

IN THE SUPREME COURT OF THE STATE OF NEVADA

* * *

NORMAN KEITH FLOWERS A/K/A
NORMAN HAROLD FLOWERS, III,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

CASE NO. 53159

Electronically Filed
Aug 24 2018 04:28 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

NORMAN HAROLD FLOWERS, III,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

CASE NO. 55759

NOTICE OF WITHDRAWAL OF COUNSEL

COMES NOW, JONELL THOMAS, Special Public Defender, and requests that the attorneys of the Special Public Defender's Office be removed as counsel for Appellant in the above consolidated appeals, including Clark W. Patrick, Chief Deputy Special Public Defender; Randall H. Pike, Chief Deputy Special Public

Defender; David M. Schieck (former Special Public Defender); and JoNell Thomas, Special Public Defender.

This notice is based upon the following Declaration of JoNell Thomas.

DATED: August 24, 2018.

/s/ JONELL THOMAS

By 

JONELL THOMAS

NEVADA BAR #4771

SPECIAL PUBLIC DEFENDER

330 S. Third Street, No. 800

Las Vegas NV 89155

702-455-6265

STATEMENT OF FACTS

On September 28, 2011, this Court filed an Order Dismissing Appeals which states in pertinent part “These are consolidated appeals from a judgment of conviction and an order denying a motion for a new trial.” (see attached Order)

Thereafter, on September 30, 2011, David M. Schieck, Special Public Defender, filed a Notice of Withdrawal as Attorney of Record in case no. 05C216032, the underlying district court case for direct appeal 53159 and case no. 06288755, the underlying district court case for direct appeal 55759 (see attached Notices). In addition, Mr. Flowers filed a proper person motion to dismiss counsel

in case no. C228755 which was granted by The Honorable Linda Bell on February 15, 2012 (see attached minutes).

On July 9, 2018, the appeals in Case No. 53159 and Case No. 55759 were reinstated. The party information was not updated to remove former counsel for Mr. Flowers and members of the Special Public Defender are receiving notification of filings in these appeals.

It is therefore requested that pursuant to the instant Notice of Withdrawal of Counsel, the clerk of the court update the Appellate Case Management System to remove the attorneys listed from the Special Public Defender's Office, including Clark W. Patrick, Chief Deputy Special Public Defender; Randall H. Pike, Chief Deputy Special Public Defender; David M. Schieck (former Special Public Defender); and JoNell Thomas, Special Public Defender (see attached Appellate Case Management System printout for direct appeal 53159 and 55759).

DATED: August 24, 2018.

/s/ JONELL THOMAS

By 

JONELL THOMAS
NEVADA BAR #4771
SPECIAL PUBLIC DEFENDER
330 S. Third Street, No. 800
Las Vegas NV 89155
702-455-6265

DECLARATION OF JONELL THOMAS

JONELL THOMAS, hereby declares as follows:

I am an attorney duly licensed to practice law in the State of Nevada, and the Special Public Defender. Prior to being appointed as the Special Public Defender, I was the deputy assigned to represent Norman Flowers on his direct appeals in case no. 53159 and 55759 which were consolidated by this Court. Randall H. Pike and Clark W. Patrick were his trial attorneys in both case no. 05C216032 and 06C228755. David Schieck was the Special Public Defender at that time.

On September 28, 2011, this Court filed an Order Dismissing Appeals and on September 30, 2011, the office of the Special Public Defender filed a Notice of Withdrawal as Attorney of Record in district court in case no. 05C216032 and case no. 06C228755.

On July 9, 2018, the appeals in Case No. 53159 and Case No. 55759 were reinstated.


The instant Notice of Withdrawal of Counsel in the consolidated cases of direct appeal 53159 and 55759 is submitted in order for the clerk of the court to update the Appellate Case Management System and remove the attorneys of the

...

Special Public Defender office listed as attorneys representing Appellant Norman Flowers in both cases.

I declare that I make this request in good faith and not for purposes of delay.

/s/ JONELL THOMAS



JONELL THOMAS

CERTIFICATE OF SERVICE

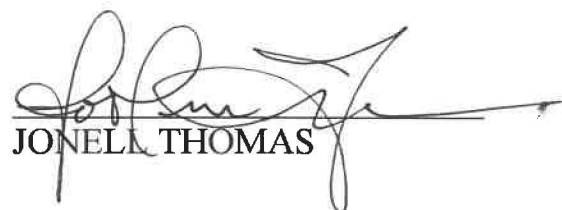
The undersigned does hereby certify that on the 24th day of August, 2018, a copy of the foregoing Notice of Withdrawal of Counsel was served as follows:

BY ELECTRONIC FILING TO

District Attorney's Office
200 Lewis Ave., 3rd Floor
Las Vegas, NV 89155

Nevada Attorney General
100 N. Carson St.
Carson City NV 89701

/s/ JONELL THOMAS



JONELL THOMAS

IN THE SUPREME COURT OF THE STATE OF NEVADA

NORMAN KEITH FLOWERS A/K/A
NORMAN HAROLD FLOWERS, III,
Appellant,

vs.
THE STATE OF NEVADA,
Respondent.

NORMAN HAROLD FLOWERS, III,
Appellant,

vs.
THE STATE OF NEVADA,
Respondent.

No. 53159

No. 55759

FILED

SEP 28 2011

ORDER DISMISSING APPEALS

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

These are consolidated appeals from a judgment of conviction and an order denying a motion for a new trial. Eighth Judicial District Court, Clark County; Kathy A. Hardcastle, Judge. Appellant has filed a motion to dismiss these appeals pursuant to a plea agreement in another case. Counsel represents that the consequences of dismissing these appeals have been explained to appellant and that appellant understands those consequences. Cause appearing, the motion is granted and we

ORDER these appeals DISMISSED.¹

Libbo, J.
Gibbons

Cherry, J.
Cherry

Pickering, J.
Pickering

¹Because no remittitur will issue in this matter, see NRAP 42(b), the one-year period for filing a post-conviction habeas corpus petition under NRS 34.726(1) shall commence to run from the date of this order.

cc: Hon. Linda Marie Bell, District Judge
Special Public Defender
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk
Norman Keith Flowers

ORIGINAL

4

1 NCA
2 DAVID M. SCHIECK
3 SPECIAL PUBLIC DEFENDER
4 Nevada Bar No. 824
5 330 South Third Street, Ste. 800
6 Las Vegas, NV 89155-2316
7 (702) 455-6265
8 Fax: (702) 455-6273
9 dschieck@clarkcountynv.gov
10 Attorney for Defendant

FILED

SEP 30 3 51 PM '11

Ann D. Johnson
CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

10 THE STATE OF NEVADA,
11 Plaintiff,
12 vs.
13 NORMAN FLOWERS,
14 Defendant,

CASE NO. 05C216032
DEPT. NO. 8

05C216032
NTWD
Notice of Withdrawal
1630227



NOTICE OF WITHDRAWAL AS ATTORNEY OF RECORD

DATE: N/A
TIME: N/A

19 Pursuant to Supreme Court Rule 46, the Clark County Special Public
20 Defender's Office, by and through DAVID M. SCHIECK, Special Public Defender
21 hereby withdraws as attorneys of record for NORMAN FLOWERS, the final
22 determination or judgment having been made in this matter. (Order Dismissing Appeal
23 filed 9/28/11.)

25 DATED this 30 day of September, 2011.

DAVID M. SCHIECK
SPECIAL PUBLIC DEFENDER

CLERK OF THE COURT

SEP 30 2011

1 CERTIFICATE OF MAILING

2
3 The undersigned does hereby certify that on the 30 day of September, 2011, I
4 deposited in the United States Post Office at Las Vegas, Nevada, a copy of the
5 foregoing Notice of Withdrawal as Attorney of Record, postage prepaid, addressed to
6 the following:

7
8 DISTRICT ATTORNEY'S OFFICE
9 200 Lewis Ave., 3rd Floor
Las Vegas NV 89155

10 Norman Flowers, 39975
11 High Desert State Prison
12 Post Office Box 650
Indian Springs, NV 89070

13 DATED: 9-30-11

14
15 
16 KATHLEEN FITZGERALD
17 an employee of The Special Public Defender's Office
18
19
20
21
22
23
24
25
26
27
28

ORIGINAL

X

1 NCA
2 DAVID M. SCHIECK
3 SPECIAL PUBLIC DEFENDER
4 Nevada Bar No. 824
5 330 South Third Street, Ste. 800
6 Las Vegas, NV 89155-2316
7 (702) 455-6265
8 Fax: (702) 455-6273
9 dschieck@clarkcountynv.gov
10 Attorney for Defendant

FILED

SEP 30 3 51 PM '11

Alvin L. Schuman
CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

10 THE STATE OF NEVADA,
11 Plaintiff,
12 vs.
13 NORMAN FLOWERS,
14 Defendant,

CASE NO. 06C228755
DEPT. NO. 7

06C228755
NTWD
Notice of Withdrawal
1630243



NOTICE OF WITHDRAWAL AS ATTORNEY OF RECORD

DATE: N/A
TIME: N/A

19 Pursuant to Supreme Court Rule 46, the Clark County Special Public
20 Defender's Office, by and through DAVID M. SCHIECK, Special Public Defender
21 hereby withdraws as attorneys of record for NORMAN FLOWERS, the final
22 determination or judgment having been made in this matter. (Order Dismissing Appeal
23 filed 9/28/11.)
24

25 DATED this 30 day of September, 2011.

David M. Schieck

DAVID M. SCHIECK
SPECIAL PUBLIC DEFENDER

CLERK OF THE COURT

SEP 30 2011

RECEIVED
SEP 30 2011

2

CERTIFICATE OF MAILING

The undersigned does hereby certify that on the 3rd day of September, 2011, I deposited in the United States Post Office at Las Vegas, Nevada, a copy of the foregoing Notice of Withdrawal as Attorney of Record, postage prepaid, addressed to the following:

DISTRICT ATTORNEY'S OFFICE
200 Lewis Ave., 3rd Floor
Las Vegas NV 89155

Norman Flowers, 39975
High Desert State Prison
Post Office Box 650
Indian Springs, NV 89070

DATED: 9-30-11


KATHLEEN FITZGERALD
an employee of The Special Public Defender's Office

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 15, 2012

06C228755

The State of Nevada vs Norman H Flowers III

February 15, 2012

8:45 AM

Deft's Pro Per Motion to Withdraw Counsel

HEARD BY: Bell, Linda

COURTROOM: RJC Courtroom 15C

COURT CLERK: Tina Hurd/th; Dulce Romea; Kathy Sweatt; Sharon Coffman

RECORDER: Renee Vincent

PARTIES - Frank Ponticello, DDA, present for the State of Nevada.

PRESENT: - Clark Patrick, DSPD, present on behalf of Deft. Flowers.

JOURNAL ENTRIES

Deft. Flowers not present. Court stated it appears the appeal was completed on September 11. Mr. Patrick advised he has no opposition and advised he is in the process of getting the file out of storage and sending Deft. a copy and will file a Certificate of Mailing. COURT ORDERED, motion GRANTED.

NDC

The Supreme Court
of Nevada

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Only filed documents can be viewed. Some documents received in a case may not be available for viewing.

Some documents originating from a lower court, including records and appendices, may not be available for viewing.

For official records, please contact the Clerk of the Supreme Court of Nevada at (775) 684-1600.

Case Information: 53159

Short Caption:	FLOWERS (NORMAN) VS. STATE C/W 55759	Classification:	Criminal Appeal - Life - Direct
Consolidated:	53159*, 55759	Related Case (s):	55759, 68140
Lower Court Case(s):	Clark Co. - Eighth Judicial District - C228755	Case Status:	Case Reinstated
Disqualifications:		Panel Assigned:	Panel
Replacement:			
To SP/Judge:		SP Status:	
Oral Argument:	02/15/2011 at 1:30 PM	Oral Argument Location:	Regional Justice Center
Submission Date:	02/15/2011	How Submitted:	After Oral Argument

- Party Information

Role	Party Name	Represented By
Appellant	Norman Harold Flowers, III	Clark W. Patrick (Special Public Defender) Randall H. Pike (Special Public Defender) David M. Schieck (Special Public Defender) JoNell Thomas (Special Public Defender)
Appellant	Norman Keith Flowers	Courtney B. Kirschner (Federal Public Defender/Las Vegas) Clark W. Patrick (Special Public Defender) Randall H. Pike (Special Public Defender) David M. Schieck (Special Public Defender) JoNell Thomas (Special Public Defender)
Respondent	The State of Nevada	Nancy A. Becker (Clark County District Attorney) Catherine Cortez Masto (Attorney General/Carson City) Steven S. Owens (Clark County District Attorney) Charles W. Thoman (Clark County District Attorney) Pamela C. Weckerly (Clark County District Attorney)

+ Due Items

Docket Entries

Date	Type	Description	Pending?	Document
01/27/2009	Filing Fee	Filing Fee Waived.		
01/27/2009	Notice of Appeal Documents	Filed Certified Copy of Notice of Appeal. Appeal docketed in the Supreme Court this day. (Docketing statement mailed to counsel for appellant.)		09-02292
02/11/2009	Docketing Statement	Filed Docketing Statement.		09-03653
02/11/2009	Transcript Request	Filed Request for Transcript of Proceedings. Transcripts requested: 11/12/08 (Renee Vincent), 1/29/09 (Kristen Lunkwitz).		09-03656
02/17/2009	Transcript	Filed Notice from Court Reporter. Renee Vincent stating that the requested transcripts were delivered. Dates of transcripts: 11/12/08.		09-04116
02/23/2009	Notice of Appeal Documents			09-04691

The Supreme Court
of Nevada

Appellate Case Management System

C-Track, the browser based CMS for Appellate Courts

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Only filed documents can be viewed. Some documents received in a case may not be available for viewing.

Some documents originating from a lower court, including records and appendices, may not be available for viewing.

For official records, please contact the Clerk of the Supreme Court of Nevada at (775) 684-1600.

Case Information: 55759

Short Caption:	FLOWERS, III (NORMAN) VS. STATE C/W 53159	Classification:	Criminal Appeal - Life - Other
Consolidated:	53159*, 55759	Related Case(s):	53159, 68140
Lower Court Case(s):	Clark Co. - Eighth Judicial District - C228755	Case Status:	Screening Completed
Disqualifications:		Panel Assigned:	Panel
Replacement:			
To SP/Judge:		SP Status:	
Oral Argument:		Oral Argument Location:	
Submission Date:	02/15/2011	How Submitted:	After Oral Argument

- Party Information

Role	Party Name	Represented By
Appellant	Norman Harold Flowers, III	Courtney B. Kirschner (Federal Public Defender/Las Vegas) Randall H. Pike (Special Public Defender)
Respondent	The State of Nevada	Catherine Cortez Masto (Attorney General/Carson City) Steven S. Owens (Clark County District Attorney)

Docket Entries

Date	Type	Description	Pending?	Document
04/02/2010	Notice of Appeal Documents	Filed Certified Copy of Notice of Appeal. Appeal docketed in the Supreme Court this day. (Docketing statement mailed to counsel for appellant.)		10-08663
04/02/2010	Filing Fee	Filing Fee Waived.		
04/12/2010	Order/Procedural	Filed Order re: Entry Written Judgment or Order. District Court Order due: 30 days.		10-09411
04/19/2010	Docketing Statement	Filed Docketing Statement.		10-10166
04/19/2010	Motion	Filed Motion to Consolidate. Motion to Consolidate Appeals for Decision and Use of the Appendix. Nos. 55759/53159.		10-10175
05/03/2010	Order/Incoming	Filed District Court Order. Certified copy of order filed in district court on April 24, 2010. Order Denying Defendant's Motion for New Trial.		10-11289
05/21/2010	Order/Procedural	Filed Order. Granting Motion. We grant appellant's unopposed motion to consolidate these appeals for purposes of disposition only. When briefing the appeal in Docket No. 55759, the parties may cite to the appendices filed in Docket No. 53159. Any additional documents necessary for the appeal in Docket No. 55759 that have not been included in the appendices filed in Docket No. 53159 must be provided in a		