

3

1 Cary Pickett 57591
2 Defendant In Proper Person
3 P.O. Box 650 H.D.S.P.
4 Indian Springs, Nevada 89018

FILED
APR 18 2011
Electronically Filed
APR 18 2011 03:38 p.m.
Tracie K. Lindeman

5 DISTRICT COURT
6 CLARK COUNTY NEVADA

10C262523-2
NOASC
Notice of Appeal (criminal)
1360837



7 warden Scillia
8 State of NEVADA ETAL,

9 Respondent,

Case No. 10C262523-2

10 -v-

Dept.No. XVIII

11 Cary Pickett,

Docket _____

12 Petitioner,

13 _____/

14 NOTICE OF APPEAL

15 Notice is hereby given that the petitioner, Cary J.
16 Pickett, by and through himself in proper person, does now appeal
17 to the Supreme Court of the State of Nevada, the decision of the District
18 Court Denial of his Writ of Habeas Corpus Hearing date April
19 6 2011, date of written order unknown

21 Dated this date, April 12, 2011.

23 Respectfully Submitted,

24
25 _____
26 In Proper Person

27 RECEIVED
28 APR 18 2011
CLERK OF THE COURT

3

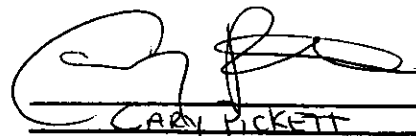
CERTIFICATE OF SERVICE BY MAILING

I, CARY RICKETT, hereby certify, pursuant to NRCP 5(b), that on this 12th
day of April, 2011, I mailed a true and correct copy of the foregoing, "Notice
of Appeal"
by depositing it in the High Desert State Prison, Legal Library, First-Class Postage, fully prepaid,
addressed as follows:

District Attorney Office
David Rogers
200 S. LEWIS Ave
Las Vegas NV. 89155

Warden Seilia H.O.S.P
P.O. Box 650
Indian Spring NV. 89070

DATED: this 12 day of April, 2011.



CARY RICKETT # 57591
/In Propria Persona
Post Office box 650 [HDSP]
Indian Springs, Nevada 89018
IN FORMA PAUPERIS:

AFFIRMATION
Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding _____

Notice of Appeal
(Title of Document)

filed in District Court Case number 10C 262523-2

☒ Does not contain the social security number of any person.

-OR-

☐ Contains the social security number of a person as required by:

A. A specific state or federal law, to wit:

(State specific law)

-or-

B. For the administration of a public program or for an application
for a federal or state grant.


Signature

4-12-11
Date

CARY PICKETT 57591
Print Name

Petitioner in pro-pers
Title

FILED

APR 20 2011

Alvin L. Williams
CLERK OF COURT

1 ASTA

2
3
4 **DISTRICT COURT**
5 **CLARK COUNTY, NEVADA**
6

7 STATE OF NEVADA,)

8 Plaintiff(s),)

9 vs.)

10 CARY PICKETT,)

11 Defendant(s),)
12

) Case No: 10C262523-2

) Dept No: XVIII
)
)
)
)
)

13
14 **CASE APPEAL STATEMENT**

15 1. Appellant(s): Cary Pickett

16 2. Judge: David Barker

17 3. Appellant(s): Cary Pickett

18 Counsel:

19 Cary Pickett #57591
20 P.O. Box 650
21 Indian Springs, NV 89070

22 4. Respondent: THE STATE OF NEVADA

23 Counsel:

24 David Roger, District Attorney
25 200 Lewis Ave.
26 Las Vegas, NV 89101
27 (702) 671-2700
28

5. Respondent's Attorney Licensed in Nevada: Yes

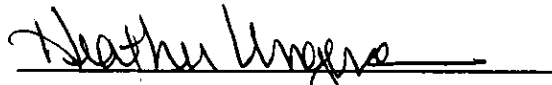
6. Appellant Represented by Appointed Counsel In District Court: No

- 1 7. Appellant Represented by Appointed Counsel On Appeal: N/A
2 8. Appellant Granted Leave to Proceed in Forma Pauperis: N/A
3 9. Date Commenced in District Court: March 3, 2010
4 10. Brief Description of the Nature of the Action: Criminal
5 Type of Judgment or Order Being Appealed: Post-Conviction Relief
6 11. Previous Appeal: No
7 Supreme Court Docket Number(s): N/A
8 12. Child Custody or Visitation: N/A
9

10 Dated This 20 day of April 2011.

11 Steven D. Grierson, Clerk of the Court
12

13 By:



14 Heather Ungermann, Deputy Clerk
15 200 Lewis Ave
16 PO Box 551601
17 Las Vegas, Nevada 89155-1601
18 (702) 671-0512
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FILED
APR 18 2011
CLERK OF COURT

1 Cary Pickett, NDOC# 57591
2 P.O. Box 650
3 Indian springs, NV 89070
4


5 Cary Pickett,)
6 Petitioner)
7 vs.)
8 State of Nevada Et. Al)
9 Warden Scillia HDSP)

D.C. Case No. 10C262523-2

18

11 MEMORANDUM/AFFIDAVIT IN SUPPORT
12 OF APPEAL FROM EIGHTH JUDICIAL DISTRICT
13 COURT WRIT OF HABEAS CORPUS

14
15 To: The Honorable Supreme Court
16 Justices State of Nevada

10C262523-2
MEMO
Memorandum
1360847


17 State of Nevada)
18 County of Clark) ss.
19

20 Cary Pickett, Petitioner in pro-per, under penalty of perjury
21 being duly sworn, deposes and says that:

22 1. That the Eighth Judicial District court denied my petition
23 for Writ of Habeas Corpus citing Petitioner as failing to provide
24 proof to support his four (4) grounds for relief at his April 6,
25 2011 hearing.

26 2. That the assertions raised in two (2) of the grounds raised
27 in my petition are true and alleged ineffective assistance of
28 counsel claims that warranted the Eighth Judicial District Court

4

RECEIVED
APR 18 2011
CLERK OF THE COURT

1 to conduct an evidenciary hearing in order to provide the proof
2 required by the Court as proof.

3 3. That the allegation of counsel's ineffectiveness related
4 directly to his failure to investigate or ask any questions to
5 assert~~an~~ petitioner's prior felonies for constitutionally validity
6 prior to advising Petitioner to stipulate/plead guilty to habitual
7 criminal status and that two (2) of his prior convictions were in
8 fact invalid.

9 4. That being Petitioner was sentenced by the District Court
10 and two (2) invalid J.O.C.'s were used to adjudicate Petitioner
11 should cause concern to this Court as to how all three (3) entities
12 in the advocacy process could have missed (A) Defense Counsel
13 (B) the Prosecution and (C) the Court.

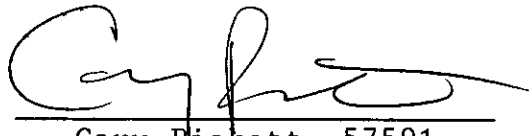
14 5. That the petition also asserted improperly adjudicated as
15 a habitual offender as the Court made its decision to adjudicate
16 Petitioner using two (2) prior convictions (#143146 and 145127)
17 that according to Nevada law were invalid for purposes of enhance-
18 ment under N.R.S. 207.010 being that Petitioner was not represented
19 by counsel and the State failed to acknowledge or disclosed to the
20 Court the truth of those convictions (J.O.C.'s) and further did
21 not provide any proof of valid waiver of counsel, however the Court
22 although Petitioner also submitted copies of those J.O.C.'s as
23 proof the Eighth Judicial District Court ignored them as proof
24 according to its ruling.

25 6. That based on Nevada Law, the adjudication process is the
26 responsibility of the State and the Cort to insure that only valid
27 prior convictions be used to support an enhanced sentence before
28 a defendant is adjudicated a habitual offender and not as claimed

1 by the State and the Court that even if invalid convictions are
2 used how many valid ones remain would allow a sentence to stand;
3 clearly the Court and the State got the standard wrong.

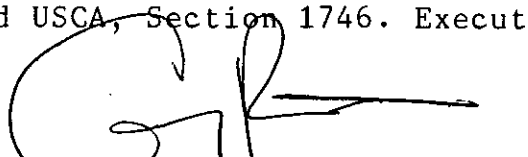
4 7. That this Court based on a review of the allegation and
5 ruling of the Eighth Judicial District Court should vacate his
6 sentence under N.R.S. 207.010 or in the alternative remand his case
7 back for an evidentiary hearing.

8
9 DATED: this 12th day of April, 2011.

10
11 
12 Cary Pickett, 57591
13 P.O. Box 650
14 Indian Springs, NV 89070

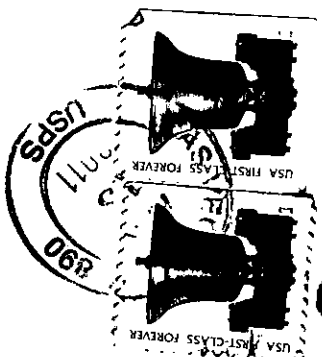
15 **UNDER PENALTY OF PERJURY STATEMENT**

16 I declare (or certified, verify, or state) under penalty of
17 perjury that the forgoing is true and correct in accordance with
18 N.R.S. 208.165 and USCA, Section 1746. Executed on April 12, 2011.

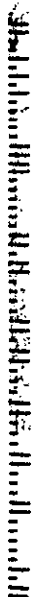
19
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21 Cary Pickett-57591
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Cary Pickett 57591
P.O. Box 16570
Indian Springs NV
89070

Clerk of the Court
200 S Lewis Ave
Las Vegas NV 89155



0010100000



DEPARTMENT 18
CASE SUMMARY
CASE No. 10C262523-2

State of Nevada
vs
Cary Pickett

§
§
§
§
§
§
§

Location: **Department 18**
Judicial Officer: **Barker, David**
Filed on: **03/03/2010**
Conversion Case Number: **C262523**
Defendant's Scope ID #: **0725059**
Lower Court Case Number: **10F02742**

CASE INFORMATION

Offense	Deg	Date	Case Type:
1. BURGLARY.	F	01/01/1900	Felony/Gross Misdemeanor
2. CONSPIRACY TO COMMIT A CRIME	F	01/01/1900	Case Flags: Bail Set
2. ROBBERY	F	01/01/1900	Appealed to Supreme Court
3. ROBBERY	F	01/01/1900	Custody Status - Nevada
3. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.	F	01/01/1900	Department of Corrections
4. EX-FELON NOT TO POSSESS FIREARM.	F	01/01/1900	

Related Cases

10C262523-1 (Multi-Defendant Case)

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number	10C262523-2
Court	Department 18
Date Assigned	03/03/2010
Judicial Officer	Barker, David




PARTY INFORMATION

		<i>Lead Attorneys</i>
Defendant	Pickett, Cary J	Pro Se
Plaintiff	State of Nevada	Roger, David J. 702-671-2700(W)

DATE

EVENTS & ORDERS OF THE COURT

INDEX










03/03/2010	 Criminal Bindover <i>CRIMINAL BINDOVER Fee \$0.00</i>	10C262523- 20001.tif pages
03/03/2010	Hearing <i>INITIAL ARRAIGNMENT</i>	10C262523- 20002.tif pages
03/08/2010	 Information <i>INFORMATION</i>	10C262523- 20003.tif pages
03/10/2010	 Information <i>INFORMATION</i>	10C262523- 20004.tif pages

DEPARTMENT 18
CASE SUMMARY
CASE No. 10C262523-2

03/11/2010	Initial Arraignment (10:30 AM) (Judicial Officer: Williams, Kevin) Events: 03/03/2010 Hearing <i>INITIAL ARRAIGNMENT Court Clerk: Karina Kennedy/klk/Sylvia Courtney Reporter/Recorder: Kiara Schmidt Heard By: Kevin Williams</i>	
03/11/2010	Conversion Case Event Type <i>SENTENCING</i>	10C262523- 20005.tif pages
03/11/2010	 Memorandum <i>GUILTY PLEA MEMORANDUM/AGREEMENT</i>	10C262523- 20006.tif pages
03/11/2010	 Memorandum <i>GUILTY PLEA MEMORANDUM/AGREEMENT</i>	10C262523- 20007.tif pages
03/26/2010	 Order <i>ORDER FOR PRODUCTION OF INMATES</i>	10C262523- 20008.tif pages
05/10/2010	 Sentencing (8:15 AM) (Judicial Officer: Barker, David) Events: 03/11/2010 Conversion Case Event Type <i>SENTENCING Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker</i>	
05/14/2010	 Judgment <i>JUDGMENT OF CONVICTION/ADMIN ASSESSMENT</i>	10C262523- 20012.tif pages
05/14/2010	Judgment <i>JUDGMENT OF CONVICTION/RESTITUTION</i>	10C262523- 20013.tif pages
05/14/2010	Judgment <i>JOC/GENETIC TESTING (WAIVED 05-14-10)</i>	10C262523- 20014.tif pages
05/14/2010	Judgment <i>ENTRY IN ERROR</i>	10C262523- 20015.tif pages
05/19/2010	 Judgment <i>JUDGMENT OF CONVICTION/ADMIN ASSESSMENT</i>	10C262523- 20016.tif pages
05/19/2010	Judgment <i>JUDGMENT OF CONVICTION/RESTITUTION</i>	10C262523- 20017.tif pages
05/19/2010	Judgment <i>JOC/GENETIC TESTING (WAIVED 05-19-10)</i>	10C262523- 20018.tif pages
07/13/2010	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF UNCONDITIONAL WAIVER OF PRELIMINARY HEARING - HEARD 02-25-10 02-25-10</i>	10C262523- 20019.tif pages
07/13/2010	 Reporters Transcript	10C262523- 20020.tif pages

CASE SUMMARY**CASE No. 10C262523-2**

REPORTER'S TRANSCRIPT OF UNCONDITIONAL WAIVER OF PRELIMINARY HEARING
- HEARD 02-25-10 02-25-10

07/28/2010	 Amended Judgment of Conviction
09/24/2010	 Amended Judgment of Conviction <i>Second Amended Judgment of Conviction (Plea of Guilty)</i>
01/03/2011	 Motion to Withdraw As Counsel Filed By: Defendant Pickett, Cary J <i>Motion to Withdraw As Attorney of Record</i>
01/19/2011	 Motion to Withdraw as Counsel (8:15 AM) (Judicial Officer: Barker, David) Events: 01/03/2011 Motion to Withdraw As Counsel <i>Motion to Withdraw As Attorney of Record</i>
01/27/2011	 Petition for Writ of Habeas Corpus Filed by: Defendant Pickett, Cary J
01/27/2011	 Brief Filed By: Defendant Pickett, Cary J <i>Petitioner's brief in support of petition for writ of habeas corpus (post conviction)</i>
01/27/2011	 Certificate Filed By: Defendant Pickett, Cary J <i>Financial Certificate</i>
01/27/2011	 Application to Proceed in Forma Pauperis Filed By: Defendant Pickett, Cary J
02/11/2011	 Order for Petition for Writ of Habeas Corpus
02/28/2011	 Recorders Transcript of Hearing Party: Plaintiff State of Nevada <i>Recorders Transcript of Hearing Re: Arraignment - 03/11/2010</i>
03/22/2011	 Response <i>State's Response to Defendant's Petition for Writ of Habeas Corpus (Post-Conviction)</i>
04/05/2011	 Reply Filed by: Defendant Pickett, Cary J <i>Petitioner's Reply to State's Response to Writ of Habeas Corpus (Post Conviction)</i>
04/06/2011	 Petition for Writ of Habeas Corpus (8:15 AM) (Judicial Officer: Barker, David) Events: 02/11/2011 Order for Petition for Writ of Habeas Corpus
04/18/2011	 Notice of Appeal (criminal) Party: Defendant Pickett, Cary J
04/18/2011	 Memorandum Filed By: Defendant Pickett, Cary J <i>Memorandum/Affidavit in Support of Appeal from Eighth Judicial District Court Writ of Habeas Corpus.</i>

DEPARTMENT 18
CASE SUMMARY
CASE No. 10C262523-2

DATE	FINANCIAL INFORMATION
	Defendant Pickett, Cary J
	Total Charges 25.00
	Total Payments and Credits 25.00
	Balance Due as of 4/20/2011 0.00

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 11, 2010

10C262523-2

State of Nevada

vs

Cary Pickett

March 11, 2010

10:30 AM

Initial Arraignment

INITIAL
ARRAIGNMENT
Court Clerk: Karina
Kennedy/klk/Sylvia
Courtney
Reporter/Recorder:
Kiara Schmidt Heard
By: Kevin Williams

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:	Almase, Caesar V.	Attorney
	Pickett, Cary J	Defendant
	Robinson, Lynn M.	Attorney

JOURNAL ENTRIES

- AS TO DEFT DANIELS: Deft present and in custody. NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. DANIELS ARRAIGNED AND PLED GUILTY TO CT-1-BURGLARY WHILE IN POSSESSION OF A FIREARM (F), CT-2-CONSPIRACY TO COMMIT ROBBERY (F), CT-3-ROBBERY WITH USE OF A DEADLY WEAPON (F) and CT-4-POSSESSION OF FIREARM BY EX-FELON (F). Court ACCEPTED plea and, ORDERED, matter referred to the Division of Parole and Probation (P&P) and set for SENTENCING.

AS TO DEFT PICKETT: Deft present and in custody. NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. PICKETT ARRAIGNED AND PLED GUILTY TO CT-1-BURGLARY WHILE IN POSSESSION OF A FIREARM (F), CT-2-CONSPIRACY TO COMMIT

ROBBERY (F), CT-3-ROBBERY WITH USE OF A DEADLY WEAPON (F) and CT-4-POSSESSION OF FIREARM BY EX-FELON (F). Court ACCEPTED plea and, ORDERED, matter referred to the Division of Parole and Probation (P&P) and set for SENTENCING.
CUSTODY(BOTH)
05.10.10 8:15 A.M. SENTENCING (DEPT 18)(BOTH)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 10, 2010

10C262523-2

State of Nevada
vs
Cary Pickett

May 10, 2010

8:15 AM

Sentencing

SENTENCING
Court Clerk: Sharon
Chun
Reporter/Recorder:
Richard Kangas
Heard By: David
Barker

HEARD BY: Barker, David

COURTROOM: RJC Courtroom 11B

COURT CLERK: Sharon Chun

RECORDER: Richard Kangas

REPORTER:

PARTIES

PRESENT:	Almase, Caesar V.	Attorney
	Nelson III, Roy L.	Attorney
	Pickett, Cary J	Defendant

JOURNAL ENTRIES

- The State lodged seven (7) certified copies of Deft Pickett's prior Judgments of Convictions in support of their request for Habitual Criminal enhancement. Exhibits were marked as State's Exhibits and admitted. COURT FOUND documents to be accurate and sufficient to support and FOUND DEFT PICKETT AN HABITUAL CRIMINAL pursuant to NRS 207.010.

DEFT. PICKETT ADJUDGED GUILTY of COUNT 1 - BURGLARY WHILE IN POSSESSION OF A FIREARM (F); COUNT 2 - CONSPIRACY TO COMMIT ROBBERY (F); COUNT 3 - ROBBERY WITH USE OF A DEADLY WEAPON (F); AND COUNT 4 - POSSESSION OF FIREARM BY EX-FELON (F).

In addition to the \$25.00 Administrative Assessment fee, COURT ORDERED, Deft Pickett to PAY RESTITUTION in the AMOUNT of \$11,948.60 JOINTLY and SEVERALLY with co-deft, an

PRINT DATE: 04/20/2011

Page 3 of 6

Minutes Date: March 11, 2010

INDIVIDUAL RESTITUTION of \$1,550.00, and SENTENCED, as follows:

COUNT 1 - A MAXIMUM of SIXTY (60) MONTHS and a MINIMUM of TWENTY-FOUR (24) MONTHS in the Nevada Department of Corrections (NDC);

COUNT 2 - A MAXIMUM of SIXTY (60) MONTHS and a MINIMUM of TWENTY-FOUR (24) MONTHS in the Nevada Department of Corrections (NDC);

COUNT 3 - Habitual Criminal Enhancement with a MAXIMUM term of TWENTY-FIVE (25) YEARS and a MINIMUM of TEN (10) YEARS in the NV Dept of Corrections, SENTENCE CONSECUTIVE TO COUNT 1;

COUNT 4 - A MAXIMUM of SIXTY (60) MONTHS and a MINIMUM of TWENTY-FOUR (24) MONTHS in the Nevada Department of Corrections (NDC), CONCURRENT TO COUNT 2.

COURT REITERATED that COUNTS 1 AND 3 ARE CONSECUTIVE and COUNTS 2 and 4 ARE CONCURRENT, with 88 DAYS CREDIT for time served.

COURT FURTHER ORDERED, DNA fee and testing WAIVED, having been previously submitted.

If bond, exonerated.

9/27/10-MINUTES CORRECTED TO REFLECT CORRECT DEFT'S NAME, AND THE SENTENCING MINUTE ORDER OF DEFT PICKETT HAS NOW BEEN SEPARATED FROM THE SENTENCING MINUTE ORDER OF DEFT DANIELS. /SSC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 19, 2011

10C262523-2

State of Nevada

vs

Cary Pickett

January 19, 2011

8:15 AM

**Motion to Withdraw as
Counsel**

HEARD BY: Barker, David

COURTROOM: RJC Courtroom 11B

COURT CLERK: Roshonda Mayfield

RECORDER: Richard Kangas

REPORTER:

PARTIES

PRESENT: Almase, Caesar V. Attorney

JOURNAL ENTRIES

- Upon review of the materials provided, COURT ORDERED, motion GRANTED pursuant to EDCR 7.40. Further, counsel is to forward a copy of the file to the Defendant and keep record of the contact.

NDC

CLERK'S NOTE: A copy of this minute order has been mailed to: #57591 P.O. Box 650 Indian Springs, Nevada 89070. (rm 1/20/11)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 06, 2011

10C262523-2

State of Nevada
vs
Cary Pickett

April 06, 2011

8:15 AM

**Petition for Writ of Habeas
Corpus**

HEARD BY: Barker, David

COURTROOM: RJC Courtroom 11B

COURT CLERK: Roshonda Mayfield

RECORDER: Richard Kangas

REPORTER:

PARTIES

PRESENT: Graham, Stephanie Attorney
State of Nevada Plaintiff

JOURNAL ENTRIES

- Court advised, the Defendant has filed a post conviction relief action under 4 grounds. Following review of the matter, COURT ORDERED, petition DENIED as there has been no supportive evidence provided for consideration.

NDC

CLERK'S NOTE: A copy of this minute order has been mailed to the Defendant at: High Desert State Prison #57591 P.O. BOX 650 Indian Springs, Nevada 89070. (rm 4/6/11)

Exhibit List

Case Nbr: 10C262523-2 Party: Sort Order: Status Defendant Name: Pickett, Cary J DOB:

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P1	Plaintiff	Admitted 05/10/2010		CERTIFIED COPY OF JOC C156246 (DANIELS)		State of Nevada	District Court Criminal/Civil 05/10/2010	Evidence Vault
Comment: ExhibitID : 191153								
P2	Plaintiff	Admitted 05/10/2010		CERTIFIED COPY OF JOC C160684 (DANIELS)		State of Nevada	District Court Criminal/Civil 05/10/2010	Evidence Vault
Comment: ExhibitID : 191154								
P-1	Plaintiff	Admitted 05/10/2010		CERTIFIED COPY JOC C226282 (PICKETT)		State of Nevada	District Court Criminal/Civil 05/10/2010	Evidence Vault
Comment: ExhibitID : 191155								
P-2	Plaintiff	Admitted 05/10/2010		CERTIFIED COPY JOC C145127 (PICKETT)		State of Nevada	District Court Criminal/Civil 05/10/2010	Evidence Vault
Comment: ExhibitID : 191156								
P3	Plaintiff	Admitted 05/10/2010		CERTIFIED COPY JOC C143146 (PICKETT)		State of Nevada	District Court Criminal/Civil 05/10/2010	Evidence Vault
Comment: ExhibitID : 191157								
P4	Plaintiff	Admitted 05/10/2010		CERTIFIED COPY JOC C119000 (PICKETT)		State of Nevada	District Court Criminal/Civil 05/10/2010	Evidence Vault
Comment: ExhibitID : 191158								
P5	Plaintiff	Admitted 05/10/2010		CERTIFIED COPY JOC 109725 (PICKETT)		State of Nevada	District Court Criminal/Civil 05/10/2010	Evidence Vault
Comment: ExhibitID : 191159								

Exhibit List

Case Nbr: 10C262523-2 Party: Sort Order: Status Defendant Name: Pickett, Cary J DOB:

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P6	Plaintiff	Admitted 05/10/2010		CERTIFIED COPY JOC C107733 (PICKETT)		State of Nevada	District Court Criminal/Civil 05/10/2010	Evidence Vault
Comment: ExhibitID : 191160								
P7	Plaintiff	Admitted 05/10/2010		CERTIFIED COPY JOC C99915 (PICKETT)		State of Nevada	District Court Criminal/Civil 05/10/2010	Evidence Vault
Comment: ExhibitID : 191161								



EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE
NOTICE OF DEFICIENCY
ON APPEAL TO NEVADA SUPREME COURT



CARY PICKETT #57591
P.O. BOX 650
INDIAN SPRINGS, NV 89070

DATE: April 20, 2011
CASE: C262523-2

RE CASE: STATE OF NEVADA vs. CARY PICKETT

NOTICE OF APPEAL FILED: April 18, 2011

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

PLEASE NOTE: DOCUMENTS **NOT** TRANSMITTED HAVE BEEN MARKED:

- ☐ Case Appeal Statement
- NRAP 3 (a)(1), Form 2
- ☒ Order
- ☒ Notice of Entry of Order

NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. **The district court clerk shall apprise appellant of the deficiencies in writing**, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (e) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

Please refer to Rule 3 for an explanation of any possible deficiencies.

Certification of Copy

State of Nevada }
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

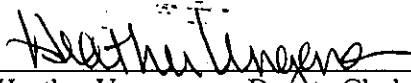
NOTICE OF APPEAL; CASE APPEAL STATEMENT;
MEMORANDUM/AFFIDAVIT IN SUPPORT OF APPEAL FROM EIGHTH JUDICIAL DISTRICT
COURT WRIT OF HABEAS CORPUS; DISTRICT COURT DOCKET ENTRIES; DISTRICT COURT
MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

STATE OF NEVADA,)	
)	
Plaintiff(s),)	Case No: C262523-2
)	Dept No: XVIII
vs.)	
)	
CARY PICKETT,)	
)	
Defendant(s),)	
)	

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 20 day of April 2011.

Steven D. Grierson, Clerk of the Court


Heather Ungermann, Deputy Clerk