 04 53 PM

Page 1 of 2

## Log Number 20003147954

# NEVADA DEPARTMENT OF CORRECTIONS INFORMAL GRIEVANCE

NAME Keith SULLIVAN	1.D NUMBER 92630
~ · · ·	UNIT
GRIEVANT'S STATEMENT. ON APPIL 28th	2022 I was transfered from
warn springs correctional etc. to	Southern Desert Correctional Ctr.
When we were being loaded onto	the bus 59t. Brady informed us
that their wasn't enough room to	include all of ear legal work boxes.
He said our boxes would follow us	in a few days, But after a week
SWORN DECLARATION UNDER PENALTY O	F PERJURY
	DATE: 1/13/23 TIME: 9 PM
GRIEVANCE COORDINATOR SIGNATURE.	CURNU DATE 1/20/23TIME 1300
CASEWORKER SIGNATURE:  AV GRIEVANCE UPHELD GRIEVANCE DENI  GRIEVANCE COORDINATOR APPROVAL	DATE: 3/3/23  EDISSUE NOT GRIEVABLE PER AR 740  DURN DATE: 1/24/2023
INMATE AGREES INMATE DIS INMATE SIGNATURE:	OF THE CLAIM. A FIRST LEVEL GRIED ON THE CLAIM.
BE PURSUED IN THE EVENT THE INMATE DISAGRE	20cc
Original To inmate when complete, or attached to form Canary. To Grievance Coordinator Pink Inmate's receipt when formal grievance filed Gold: Inmate's initial receipt	JAN 1 9 2023

NAME Kelth SULLIVAL	1D NUMBER 92650
INSTITUTION SDCC	UNIT# 5
GRIEVANCE # GRIE	VANCE LEVEL. INFORMAL
GRIEVANT'S STATEMENT CONTINUATION.	PG LWO OF three
passed and I still didn't have them.	I filed an Emergency
Gnevarce, It was deried, deemed not	an emergency, I then tiled
or Informal Governce. I didn't a	/ 4
Until May 24th (approximately). I)	
my Habeas corpus in order to supplen	MERT MY opposition to the
State's motion to DISMISS it by Ma	y 17th, 2022, 11/1/14/11
by Eighth Judicial District court Jua	ge, Hon, B. Breshw.
Because I was sepporated from	my legal papers by the
Nevada Dept. of Corrections through 1	no fault of my own, I
missed Judge Breslows deadline	
I filed many Grievance 3 at vo	
confused and stymied by this F	
mid-December, 2022, I met with A	
Office at 5DCc. She explained m	
latter grievances I'd filed but s	
my claims, Today I spoke with h	yer and the advise soce
Original Attached to Grievance Pink Inmate's Copy	- ' ( a 7/2

NAME Keith Sullival	1D NUMBER <u> </u>
INSTITUTION SDCC	UNIT#5
GRIEVANCE #: GR	IEVANCE LEVEL. Informal
GRIEVANT'S STATEMENT CONTINUATION	PG three OF three
to fire this Grierance.	
The problem is that I missel a	- Cour; -ordered dead line
because I'd been separated from	m my legal work for # the
three and a half weeks during wh	ich the deadline elapsed,
The Fernedy I am seeking 15	a simple acknowledgment
that what I have Stated is t	
I ean prove that my missing the	e deadline was due to
circumstances beyond My control.	Please State unequivically
that I was transfered from Ws	cc to Spcc, or April 28th,
2022 but did not receive my	
24th, 2022 and that I was	urable to Utilize the
law library due to its closure	e because of COVID at
the time and also because I i	was housed in Unit6
which is a segragated housing	Unit: It was impossible
to notify the cour and the r	espondents in my appeal
due to these circumstances.	Thank you, Received
Original Attached to Grievance Pink: Inmate's Copy	SDCC JAN 1 /1 2023 (2
supplied to sopy	SIAICO, MARIO
	- C.65285.



### State of Nevada **Department of Corrections**

INMATE GRIEVANCE REPORT

ISSUE ID# 20063147955

ISSUE DATE: 01/13/2023

INMATE NAME

NDOC ID SULLIVAN, KEITH WILLIAM

TRANSACTION TYPE

ASSIGNED TO

92630

RTRN INF

**GMORAN** 

LEVEL

TRANSACTION DATE

**FINDING** Partially Granted

USER ID **KCURRIER** 

STATUS INACTIVE

INMATE COMPLAINT

#### OFFICIAL RESPONSE

Offender Sullivan, K. #92630, I am in response to informal gnevance log#20063147954 alleging that due to being separated from your property, you missed a deadline with the courts to file an appeal. While investigating your claim, I was able to confirm that you were originally being transferred on April 28, 2022 from Warm Springs Correctional Center with four (4) boxes. I cannot confirm or speak on the contents of the boxes. However, I was also able to confirm that due to not having enough space on the transportation vehicle, you were reduced to one (1) box and the rest were held back to be on the next transportation run. As a result of being in a restrictive housing unit from April 28, 2022 to May 11, 2022, you were not able to attend law library appointments. However, the law library provides legal services in restrictive housing units.

Partially Granted

GRIEVANCE RESPONDER

h Date

ELIZABETH A. BROWN CLERK OF SUPREME COURT DEPUTY CLERK

MAR 1 3 2023

Page 1 of 2

## Log Number 20003147954

# NEVADA DEPARTMENT OF CORRECTIONS INFORMAL GRIEVANCE

	Keith Sullivan	_ I.D NUMBER <u>926</u>	30
NSTITUT	TION SDCC	UNIT <u></u> 5	
GRIEVAN	IT'S STATEMENT. ON APPILLED	4 2022 I Was +	ransfered from
warn 5	prings correctional ctr. to	50Uthern Desert	correctional Ctr
When i	ve were being loaded ont	o the bus sqt. Br	ady informed us
	refe wasn't enough room to		
	our boxes would follow u		
	DECLARATION UNDER PENALTY	,	
INMATE SI	GNATURE Keth Sul	DATE: 4/2	3/23 TIME: 9 PM
GRIEVANC	E COORDINATOR SIGNATURE:	CUZNI DATE 1/2	0/23TIME 1300
	·	^	1 0
GRIEVANC	e response: LLDOM	se Attau	hod)
	\		
	3		2/-/
-111	KER SIGNATURE:	DATE	3/3/23
0.	ANCE UPHELD GRIEVANCE DEN	IED ISSUE NOT GRIEV	VABLE PER AR 740
GRIEVANO	CE COORDINATOR APPROVAL	ullen Date:	1/24/2023
$\overline{}$			
	NMATE AGREES INMATE DI		2/2/27
INMATE SIG	INATURE: Kelth J-	DATE:	2/2/2
FAILURE TO BE PURSUEI	O SIGN CONSTITUTES ABANDONMENT D IN THE EVENT THE INMATE DISAGR	OF THE CLAIM. A FIRST LE EES	VEL GRI <b>FRECCETFECO</b> NY SDCC
Original Canary	To inmate when complete, or attached to form To Grievance Coordinator	nal grievance	JAN 1 9 2023 5
Pink. Gold	Inmate's receipt when formal grievance filed Inmate's initial receipt		AWD .

NAME Kelth SULLIVAI	10 NUMBER 92650
INSTITUTION 5DCC	UNIT #. 5
GRIEVANCE #	GRIEVANCE LEVEL: INFORMAL
GRIEVANT'S STATEMENT CONTINUA	
passed and I still didn't have	then I filed an Eneroporx
GREVANCE, It was deried, deem	ed not an emergency, I then filed
or Informal Gnevance. I dia	In I receive my legalwork hops
Until May 24th (approximately)	). I'd been ordered to amend
my Habeas corpus in order to s	UPPLEMENT MY OPPOSITION to the
State's Motion to DISMISS It b	y May 17th, 2022, the Markey
by Eighth Judicial District con	(t-Tudge, Hon, B. Bresky
pecause I was sepparated	from my legal papers by the
Nevada Dept. of Corrections thr	ough no fault of my own. I
missed Judge Bresbuss deadlin	ę,
I filed many Grievance 3 c	at various levels and was
confused and stymied by th	HE RESPONSES, EVENTUALLY, in
Mid-December, 2022, I met w	ith AWP currier inher
Office at 5DCc, She explain	ned my errors in some of the
atter grievances I'd filed b	Ut said she'd investigate
ny claims, Today I spoke w	ith her and she advised wed
Original Attached to Grievance Pink Inmate's Copy	300C

NAME Keith SULLIVUA	ID NUMBER $\frac{72630}{}$
INSTITUTION SDCC	UNIT #
GRIEVANCE # GRI	EVANCE LEVEL TITOLING
GRIEVANT'S STATEMENT CONTINUATION	PG three OF three
to fire this orielance.	
The problem 15 that I Missell a	Court -ordered dead line
because I'd been separated from	my legal work for # ML
three and a half weeks during whi	ch the deadline elapsed,
The remedy I am seeking 150	2 SIMPLE acknowledgment
that What I have Stated is to	we and accurate so that
I ean prove that my missing the	deadline was due to
circumstances beyond my control.	Please State unequivically
That I was transferred from Wisc	c to SDCC, or April 28th,
2022 but did not receive my	legal boxes until May
24th, 2022 and that I was	urable to Utilize the
law library due to its closure	because of COVID at
the time and also because I w	193 housed in Unit6
which is a segragated housing 1	Unit. It was impossible
to notify the court and the re	spondants in my appeal
	Thank You, Received
Original. Attached to Grievance Pink: Inmate's Copy	SDCC JANI 4 2023
	NA 4 2023

Keith Sullivan IDNO. 92630	AUG 3 0 2022
SOUTHERN DESERT CORRECTIONAL CTN 20825 COLD CREEK RD. P.O. BOX 208	CLERK OF SUPREME COURT  BY DEPUTY CLERK  DEPUTY CLERK
IN THE SECOND FOR	CALDESTRICE COURT
	STATE
OF NEVADA and th	he 2ND DUDICIAL DIST, COURTO
Keith Sullivan  Petitioner  Perry Russell, warden, et al  Respondents	CASE NO.: CR18-0427  DEPT. NO.: Eight  DOCKET:
	Petition For Writ of Habeas
COPPUS	
COMES NOW, Keith Sullivan Per moves this Honorable Court for an admis Writ of Habeas Corpus	MONERIAPROSE, herein above respectfully SION OF a Second petition for
This Motion is made and based upon the ac	companying Memorandum of Points and
Authorities,	9 00
DATED this 22Nd day of AUgust . 202	- With him

Keith Sullivan
Defendant In Proper Personam

1	CERTFICATE OF SERVICE BY MAILING
2	, hereby bordry, pursuant to ricci 5(0), that on this
3	1 10 10 10 10 10 10 10 10 10 10 10 10 10
4	
5	by placing document in a sealed pre-postage paid envelope and deposited said envelope in the
6	United State Mail addressed to the following:
7	
8	2Nd Judicial Dist. COURT Nevada Attny Gen office
9	75 COUST ST. 700 N. Casson ST
10	RPAO, NV 7950 Carson city, NW 8970Z
11	
12	Washoe Co, Dist. Attny. Nevada Supreme court
13	one s. sierra st. 2015, carson St., 3vitezol
<del>-1</del> 4-	Reno, NW 99501 Couson -1+4, NW 29702
15	
16	
17	CC:FILE
18	
19	DATED: this 22Nday of Avgv5+ 2022.
20	7/1/1 h
21	Kelth Sullivan # 92830
22	/In Propria Personam Post Office Box 208,S.D.C.C.
23	Indian Springs, Nevada 89018 IN FORMA PAUPERIS:
24	<u> </u>
25	
26	

### **CERTIFICATE OF SERVICE**

2	
3	I, Keith Sullivan, hereby certify that I am the
4	Petitioner in this matter and I am representing myself in propria persona.
5	On this 7th day of March , 2023, I served copies of
6	the documents supporting Stutements
7	
8	in Case No. 85109 COA, and placed said document(s) in the United States
9	Mail, first-class postage prepaid, addressed as follows:
10	Nevada supreme court nevada Attny cen office
11	100 5, Earson St. 5014201 Carson City, NV99701-4702 Carson City, NV 39701-4717
12	
13	
14	
15	
16	
17	
18	DECLARATION UNDER PENALTY OF PERJURY
19	The undersigned declares under penalty of perjury that he is the Petitioner in the
20	above-entitled action, and he has read this Certificate of Service and the information
21	contained therein is true and correct.
22	Executed pursuant to 28 U.S.C. § 1746 and 18 U.S.C. § 1621 at
23	SPCC on this 7th day of
24	March, 2023.
25	
26	711
27	Self B MOCC No 82 mg
28	NDOC No. 9 2630

Petitioner – In Propria Persona