

EXHIBIT A

EXHIBIT A

ORIGINAL

IN THE SUPREME COURT OF THE STATE OF NEVADA

SAMUEL HOWARD,

Appellant,

V.

RENEE BAKER, WARDEN, and
CATHERINE CORTEZ MASTO,
ATTORNEY GENERAL FOR THE STATE
OF NEVADA,

Respondents.

CAPITAL CASE

Case No. 57469

VERIFIED APPLICATION FOR
ASSOCIATION OF COUNSEL
UNDER NEVADA SUPREME
COURT RULE 42

Brady Ward King, Petitioner, respectfully represents:

1. Petitioner resides at 213 W. Foster Ave., Coeur d Alene, Idaho, 83814, (208.331.5541).

2. Petitioner is an attorney at law and a member of the law firm of the Federal Defender

Services of Idaho with offices at 702 W. Idaho St., Ste. 900, Boise, Ada, Idaho 83702

(208.331.5530), brady_ward@fd.org.

3. Petitioner has been retained personally or as a member of the above named law firm by

Samuel Howard to provide legal representation in connection with the above-entitled matter now pending before the above referenced court.

4. Since May of 2006, petitioner has been, and presently is, a member of good standing of

the bar of the highest court of the State of Florida. Petitioner regularly practices law in the Federal District Courts in Idaho, Oregon and the Northern District of California.

5. Petitioner was admitted to practice before the following United States District Courts.

United States Circuit Courts of Appeal, the Supreme Court of the United States, and/or courts of other states on the dates indicated for each, and is presently a member in good standing of the

bars of said courts: District of Columbia (December 7, 2009); Washington State (April 5, 2012);

Florida State (May 8, 2006); United States District Court of Idaho; United States District Court of Oregon; United States Courts of Appeal for the 9th District; United States District Court of Northern California.

6. Is Petitioner currently suspended or disbarred in any court? You must answer yes or no. If yes, give particulars; e.g., court, jurisdiction, date: **No.**

7. Is Petitioner currently subject to any disciplinary proceedings by any organization with authority at law? You must answer yes or no. If yes, give particulars, e.g. court, discipline authority, date, status: **No.**

8. Has Petitioner ever received public discipline including, but not limited to, suspension or disbarment, by any organization with authority to discipline attorneys at law? You must answer yes or no. If yes, give particulars, e.g. court, discipline authority, date, status: **No.**

9. Has Petitioner ever had any certificate or privilege to appear and practice before any regulatory administrative body suspended or revoked? You must answer yes or no. If yes, give particulars, e.g. date, administrative body, date of suspension or reinstatement: **No.**

10. Has Petitioner, either by resignation, withdrawal, or otherwise, ever terminated or attempted to terminate Petitioner's office as an attorney in order to avoid administrative, disciplinary, disbarment, or suspension proceedings? You must answer yes or no. If yes, give particulars: **No.**

11. Petitioner has filed the following application(s) to appear as counsel under Nevada Supreme Court Rule 42 during the past three (3) years in the following matters, if none, indicate so: *(do not include Federal Pro Hacs)* **None.**

12. Nevada Counsel of Record for Petition in this matter is:

Paola Armeni who has offices at Gordon & Silver, Ltd., 3960 Howard Hughes Parkway, 9th Fl., Las Vegas, Clark County, 89169, (702) 796-5555.

13. The following accurately represents the names and addresses of each party in this matter, WHETHER OR NOT REPRESENTED BY COUNSEL, and the names and addresses of each counsel of record who appeared for said parties: (You may attach as an Exhibit if necessary.)

NAME

MAILING ADDRESS

Samuel Howard

Previously Represented by:
Lori C. Teicher
Megan C. Hoffman
Federal Public Defenders of Nevada
411 E. Bonneville Ave., Suite 250
Las Vegas, NV 89101

Currently Represented by:
Teresa A. Hampton
Brady Ward King
Federal Defender Services of Idaho
702 W. Idaho St., Ste. 900
Boise, ID 83702

The State of Nevada

Represented by:
Jonathan E. Vanboskerck
Chief Deputy District Attorney
Nevada Bar #006528
Office of the Clark County District Attorney
Regional Justice Center
200 Lewis Avenue
Los Vegas, Nevada 89155-2212

14. Petitioner agrees to comply with the provisions of Nevada Supreme Court Rule 42(3) and (13) and Petitioner consents to the jurisdiction of the courts and disciplinary boards of the State of Nevada in accordance with provisions as set forth in SCR 42(3) and (13). Petitioner respectfully requests that Petitioner be admitted to practice in the above-entitled court FOR THE PURPOSES OF THIS MATTER ONLY.

15. Petitioner has disclosed in writing to the client that the applicant is not admitted to practice in this jurisdiction and that the client has consented to such representation.

I, Brady Ward King, do hereby swear/affirm under penalty of perjury that the assertions of this application are true:

That I am the Petitioner in the above entitled matter; that I have read the foregoing and know the contents thereof; that the same is true of my own knowledge except as to those matters therein stated on information and belief, and as to the matter I believe them to be true.

That I further certify that I am subject to the jurisdiction of the Courts and disciplinary boards of this state with respect to the law of this state governing the conduct of attorneys to the same extent as a member of the State Bar of Nevada; that I understand and shall comply with the standards of professional conduct required by members of the State Bar of Nevada; and that I am subject to the disciplinary jurisdiction of the State Bar of Nevada with respect to any of my actions occurring in the course of such appearance.

DATED this 27th day of September, 2012.

Brady Ward King
Petitioner/Affiant

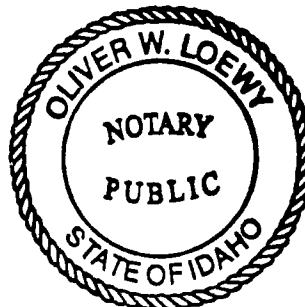
If this signature is not in blue ink, you have a copy.

STATE of Idaho)
COUNTY of Ada) ss

Subscribed and sworn to before me

This 27th day of September, 2012.

Oliver W. Loewy
Notary Public



I, Paola Armeni, hereby consent as Nevada Counsel of Record to the designation of Petitioner to associate in this cause pursuant to SCR 42.

DATED this 2nd day of October, 2012.

[Signature]
Counsel of Record

If this signature is not in blue ink, you have a copy.

STATE of Nevada)
) ss
COUNTY of Clark)

Subscribed and sworn to before me

This 2 day of October, 2012.

[Signature]
Notary Public

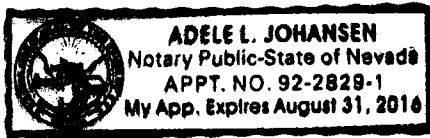


EXHIBIT B

EXHIBIT B



District of Columbia Court of Appeals
Committee on Admissions
430 F Street, N.W. — Room 123
Washington, D. C. 20001
202 / 879-2710

*I, JULIO A. CASTILLO, Clerk of the District of Columbia Court
of Appeals, do hereby certify that*

BRADY WARD KING

was on the 7TH day of DECEMBER, 2009

*duly qualified and admitted as an attorney and counselor entitled
to practice before this Court and is, on the date indicated below, an
active member in good standing of this Bar.*

*In Testimony Whereof, I have
hereunto subscribed my name
and affixed the seal of this Court
at the City of Washington, D.C.,
on August 30, 2012.*

JULIO A. CASTILLO
Clerk of the Court

By: 
Deputy Clerk

EXHIBIT C

EXHIBIT C

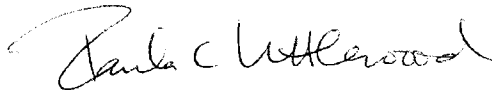
CERTIFICATION OF CURRENT STATUS

August 30, 2012

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the Washington State Bar Association, **Brady Ward King**, WSBA ID# **44722** was admitted to the practice of law in this state by the Supreme Court of Washington on **April 5 2012**, and is, as of today's date, an **Active member** of the Washington State Bar Association, **Eligible** to practice law in this state.

This certificate reflects the member's status as of the date stated. Historical information about status, including periods on inactive status, administrative and disciplinary suspensions, disbarments, resignations, etc., are not reflected in this information, but are available through a Certification of Status History. Complete discipline information, including confidential and public information about grievances and disciplinary proceedings, is available with written authorization signed by the member, through a Discipline History Certificate.



Paula C. Littlewood
Executive Director

Washington State Bar Association
1325 Fourth Ave, Suite 600
Seattle, WA 98101-2539
206-443-WSBA

EXHIBIT D

EXHIBIT D



The Florida Bar

JOHN F. HARKNESS, JR.
EXECUTIVE DIRECTOR

651 EAST JEFFERSON STREET
TALLAHASSEE, FLORIDA 32399-2300

850/561-5600
WWW.FLORIDABAR.ORG

State of Florida)

County of Leon)

In Re: 22978
Brady Ward King
Federal Defenders of Idaho
702 W. Idaho St., Ste. 900
Boise, ID

I HEREBY CERTIFY that I am the duly appointed custodian of membership records of The Florida Bar.

I FURTHER CERTIFY that the records in the office of the Clerk of the Supreme Court of Florida indicate that said attorney was admitted to practice law in the State of Florida on May 8, 2006.

I FURTHER CERTIFY that the records in the office of The Florida Bar indicate that the above attorney is an active member of The Florida Bar in good standing.

Dated this 28th day of August, 2012.

Willie Mae Shepherd
Supervisor, Membership Records
The Florida Bar

WMS/KLCTu3:R10

EXHIBIT E

EXHIBIT E

1 STAT

2
3 IN THE SUPREME COURT OF THE STATE OF NEVADA

4 Case No. 57469

5
6 Samuel Howard

7 vs.

8 Renee Baker, Warden

9 _____ /
10 STATE BAR OF NEVADA STATEMENT PURSUANT TO SUPREME COURT RULE
11 42 (3) (b)

12
13 THE STATE BAR OF NEVADA, in response to the application of
14 Petitioner, submits the following statement pursuant to SCR42(3):

15 SCR42(6) **Discretion.** The granting or denial of a motion to associate
16 counsel pursuant to this rule by the court is discretionary. The
17 court, arbitrator, mediator, or administrative or governmental
18 hearing officer may revoke the authority of the person permitted to
19 appear under this rule. Absent special circumstances, repeated
20 appearances by any person or firm of attorneys pursuant to this rule
21 shall be cause for denial of the motion to associate such person.

22 (a) **Limitation.** It shall be presumed, absent special
23 circumstances, and only upon showing of good cause, that
24 more than 5 appearances by any attorney granted under
25 this rule in a 3-year period is excessive use of this
26 rule.

27 (b) **Burden on applicant.** The applicant shall have the
28 burden to establish special circumstances and good cause
for an appearance in excess of the limitation set forth
in subsection 6(a) of this rule. The applicant shall set
forth the special circumstances and good cause in an
affidavit attached to the original verified application.

1. DATE OF APPLICATION: 10/2/2012

2. APPLYING ATTORNEY: Brady Ward King, Esq.

3. FIRM NAME AND ADDRESS: Federal Defender Services of Idaho, 702
W. Idaho Street, Suite 900, Boise, ID 83702

1 4. NEVADA COUNSEL OF RECORD: Paola M. Armeni, Esq., Gordon &
2 Silver, Ltd., 3960 Howard Hughes Parkway, 9th Floor, Las Vegas,
3 NV 89169

4 5. There is no record of previous applications for appearance by
5 petitioner within the past three (3) years.

6 DATED this October 2, 2012


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9 Mary Jorgensen
10 Member Services Manager
11 Pro Hac Vice Processor
12 STATE BAR OF NEVADA
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EXHIBIT F

EXHIBIT F

ORIGINAL

IN THE SUPREME COURT OF THE STATE OF NEVADA

SAMUEL HOWARD,

Appellant,

v.

RENEE BAKER, WARDEN, and
CATHERINE CORTEZ MASTO,
ATTORNEY GENERAL FOR THE STATE
OF NEVADA,

Respondents.

CAPITAL CASE

Case No. 57469

**VERIFIED APPLICATION FOR
ASSOCIATION OF COUNSEL
UNDER NEVADA SUPREME
COURT RULE 42**

Teresa A. Hampton, Petitioner, respectfully represents:

1. Petitioner resides at 1308 North 22nd Street, Boise, Idaho 83702 (208.859.5816).
2. Petitioner is an attorney at law and a member of the law firm of the Federal Defender Services of Idaho with offices at 702 W. Idaho St., Ste. 900, Boise, Ada County, Idaho 83702 (208.331.5530), teresa_hampton@fd.org.
3. Petitioner has been retained personally or as a member of the above named law firm by Samuel Howard to provide legal representation in connection with the above-entitled matter now pending before the above referenced court.
4. Since September of 1991, petitioner has been, and presently is, a member of good standing of the bar of the highest court of the State of Idaho.
5. Petitioner was admitted to practice before the following United States District Courts, United States Circuit Courts of Appeal, the Supreme Court of the United States, and/or courts of other states on the dates indicated for each, and is presently a member in good standing of the bars of said courts.

a. Supreme Court of Idaho

September 19, 1991

October 21, 1987

February 6, 1987

d. United States District Court of Idaho

e. United States District Court of Oregon

f. United States District Court of Northern District of California

g. 9th Circuit Courts of Appeal

h. United States Courts of Appeal for the Armed Forces USS Ct.

6. Is Petitioner currently suspended or disbarred in any court? You must answer yes or no.

If yes, give particulars; e.g., court, jurisdiction, date: **No.**

7. Is Petitioner currently subject to any disciplinary proceedings by any organization with authority at law? You must answer yes or no. If yes, give particulars, e.g. court, discipline authority, date, status: **No.**

8. Has Petitioner ever received public discipline including, but not limited to, suspension or disbarment, by any organization with authority to discipline attorneys at law? You must answer yes or no. If yes, give particulars, e.g. court, discipline authority, date, status: **No.**

9. Has Petitioner ever had any certificate or privilege to appear and practice before any regulatory administrative body suspended or revoked? You must answer yes or no. If yes, give particulars, e.g. date, administrative body, date of suspension or reinstatement: **No.**

10. Has Petitioner, either by resignation, withdrawal, or otherwise, ever terminated or attempted to terminate Petitioner's office as an attorney in order to avoid administrative, disciplinary, disbarment, or suspension proceedings? You must answer yes or no. If yes, give particulars: **No.**

11. Petitioner has filed the following application(s) to appear as counsel under Nevada Supreme Court Rule 42 during the past three (3) years in the following matters, if none, indicate so: *(do not include Federal Pro Hacs)* **None.**

12. Nevada Counsel of Record for Petition in this matter is:

Paola Armeni who has offices at Gordon & Silver, Ltd., 3960 Howard Hughes Parkway, 9th Fl., Las Vegas, Clark County, 89169, (702) 796-5555.

13. The following accurately represents the names and addresses of each party in this matter, WHETHER OR NOT REPRESENTED BY COUNSEL, and the names and addresses of each counsel of record who appeared for said parties: (You may attach as an Exhibit if necessary.)

NAME

MAILING ADDRESS

Samuel Howard

Previously Represented by:
Lori C. Teicher
Megan C. Hoffman
Federal Public Defenders of Nevada
411 E. Bonneville Ave., Suite 250
Las Vegas, NV 89101

Currently Represented by:
Teresa A. Hampton
Brady Ward King
Federal Defender Services of Idaho
702 W. Idaho St., Ste. 900
Boise, ID 83702

The State of Nevada

Represented by:
Jonathan E. Vanboskerck
Chief Deputy District Attorney
Nevada Bar #006528
Office of the Clark County District Attorney
Regional Justice Center
200 Lewis Avenue
Los Vegas, Nevada 89155-2212

14. Petitioner agrees to comply with the provisions of Nevada Supreme Court Rule 42(3) and (13) and Petitioner consents to the jurisdiction of the courts and disciplinary boards of the State of Nevada in accordance with provisions as set forth in SCR 42(3) and (13). Petitioner respectfully requests that Petitioner be admitted to practice in the above-entitled court FOR THE PURPOSES OF THIS MATTER ONLY.

15. Petitioner has disclosed in writing to the client that the applicant is not admitted to practice in this jurisdiction and that the client has consented to such representation.

I, Teresa A. Hampton, do hereby swear/affirm under penalty of perjury that the assertions of this application are true:

That I am the Petitioner in the above entitled matter; that I have read the foregoing and know the contents thereof; that the same is true of my own knowledge except as to those matters therein stated on information and belief, and as to the matter I believe them to be true.

That I further certify that I am subject to the jurisdiction of the Courts and disciplinary boards of this state with respect to the law of this state governing the conduct of attorneys to the same extent as a member of the State Bar of Nevada; that I understand and shall comply with the standards of professional conduct required by members of the State Bar of Nevada; and that I am subject to the disciplinary jurisdiction of the State Bar of Nevada with respect to any of my actions occurring in the course of such appearance.

DATED this 27th day of September, 2012.



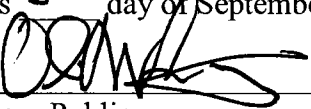
Petitioner/Affiant

If this signature is not in blue ink, you have a copy.

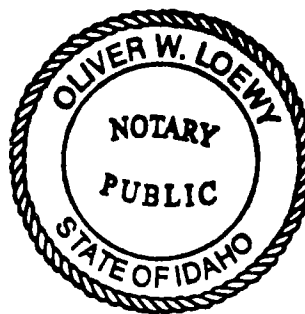
STATE of Idaho)
COUNTY of Ada) ss

Subscribed and sworn to before me

This 27th day of September, 2012.



Notary Public



I, Paola Armeni, hereby consent as Nevada Counsel of Record to the designation of Petitioner to associate in this cause pursuant to SCR 42.

DATED this 2nd day of October, 2012.

[Signature]

Counsel of Record

If this signature is not in blue ink, you have a copy.

STATE of Nevada)
) ss
COUNTY of Clark)

Subscribed and sworn to before me

This 2 day of October, 2012.

Adele L. Johansen
Notary Public

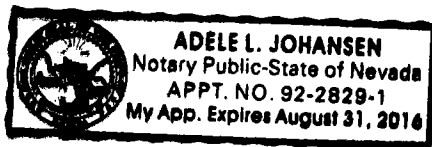


EXHIBIT G

EXHIBIT G

CERTIFICATE OF GOOD STANDING

Teresa Anne Hampton

This is to certify that Teresa Anne Hampton is an Active Member in good standing of the Idaho State Bar as defined by Idaho Bar Commission Rule (I.B.C.R.) 301(i).

Ms. Hampton was admitted to the Idaho State Bar by Examination on September 19, 1991 and has been an Active member since Admission.

August 31, 2012

Date



Diane K. Minnich, Executive Director

I.B.C.R. 301. Definitions.

- (i) **Good Standing.** The standing of a member of the Bar who is in compliance with the licensing requirements of Rule 302 and whose right to practice law is not currently limited under I.B.C.R. Section V [Rules for Review of Professional Conduct] by order of the Supreme Court.

To request a discipline report, please contact the Bar Counsel's Office at the address below.

IDAHO STATE BAR
P. O. Box 895
Boise, Idaho 83701
(208) 334-4500
Fax: (208) 334-2764

EXHIBIT H

EXHIBIT H

Certificate

State of Oregon)
) ss.
County of Washington)

I, Linn D. Davis, do hereby certify that I am an Assistant Disciplinary Counsel of the Oregon State Bar, and have access to the official files and records of the Oregon State Bar.

The official files and records of the Oregon State Bar indicate:

TERESA HAMPTON

was admitted to practice law in the State of Oregon by examination and became an active member of the Oregon State Bar on February 6, 1987.

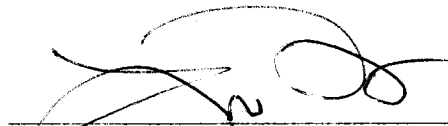
There are no complaints, grievances or disciplinary proceedings presently pending against this member.

No disciplinary action has been taken against this member in the past by the Oregon Supreme Court or the Oregon Disciplinary Board.

Ms. Hampton transferred to an inactive status on January 27, 2010

Ms. Hampton is an inactive member of the Oregon State Bar in good standing.

DATED this 28th day of August, 2012

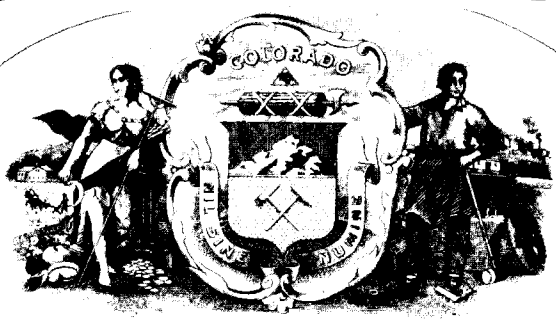


Linn D. Davis
Assistant Disciplinary Counsel
Oregon State Bar

EXHIBIT I

EXHIBIT I

SUPREME COURT



State of Colorado,

STATE OF COLORADO, ss:

I, Christopher T. Ryan Clerk of the Supreme Court of the State of Colorado, do hereby certify that

TERESA ANNE HAMPTON

has been duly licensed and admitted to practice as an

ATTORNEY AND COUNSELOR AT LAW

within this State; and that his/her name appears upon the Roll of Attorneys and Counselors at Law in my office of date the 21st

day of October A. D. 1987 and that at the date hereof the said TERESA ANNE HAMPTON

is in good standing at this Bar. *Attorney is inactive commencing 04/13/ 2009*



IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the Seal of said Supreme Court, at Denver, in said State, this

29th day of August A. D. 2012

Christopher T. Ryan

Clerk

By

Carla Infido

Deputy Clerk

EXHIBIT J

EXHIBIT J

1 STAT

2
3 IN THE SUPREME COURT OF THE STATE OF NEVADA

4 Case No. 57469

5
6 Samuel Howard

7 vs.

8 Renee Baker, Warden

9 _____/
10 STATE BAR OF NEVADA STATEMENT PURSUANT TO SUPREME COURT RULE
11 42 (3) (b)

12
13 THE STATE BAR OF NEVADA, in response to the application of
14 Petitioner, submits the following statement pursuant to SCR42(3):

15 SCR42(6)**Discretion.** The granting or denial of a motion to associate
16 counsel pursuant to this rule by the court is discretionary. The
17 court, arbitrator, mediator, or administrative or governmental
18 hearing officer may revoke the authority of the person permitted to
19 appear under this rule. Absent special circumstances, repeated
20 appearances by any person or firm of attorneys pursuant to this rule
21 shall be cause for denial of the motion to associate such person.

22 (a) **Limitation.** It shall be presumed, absent special
23 circumstances, and only upon showing of good cause, that
24 more than 5 appearances by any attorney granted under
25 this rule in a 3-year period is excessive use of this
26 rule.

27 (b) **Burden on applicant.** The applicant shall have the
28 burden to establish special circumstances and good cause
for an appearance in excess of the limitation set forth
in subsection 6(a) of this rule. The applicant shall set
forth the special circumstances and good cause in an
affidavit attached to the original verified application.

1. DATE OF APPLICATION: 10/2/2012


2. APPLYING ATTORNEY: Teresa Anne Hampton, Esq.

3. FIRM NAME AND ADDRESS: Federal Defender Services of Idaho, 702
W. Idaho Street, Suite 900, Boise, ID 83702

1 4. NEVADA COUNSEL OF RECORD: Paola M. Armeni, Esq., Gordon &
2 Silver, Ltd., 3960 Howard Hughes Parkway, 9th Floor, Las Vegas,
3 NV 89169

4 5. There is no record of previous applications for appearance by
5 petitioner within the past three (3) years.

6 DATED this October 2, 2012

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9 Mary Jorgensen
10 Member Services Manager
11 Pro Hac Vice Processor
12 STATE BAR OF NEVADA
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1 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

2 * * * * *

3 SAMUEL HOWARD

4 Appellant,

5 vs.

6 RENEE BAKER, WARDEN, and
7 CATHERINE CORTEZ MASTO,
8 ATTORNEY GENERAL FOR THE
9 STATE OF NEVADA,

 Respondents.

Case No. 57469

Electronically Filed
Oct 25 2012 08:50 a.m.
Tracie K. Lindeman
Clerk of Supreme Court

10 SUPPLEMENT TO
11 EX-PARTE MOTION FOR SUBSTITUTION OF COUNSEL

12
13 Appellant, Samuel Howard, through undersigned counsel, files this Supplement
14 to the Ex-Parte Motion for Substitution of Counsel. This Motion is based upon the
15 attached points and authorities and all pleadings and papers in file herein.

16 Dated this 24th day of October, 2012.

17 LAW OFFICES OF THE
18 FEDERAL PUBLIC DEFENDER

19
20 /s/ Lori C. Teicher
21 LORIC. TEICHER
22 First Assistant Federal Public Defender
23 Nevada State Bar No. 6143

24 /s/ Megan C. Hoffman
25 MEGAN C. HOFFMAN
26 Assistant Federal Public Defender
27 Nevada State Bar No. 9835
28 411 E. Bonneville Ave., Suite 250
 Las Vegas, Nevada 89101
 (702) 388-6577
 Counsel for the Appellant

1 **POINTS AND AUTHORITIES**

2 **I.**

3 **PROCEDURAL HISTORY**

4 Appellant Samuel Howard properly submitted an Ex Parte Motion for
5 Substitution of Counsel filed under seal on September 14, 2012. On September 18,
6 2012, the motion was accidentally filed as a public record and electronically served
7 upon the Respondents, Catherine Cortez Masto, the Attorney General of Nevada as
8 well as Chief Deputy Steven Owens at the Clark County District Attorney's Office.
9 On September 24, 2012, the State filed an unsealed Opposition to Ex parte Motion
10 for Substitution of Counsel Filed Under Seal; Motion to Unseal. Mr. Howard
11 immediately filed an Emergency Motion for This Court to Seal the State's Opposition
12 and Motion to Unseal, on September 24, 2012. This Court granted Mr. Howard's
13 motion in an Order signed by Chief Justice Michael Cherry the next day, sealing Mr.
14 Howard's motion and the State's 9/24 response.

15 On September 25, 2012, Respondents filed another unsealed pleading, entitled
16 "Motion for Reconsideration by Full Court." On September 26, 2012 at 1:43 p.m.,
17 Mr. Howard petitioned this Court to seal any and all pleadings related to his motion
18 for substitution of counsel, titled "Emergency Motion Under NRAP 27(e) for this
19 Court to Seal all Pleadings and Documents Related to the Ex-Parte Motion for
20 Substitution of Counsel Filed in this Matter. The State opposed on September 27,
21 2012 at 2:24 p.m. On October 4, Mr. Howard replied to the State's opposition.

22 On September 27, 2012, Mr. Howard filed a "Motion to Strike and/or deny
23 relief, Motion for Order directing the State's Conduct." On October 3, 2012 at 4:23
24 p.m., the State opposed that motion and on October 8, 2012, Mr. Howard replied.

25 All motions are currently pending before this Court.

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II.

ARGUMENT

These issues have been fully briefed and are pending before this Court. Mr. Howard seeks to supplement the record with the inclusion of, as noted on page thirteen in his original “Ex Parte Motion for Substitution of Counsel”, the Verified Applications of Office of the Federal Defender Service for Idaho as Petitioner’s attorney of record in the place and stead of the Office of the Federal Public Defender for the District of Nevada. Attached are the verified applications for association of counsel under Nevada Supreme Court Rule 42, and upon approval by this Court, local counsel, Paola Armeni, who has offices at Gordon and Silver, Ltd., will immediately submit and move for association of counsel. See Exhibits A-J.

Undersigned counsel and Petitioner Howard respectfully ask that this Court take notice of this Supplement to the Record and grant the requested relief therein.

Respectfully submitted this 24th day of October, 2012.

LAW OFFICES OF THE
FEDERAL PUBLIC DEFENDER

/s/ Lori C. Teicher
LORI C. TEICHER
First Assistant Federal Public Defender
Nevada State Bar No. 6143

/s/ Megan C. Hoffman
MEGAN C. HOFFMAN
Assistant Federal Public Defender
Nevada State Bar No. 9835
411 E. Bonneville Ave., Suite 250
Las Vegas, Nevada 89101
(702) 388-6577
Counsel for the Appellant

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Jonathan E. VanBoskerck
Chief Deputy District Attorney
Clark County District Attorneys Office
200 Lewis Avenue
Post Office Box 552212
Las Vegas, NV 89155-2212

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