

ORIGINAL

IN THE SUPREME COURT OF THE STATE OF NEVADA

FILED

Case No. 52760

MAR 16 2009

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

IN THE MATTER OF THE HONORABLE
ELIZABETH HALVERSON, DISTRICT
COURT JUDGE, EIGHTH JUDICIAL
DISTRICT, COUNTY OF CLARK,
STATE OF NEVADA.

THE HONORABLE ELIZABETH
HALVERSON, DISTRICT COURT
JUDGE, EIGHTH JUDICIAL
DISTRICT, COUNTY OF CLARK,
STATE OF NEVADA,

Appellant,

vs.

NEVADA COMMISSION ON JUDICIAL
DISCIPLINE,

Respondent.

EMERGENCY MOTION FOR COURT
TO DETERMINE APPELLANT'S
CAPACITY FOR SELF
REPRESENTATION, TO DETERMINE
STATUS OF *PRO HAC VICE* COUNSEL
and MOTION FOR ORDER
SHORTENING TIME FOR
APPELLANT TO RESPOND

Elizabeth Halverson, Esq.
Nevada Bar No. 4662
4173 Oxnard
Las Vegas, NV 89121
(702) 436-4521
(702) 450-9227 Fax
Appellant in Propria Persona

Dorothy Nash Holmes, Esq.
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Fahrendorf, Vilorio, Oliphant & Oster LLP
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(775) 348-9999
(775) 348-0540 Fax
Counsel for Respondent

Michael Alan Schwartz, Esq.
Schwartz, Kelly & Oltarz-Schwartz PC
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Farmington Hills, MI 48334
(248) 785-0200 ext. 273
(248) 932-2801 Fax
Associating Pro Hac Vice Counsel

RECEIVED

MAR 16 2009

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
DEPUTY CLERK

09-06579

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FAHRENDORF,
VILORIA,
OLIPHANT
& OSTER LLP.

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1 COMES NOW Respondent, NEVADA COMMISSION ON JUDICIAL DISCIPLINE,
2
3 by and through its appellate counsel, Dorothy Nash Holmes, Esq. of Fahrendorf, Viloría,
4 Oliphant & Oster, L.L.P., who hereby files this emergency motion asking this Court to determine
5 whether Appellant currently lacks the capacity for self-representation on this appeal, and to
6 determine the status of *pro hac vice* counsel, and to enter an Order Shortening Time to Respond
7 to the instant motion. This motion is based upon the following Memorandum of Points and
8 Authorities, the attached affidavit of counsel which is incorporated by reference herein, all
9 exhibits filed with this motion, and all documents and pleadings on file in this case, together with
10 any evidence that may be presented in a hearing on this motion.
11

12 Dated this 16th day of March, 2009.

13 FAHRENDORF, VILORIA,
14 OLIPHANT & OSTER, L.L.P.

15
16 By Dorothy Nash Holmes
17 DOROTHY NASH HOLMES, ESQ.
18 Attorneys for Respondent
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MEMORANDUM OF POINTS AND AUTHORITIES

Statement of Facts

Appellant Elizabeth Halverson was a judge serving in the Eighth Judicial District of Nevada until she was ordered removed by the Respondent, Nevada Commission on Judicial Discipline, in an order entered November 17, 2008. *See* Appellant's Docketing Statement. Approximately three weeks after the completion of the Judicial Discipline Commission's misconduct hearing on Judge Halverson, on or about September 4, 2008, she was beaten by her husband and severely injured. *See* news articles attached as Exhibit 1 hereto, and incorporated by reference herein. Her husband was initially charged with attempted murder but in a negotiated plea made with the District Attorney of Clark County, Ed Halverson subsequently entered an Alford plea to a felony charge of Domestic Battery (see Blackstone print-out of charges, Exhibit 2 attached hereto and incorporated by reference herein). He was sentenced to 3-10 years in prison. *See* Court Docket, attached hereto as Exhibit 3, and incorporated by reference herein.

According to her own statements made in television interviews at the time of her husband's sentencing on January 14, 2009, due to her injuries Elizabeth Halverson cannot read or write; has difficulty seeing because one eye closes on its own; has double-vision; cannot concentrate; cannot read a brief or "help in my own defense;" and lacks the ability "to think or work." She was reported to have stated in the sentencing hearing that she suffered brain damage in the attack. In one of the television interviews she stated that "it takes a long time to recover from brain injuries" and in another she said that she was told by her doctors that one must "wait at least nine month to take tests to determine if her injuries will last forever." *See* Affidavit of Dorothy Nash Holmes, Esq., attached hereto as Exhibit 4 and incorporated by reference herein. A simple examination of her signature before and after the attack illustrates the apparent effect of

1 the beating on her. See comparison of signature pages of appellant, Exhibit 5 attached hereto and
2 incorporated by reference herein.

3 According to statements made to Respondent's counsel on March 11-12, 2009 by
4 Michael Alan Schwartz, *pro hac vice* counsel associating with Elizabeth Halverson in this case,
5 Judge Halverson has damaged eyesight and neurological problems, has difficulty focusing and
6 concentrating, cannot write without great difficulty, and at times experiences labored and
7 difficult communication. Mr. Schwartz told Respondent's counsel that he is greatly concerned
8 about the ability of Judge Halverson to assist him in her appeal. He further stated that she is
9 living alone and having an extremely difficult time taking care of herself, due to her physical
10 injuries and limitations. He stated that he does not see how she could possibly attend an oral
11 argument in Carson City, Nevada. He stated that, in his opinion, she cannot currently practice
12 law, due to her injuries. See Exhibit 4 hereto.

13
14 Elizabeth Halverson, being an attorney, purports to represent herself in this appeal of her
15 removal from the bench, taken pursuant to NRAP 3D. Elizabeth Halverson represented herself
16 before the Nevada Commission on Judicial Discipline in the hearing held to determine if she had
17 committed misconduct warranting her removal. She associated out-of-state counsel, Michael
18 Alan Schwartz, of Michigan, and he applied and was admitted *pro hac vice*. Apparently, Mr.
19 Schwartz is continuing in that capacity for purposes of this appeal, although to Respondent's
20 knowledge, he has not yet filed a motion for his first appearance, pursuant to SCR42 (8)¹.

21
22 Appellant's Opening Brief in her appeal is due to be filed in the Nevada Supreme Court
23 by Tuesday, March 17, 2009, which is the reason this motion is filed as an emergency motion
24 seeking expedited relief.

25
26 ///

27
28 ¹ Respondent believes Mr. Schwartz has not previously filed or argued an appeal to the Nevada Supreme Court and does not know the extent of his familiarity with Nevada Supreme Court Rules or Nevada appellate procedure.

Substance of the Motion

Generally, a party may not appear *in propria persona* in an appeal to Nevada highest court. SCR 44 (1). However, NRAP 46(b) provides that a party may file written briefs and papers in an appellate matter “with leave of the Supreme Court.” Respondent is not aware of any Order granting Appellant Elizabeth Halverson such leave to represent herself in this appeal of her removal, but presumably it was permitted because she is an attorney licensed to practice law in the State of Nevada.

A foreign attorney must have an in-state attorney to associate with on a case before he can litigate in Nevada courts. The in-state attorney must be “responsible to the Court for all matters presented” pursuant to NRAP 46(a). The local admitted counsel must sign the briefs and be responsible for their content. If the foreign counsel is associated upon oral argument, the local counsel must be present for the oral argument and responsible for all matters presented on that appeal.

The facts asserted above raise the concern that if Appellant is so incapacitated from her husband’s attack that she cannot “help in her own defense” or assist her *pro hac vice* counsel in the appeal, she cannot be “responsible to the Court” in this appeal case. Mr. Schwartz is in Michigan and Elizabeth Halverson is in Las Vegas., and purportedly living alone and having difficulty caring for herself. Presumably, Appellant’s issues on appeal will include pre-trial rulings by the Judicial Discipline Commission and that would require Elizabeth Halverson’s input because Mr. Schwartz did not enter the case to assist in the hearing until late July, 2008. The hearing was held from August 4 -15, 2008. It is likely that Mr. Schwartz does not even have access to the entire case file, since this case originated in May 2007 and Judge Halverson had

1 three attorneys² representing her for a year before she fired them, assumed her own
2 representation and eventually hired him to assist her. *See* Exhibit 4 hereto.

3 As a practicing attorney, Respondent's counsel has an obligation to notify the Court of
4 anything that raises a substantial question about another lawyer's fitness to practice law. *See*
5 NRPC 8.3 (a). Respondent ask this Court to make a determination, either *sua sponte* or by
6 holding a hearing thereon, or by referral to State Bar Disciplinary Counsel (SCR 104), of
7 whether Appellant Elizabeth Halverson is so incapacitated that she cannot currently effectively
8 practice law (SCR 117) or be "responsible to the Court" for this appeal (NRAP 46). If Elizabeth
9 Halverson is found to be temporarily or permanently incapacitated so that she cannot effectively
10 practice law at this time, this Court should enter an Order that Elizabeth Halverson may not
11 appear *in propria persona* to represent herself in these proceedings.

12 Inasmuch as the ability of *pro hac vice* counsel to practice law in Nevada for this case is
13 dependent upon the ability of the associating local attorney to effectively practice law,
14 Respondent asks this Court to make a determination whether Mr. Michael Alan Schwartz can
15 appear in this case as *pro hac vice* counsel for purposes of this appeal, and if he can, with what
16 attorney he should or must associate.

17 Respondent has an obligation to protect the integrity of this appeal and therefore suggests
18 that this Court should temporarily extend Appellant's deadline for filing her Opening Brief until
19 the above-mentioned issues are resolved.

20 **Motion for Order Shortening Time to Respond**

21 Additionally, Respondent further moves this Court for an Order Shortening Time to
22 Respond, pursuant to NRAP 26 (d), so that Mr. Schwartz (if he is able to associate into this case)
23 and/or Elizabeth Halverson, (if she is able to appear and participate) must file an expedited
24

25 ///

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27
28 ² John Arrascada of Reno and Dominic Gentile and William Gamage of Las Vegas.

1 response to this motion, in order than these issues can be addressed and resolved promptly so
2 Elizabeth Halverson's appeal will suffer as little delay as possible.

3 **Conclusion**

4 Based on the foregoing, this Court should determine if Appellant Elizabeth Halverson has
5 the current capacity to effectively practice law and represent herself in this appellate proceeding,
6 and if she has the capacity to be the attorney "responsible to this Court" so that a foreign attorney
7 can associate with her on this appeal. This Court should temporarily extend Appellant's time to
8 file her Opening Brief until the above-requested determinations are made, and this Court should
9 shorten the time for Appellant to respond to this motion so as to avoid delay and expedite the
10 resolution of the issues raised herein.

11 **AFFIRMATION**

12 Pursuant to NRS 239B.030, the undersigned does hereby affirm that the preceding
13 document does not contain the social security number of any person.

14 Dated this 16th day of March, 2009.

15 FAHRENDORF, VILORIA,
16 OLIPHANT & OSTER, L.L.P.

17 By *Dorothy Nash Holmes*
18 DOROTHY NASH HOLMES, ESQ.
19 Attorneys for Respondent
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OLIPHANT
& OSTER L.L.P.

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of the law firm of
FAHRENDORF, VILORIA, OLIPHANT & OSTER L.L.P., and that on the date shown below,
I caused service to be completed by:

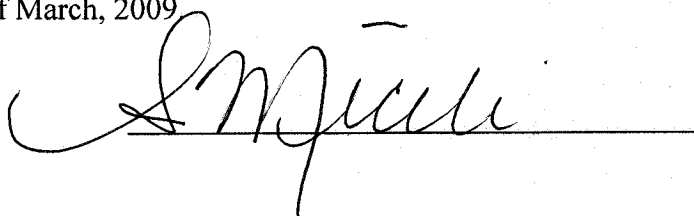
- ☐ personally delivering
- ☐ delivery via Messenger Service
- ☐ sending via Federal Express or other overnight delivery service
- ☒ e-mailing as a pdf file to Michael Alan Schwartz, Esq.
(phrog@schwartzlawyer.com)
- ☒ depositing for mailing in the U.S. mail with sufficient postage affixed thereto
- ☒ delivery via facsimile machine to Elizabeth Halverson fax no. (702) 450-9227

a true and correct copy of the attached document addressed to:

Elizabeth Halverson, Esq.
4173 Oxnard
Las Vegas, NV 89121
(702) 436-4521
(702) 450-9227 Fax

Michael Alan Schwartz, Esq.
Schwartz, Kelly & Oltarz-Schwartz PC
30300 Northwestern Highway, Ste. 260
Farmington Hills, MI 48334
(248) 785-0200 ext. 273
(248) 932-2801 Fax

DATED this 16th day of March, 2009



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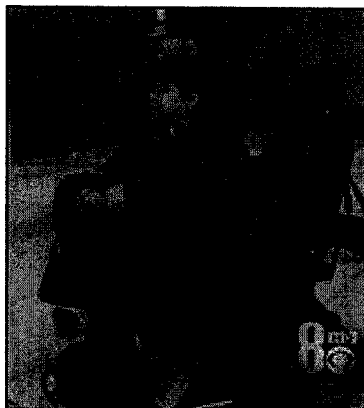
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12
13
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15
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21
22
23
24
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26
27
28

EXHIBIT "1"

[<<Back](#)

Judge Halverson's Husband Jailed on Attempted Murder Charges

Updated: Sep 5, 2008 09:31 AM PDT



Suspended Judge Elizabeth Halverson is reported to be in the hospital.

The husband of suspended Nevada state Judge Elizabeth Halverson has been jailed on attempted murder and domestic violence charges after police say he attacked his wife with a frying pan.

Clark County jail records show 49-year-old Edward Halverson was being held Friday pending a court appearance on felony attempted murder, battery with a deadly weapon and battery with substantial bodily harm charges.

The arrest happened just before 11 p.m. Thursday. Halverson reportedly underwent surgery for her injuries. Police say she suffered severe injuries to her face, chest and upper arm area and told officers that he husband had tried to kill her.

"He took care of her, cooked for her, did everything for her," said Richard Isitt, who has known the couple for three years. He speculates that Edward Halverson just "snapped."



Edward Halverson is facing battery with a deadly weapon and attempted murder charges.

Elizabeth Halverson was suspended in July 2007 and recently lost a primary bid for re-election. She's been awaiting a decision from the Nevada Commission on Judicial Discipline about whether she'll be permanently barred from the bench.

The disciplinary panel wrapped up two weeks of hearings last month on allegations that Halverson slept on the bench and belittled her bailiff.

(The Associated Press contributed to this report.)



Edward Halverson's mug shot.



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Sep. 05, 2008

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Judge Halverson hospitalized, husband jailed after attack

Embattled District Judge Elizabeth Halverson is in the hospital after she was assaulted by her husband, Las Vegas police said this morning. Her injuries are not life threatening.

Police were called to her house late last night to respond to a domestic violence call. Police said her husband, Edward Halverson, 49, hit her with a frying pan.

Edward Halverson was booked into the county jail on one attempted murder, one count battery with substantial bodily harm and one count battery with a deadly weapon.

Elizabeth Halverson was suspended in July 2007 and recently lost a primary bid for re-election.

She's been awaiting a decision from the Nevada Commission on Judicial Discipline about whether she'll be permanently barred from the bench.

The disciplinary panel wrapped up two weeks of hearings last month on allegations that Halverson slept on the bench and belittled her bailiff.

Find this article at:

http://www.lvrj.com/breaking_news/27905854.html

☐ Check the box to include the list of links referenced in the article.

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Exhibit 2

Exhibit 2

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24
25
26
27
28

EXHIBIT "2"

District Case Inquiry - Charges

Home

Summary
Case Activity
Calendar
Continuance
Minutes
Parties
Def. Detail
Next Co-Def.
Charges
Sentencing
Bail Bond
Judgments

District Case
Party Search
Corp. Search
Atty. Search
Bar# Search
ID Search

Calendar Day
Holidays

Help
Comments &
Feedback
Legal Notice

Case 08-C-248125-
C

Just Ct. 08-GJ-00042
Case#

Status ACTIVE

Plaintiff State of Nevada
Defendant Halverson, Edward L
Judge Barker, David

Attorney Roger, David J.
Attorney Public Defender
Dept. 18

Defendant Halverson, Edward L

Id Number 0382165

Count	Charge	Description		
	Offense	Bail	Plea	Negotiated
	Disposed	Disposition		Sentenced
0001	193.330	Attempt		
	Felony	\$0.00		No
0001	200.010	Murder		
	Felony	\$0.00		No
0001	200.030	Degrees of murder		
	Felony	\$0.00		No
0001	193.165	Use of deadly weapon in crime		
	Felony	\$0.00		No
0002	200.481	Battery		
	Felony	\$0.00		No
0002	200.485	Battery-Constitutes Domestic Violence		
	Felony	\$0.00		No
0002	33.018	Acts which constitutes domestic violence		
	Felony	\$0.00		No

Criminal screens reflect individual Defendant records. To review a Co-Defendant, select "Next Co-Def".

Top Of
Page

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Exhibit 3

Exhibit 3

Exhibit 3

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16
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21
22
23
24
25
26
27
28

EXHIBIT "3"

District Case Inquiry - Case Activity

[Home](#)

[Summary](#)
[Case Activity](#)
[Calendar](#)
[Continuance](#)
[Minutes](#)
[Parties](#)
[Def. Detail](#)
[Next Co-Def.](#)
[Charges](#)
[Sentencing](#)
[Bail Bond](#)
[Judgments](#)

[District Case](#)
[Party Search](#)
[Corp. Search](#)
[Atty. Search](#)
[Bar# Search](#)
[ID Search](#)

[Calendar Day](#)
[Holidays](#)

[Help](#)
[Comments &](#)
[Feedback](#)
[Legal Notice](#)

Case 08-C-248125-C

Just Ct. 08-GJ-00042

Status ACTIVE

Case#

Plaintiff State of Nevada
Defendant Halverson, Edward L
Judge Barker, David

Attorney Roger, David J.
Attorney Public Defender
Dept. 18

Total of 34 entries, presently displaying 1 through 10.
 Entries are displayed most recent first.

Filed Date	Description	Performed
02/18/2009	ORDER FOR PRODUCTION OF INMATE EDWARD LEE HALVERSON BAC #1030045	
	For Halverson, Edward L	
	Filed By State of Nevada	2 pages
02/09/2009	STATUS CHECK: RESITUTION AT REQST OF DA/PD	04/15/2009
	For Halverson, Edward L	
01/30/2009	ORDER FOR PRODUCTION OF INMATES	01/30/2009
	For Halverson, Edward L	
	Filed By State of Nevada	5 pages
01/21/2009	DOMESTIC VIOLENCE FEE	01/22/2009
	For Halverson, Edward L	
	Filed By State of Nevada	
01/21/2009	JUDGMENT OF CONVICTION/GENETIC TESTING	01/22/2009
	For Halverson, Edward L	
	Filed By State of Nevada	
01/21/2009	JUDGMENT OF CONVICTION/ADMIN ASSESSMENT	01/22/2009
	For Halverson, Edward L	
	Filed By State of Nevada	2 pages
01/14/2009	EVIDENTIARY HEARING: RESTITUTION AMOUNT (VJ 2/11/09)	02/13/2009
	Outcome VACATED	
	For Halverson, Edward L	
12/08/2008	MOTION FILED 12-03-08 HAS BEEN STRICKEN 12-08-08	
	For Halverson, Edward L	
	Filed By Halverson, Edward L	
12/15/2008	HEARING: SHOW CAUSE WHY CCDC HAS NOT ISSUED MEDICAL EQUIPMENT TO DEFT	12/17/2008
	Outcome MATTER HEARD	
	For Halverson, Edward L	
12/15/2008	STATUS CHECK: RECEIPT OF MEDICAL EQUIPMENT	12/15/2008
	Outcome MATTER HEARD	

	For Halverson, Edward L	
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Entries: (1 - 10) | (11 - 20) | (21 - 30) | (31 - 34)

Top Of Page

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District Case Inquiry - Case Activity

Home

Case 08-C-248125-C

Just Ct. 08-GJ-00042

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Case Activity
Calendar
Continuance
Minutes

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Parties
Def. Detail
Next Co-Def.
Charges
Sentencing
Bail Bond
Judgments

Total of 34 entries, presently displaying 11 through 20.
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District Case
Party Search
Corp. Search
Atty. Search
Bar# Search
ID Search

Calendar Day
Holidays

Help
Comments &
Feedback
Legal Notice

Filed Date	Description	Performed
12/08/2008	MOTION TO FILE ADDENDUM TO GUILTY PLEA AGREEMENT	12/08/2008
	Outcome HEARING DATE	
	For Halverson, Edward L	
	Filed By Halverson, Edward L	4 pages
12/03/2008	DEFT'S MOTION TO FILE ADDENDUM TO GUILTY PLEA AGREEMENT/13	12/08/2008
	Outcome GRANTED	
	For Halverson, Edward L	4 pages
10/27/2008	MEDIA REQUEST AND ORDER FOR CAMERA ACCESS TO COURT PROCEEDINGS	10/27/2008
	For Halverson, Edward L	
	Filed By State of Nevada	2 pages
10/27/2008	AT REQ OF COURT: CLARIFICATION OF PLEA	10/29/2008
	Outcome MATTER HEARD	
	For Halverson, Edward L	
10/24/2008	GUILTY PLEA MEMORANDUM/AGREEMENT	
	For Halverson, Edward L	
	Filed By State of Nevada	9 pages
10/24/2008	SENTENCING - COUNT 2/DISMISSAL COUNT 1	01/14/2009
	For Halverson, Edward L	
10/03/2008	REPORTER'S TRANSCRIPT OF PROCEEDINGS	09/23/2008
	For Halverson, Edward L	
	Filed By State of Nevada	75 pages
10/06/2008	STATUS CHECK: NEGOTIATIONS/TRIAL SETTING	10/24/2008
	Outcome MATTER HEARD	
	For Halverson, Edward L	
10/03/2008	REPORTER'S TRANSCRIPT OF PROCEEDINGS - GRAND JURY	09/23/2008
	For Halverson, Edward L	
	Filed By Halverson, Edward L	

09/30/2008	MEDIA REQUEST AND ORDER FOR CAMERA ACCESS TO COURT PROCEEDINGS	
	For Halverson, Edward L	
	Filed By State of Nevada	2 pages

Entries: (1 - 10) | (11 - 20) | (21 - 30) | (31 - 34)

Top Of Page

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EXHIBIT "4"

1 **AFFIDAVIT OF DOROTHY NASH HOLMES, ESQ.**
2 **IN SUPPORT OF EMERGENCY MOTION FOR COURT TO DETERMINE**
3 **APPELLANT'S CAPACITY FOR SELF-REPRESENTATION,**
4 **TO DETERMINE STAUTS OF *PRO HAC VICE* COUNSEL**
5 **AND MOTION FOR ORDER SHORTENING TIME TO RESPOND**

6 STATE OF NEVADA)
7) ss.
8 COUNTY OF WASHOE)

9 Dorothy Nash Holmes, being first duly sworn under oath, according to law, deposes and
10 says:

11 1. I am an attorney who has been licensed to practice law in Nevada since 1977.

12 2. I am Respondent's appellate counsel in the above-entitled action (Case No. 52760)
13 and I also served as the Special Prosecutor for the Judicial Discipline Commission in the case of
14 The Honorable Elizabeth Halverson of the Eighth Judicial District Court, Case No. 0801-1066.

15 3. I have personal knowledge of the matters stated herein, and those stated in the
16 motion which this affidavit supports; I am competent to testify to the same, and, if called, would
17 so testify.

18 4. I have provided the exhibits attached to said motion and they are accurate copies
19 of the documents they purport to represent.

20 5. The discipline case against Judge Halverson began with Judicial Discipline
21 Commission action in May 2007; Judge Halverson was initially represented by John Arrascada,
22 Dominic Gentile and William Gamage for one year until she fired them and they were permitted
23 by the Commission to withdraw in May 2008, at which time Judge Halverson undertook her own
24 representation until July 21, 2008 when she moved to associate Michael Alan Schwartz, of
25 Michigan, as *pro hac vice* counsel to assist her in her self-representation.

26 6. On March 11th and 12th, 2009, I spoke by telephone with Michael Alan Schwartz,
27 the *pro hac vice* counsel that associated with Elizabeth Halverson as she represented herself in her
28 judicial discipline matter that is the subject of the instant appeal; Mr. Schwartz initially contacted
 me to discuss the possibility of us agreeing to a Joint Appendix to the instant appeal.

1 7. During our discussions, Mr. Schwartz expressed his concern that Elizabeth
2 Halverson is not currently capable of practicing law due to the injuries she suffered at the hands of
3 her husband in September when he beat her with a frying pan.

4 8. Mr. Schwartz told me that Elizabeth Halverson has problems reading, writing,
5 focusing, concentrating and that due to eye damage, she has double vision and cannot see well. He
6 also stated that sometimes he has trouble communicating with her and that she has neurological
7 problems.

8 9. Mr. Schwartz also said that he was writing the brief for her appeal but was not sure
9 if she would be able to read it or appear at oral argument or assist him in any way due to her
10 injuries and current condition; he stated that she is living alone and is not really able to care for
11 herself currently, is unable to drive or get to her previous P.O. Box to pick up legal mail and he
12 does not feel she can provide true input into her appeal at this time.

13 10. I then went to the internet and watched television interviews on Las Vegas
14 Channels 5 (Fox) and 13 (KTNV) with Elizabeth Halverson on January 14, 2009, the day her
15 husband was sentenced; in those interviews she stated the following:

- 16 • that it takes a long time to recover from brain injuries;
- 17 • that doctors can not determine until nine months after the attack if her injuries will
- 18 be permanent or not;
- 19 • that she can't read or write or think;
- 20 • that she cannot read a brief or "help in my own defense;"
- 21 • that she cannot think or work;
- 22 • that she cannot concentrate;
- 23 • that she cannot see because one eye closes on its own all the time;
- 24 • that she has double vision;
- 25 • that she cannot drive;
- 26 • that "once she is well again she will go back to lawyering."
- 27
- 28

11. Based upon the foregoing, I have concerns that Elizabeth Halverson is currently unfit to practice law, due to her temporary or permanent incapacitation, and that she therefore cannot serve as her own counsel in her appeal, even with the assistance of Michael Schwartz.

12. I have read the attached motion and know the contents thereof; the same is true of my own knowledge, except for those matters therein contained stated upon information and belief and, as to those matters, I believe them to be true.

DATED this 16th day of March, 2009.

Dorothy Nash Holmes
DOROTHY NASH HOLMES, ESQ.

SUBSCRIBED AND SWORN to before me

this 16th day of March, 2009.

Sandra R Miceli
NOTARY PUBLIC



FAHRENDORF,
VILORIA,
OLIPHANT
& OSTER L.L.P.

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EXHIBIT "S"

1 Elizabeth L. Halverson
2 Nevada Bar No. 4662
3 3850 E. Flamingo Rd. #152
4 Las Vegas, Nevada 89121-6227
5 (702) 436-4521
6 (702) 450-9227 Fax
7 Respondent in Propria Persona

8
9
10 **BEFORE THE NEVADA COMMISSION ON JUDICIAL DISCIPLINE**

11 **STATE OF NEVADA**

12 In the Matter of the

13 HONORABLE ELIZABETH HALVERSON,
14 District Judge, Eighth Judicial District
15 Court, County of Clark, State of Nevada,

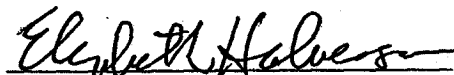
16 Respondent.

CASE NO. 0801-1066

**REPLY TO OPPOSITION
TO MOTION TO ASSOCIATE
COUNSEL**

17 COMES NOW, the Respondent, Elizabeth Halverson in propria persona and files her REPLY
18 MOTION TO OPPOSITION TO ASSOCIATE COUNSEL based on the following Points and
19 Authorities.

20 DATED this 25th day of July, 2008

21
22 

23 Elizabeth L. Halverson
24 Nevada Bar No. 4662
25 3850 E. Flamingo Rd. #152
26 Las Vegas, Nevada 89121-6227
27 (702) 436-4521
28 (702) 450-9227 Fax

23. Attach copies of the last-filed version of all complaints, counterclaims, and/or cross-claims filed in the district court.
24. Did the judgment or order appealed from adjudicate ALL the claims alleged below and the rights and liabilities of ALL the parties to the action below:
- Yes...X.....No.....
25. If you answered "No" to the immediately previous question, complete the following:
- (a) Specify the claims remaining pending below:
- (b) Specify the parties remaining below:
- (c) Did the district court certify the judgment or order appealed from as a final judgment pursuant to NRCP 54(b):
- Yes.....No..... If "Yes," attach a copy of the certification or order, including any notice of entry and proof of service.
- (d) Did the district court make an express determination, pursuant to NRCP 54(b), that there is no just reason for delay and an express direction for the entry of judgment:
- Yes.....No.....
26. If you answered "No" to any part of question 25, explain the basis for seeking appellate review (e.g., order is independently appealable under NRAP 3A(b)):

VERIFICATION

I declare under penalty of perjury that I have read this docketing statement, that the information provided in this docketing statement is true and complete to the best of my knowledge, information and belief, and that I have attached all required documents to this docketing statement.

Elizabeth Halverson
Name of appellant

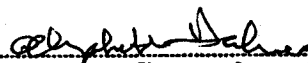
1/23/09

Date

Clark County, NV

State and county where signed

Elizabeth Halverson
Name of counsel of record



Signature of counsel of record