

original 6.

1 Andre' Boston 27846  
2 Defendant In Proper Person  
3 P.O. Box 650 H.D.S.P.  
4 Indian Springs, Nevada 89018

FILED

APR 19 2011  
Electronically Filed  
APR 22 2011 12:32 p.m.  
Franklin Lindeman  
CLERK OF COURT

5 DISTRICT COURT

6 CLARK COUNTY NEVADA

88C084650  
NOASC  
Notice of Appeal (criminal)  
1362808



8 Andre' D. Boston,

9 Petitioner,

Case No. 88C084650

10 -v-

Dept.No. VI

11 The State of Nevada et. al.,

Docket

12 Respondents,

13 \_\_\_\_\_/

14 NOTICE OF APPEAL

15 Notice is hereby given that the Petitioner, Andre' D.

16 Boston, 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 (Eighth Judicial District) denying Petitioner's Writ of

19 Habeas Corpus on March 23, 2011.

20 \_\_\_\_\_

21 Dated this date, April 17, 2011.

22 \_\_\_\_\_

23 \*\* See attached additional  
24 material fact sheet/exhibit.  
25 Appeal Record info.

Respectfully Submitted,

Andre' D. Boston

In Proper Person

RECEIVED

APR 19 2011

CLERK OF THE COURT

PETITIONER/APPELLANT'S REQUEST FOR EXPANSION OF RECORD ON APPEAL

Case Name: Andre' Boston v. Anthony Scillia, et. al. (State of Nev.)  
Case Number: C084650

Petitioner/Appellant Andre' Boston, hereby provides the court with this document pursuant to NRAP Rule 10 and request to expand the record on appeal with pertinent material facts to be considered with the appeal in this matter. This information is pertinent for the Nevada Supreme Court's consideration of the appeal in this matter. This information is required for preservation of the issue on appeal and may not be disclosed in the record on appeal. However, the Supreme Court in it's review of the denial for Post-Conviction Habeas Corpus needs to be aware of these facts and petitioner/appellant discloses this info. to make an adequate appellate record.

"It is the appellant's responsibility to make an adequate appellate record." Rules Civ. Proc. Rule 51; Rules App. Proc. Rule 10 (c) Carson Ready Mix, Inc. v. First Nat. Bank of Nevada 1981, 635 P.2d 276, 97 Nev. 474.

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RELEVANT MATERIAL FACTORS

The District Court ruled on the Motion To Dismiss where the State pled "laches" without giving the petitioner/appellant the opportunity to respond to the allegations as outlined in N.R.S. §34.800 (2), despite notice that the petitioner intended to respond and a Motion For Enlargement of Time so that he could respond to the State's Motion To Dismiss and plea of "laches".

The District Court issued a ruling without giving the petitioner the chance to respond to the State's Motion To Dismiss within 15 days "after service" to a Motion by the State To Dismiss the action as outlined in N.R.S. §34.470(1) and 34.750(4).

- \* The State certified serving the Motion To Dismiss on March 4, 2011
- \* However, the Motion to Petitioner was not actually mailed until March 10, 2011, routed by the Post Office on March 11, 2011, and not physically received by the petitioner until March 15, 2011. (See exhibit A to this document) Therefore "service" was not effected until March 15, 2011.
- \* The Petitioner mailed an Informal Notice of Intent To File An Answer to the State's Response, and a Notice/Motion For Enlargement of Time on March 13, 2011, after "NOT receiving the State's Motion To Dismiss" timely. The petitioner's documents were received by the court on March 17, 2011 and filed with the court on March 22, 2011.
- \* Petitioner received the State's Motion To Dismiss on March 15, 2011 Six Days later he mailed in his Opposition to the Motion To Dismiss.
- \* The District Court ruled on the Habeas Petition on March 23, 2011, denying the Petition without having read or considered the petitioner's Opposition to the Motion To Dismiss. Said Opposition demonstrated that there was "NO" Procedural violation, there was "GOOD CAUSE" for any delay, there was "ACTUAL PREJUDICE" AND A FUNDAMENTAL MISCARRIAGE OF JUSTICE IN PETITIONER'S CASE.

The District Court appointed an attorney (without notifying the petitioner) at the Habeas Hearing. Counsel was ineffective, in that, she did nothing at the hearing to act as an advocate for petitioner allowing the habeas petition to be denied without:

- a.) Requesting a continuance to review the case file that she had been assigned to represent petitioner in for the hearing.
- b.) Requesting an Enlargement of Time under N.R.S. § 34.750(3) to file/serve supplemental pleadings.
- c.) Ensuring that in view of the Notice of Intent To File An Answer/Motion For Enlargement of Time, petitioner's Answer was received and reviewed by the court prior to a ruling being made, as required by applicable statutes.
- d.) Ensuring that once the State pled "laches", petitioner would ~~be given the opportunity to respond to the Motion To Dismiss~~ as required by N.R.S. § 34.800(2)

Petitioner hereby notifies the District Court of the foregoing and indicated procedural errors in this case and request that this information be made a part of the record for consideration of the appeal in this case by the Nevada Supreme Court for appropriate consideration of the appeal in this matter.

Petitioner further requests the reincorporation of the claims raised in the initial petition for writ of habeas corpus to be considered by the Nevada Supreme Court.

Date: April 11, 2011

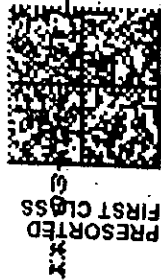
/s/   
Andre' D. Boston  
Petitioner/Appellant, Pro-Se/Per



DAVID ROGER, District Attorney  
Office of the District Attorney  
200 LEWIS AVENUE  
P.O. BOX 552212  
LAS VEGAS, NV 89155-2212

11A9

ANDRE D. BOSTON, BAC#27846  
P.O. BOX 650 (HDSP)  
INDIAN SPRINGS, NV 89070-0650



UNITED STATES POSTAGE

02 1M  
0004291245 MAR 10 2011  
MAILED FROM ZIP CODE 89101

\$ 00.539

45 LRDFN11 89070



Exhibit A

**CERTIFICATE OF SERVICE BY MAILING**

I, Andre' Boston, hereby certify, pursuant to NRCP 5(b), that on this 11  
day of April, 20 11, I mailed a true and correct copy of the foregoing, "Notice of Appeal / Request to Expand Appeal Record"  
by depositing it in the High Desert State Prison, Legal Library, First-Class Postage, fully prepaid,  
addressed as follows:

DAVID ROGER  
OFFICE OF THE DISTRICT ATTORNEY  
200 LEWIS AVENUE  
P.O. BOX 552212  
LAS VEGAS, NV 89155-2212

DATED: this 11 day of April, 20 11.

Andre' Boston  
Andre' Boston # 27846  
/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 CD84650

☒ 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.

Andre Busby  
Signature

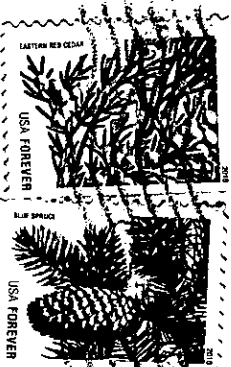
4/11/11  
Date

Andre Busby  
Print Name

Petitioner/Appellant  
Title

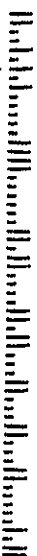
1  
Annie Easton  
27846 H.O.S.P. II/4/9  
P.O. Box 658  
Indian Springs, NV 89475

LOS VEGAS NV 89000  
MAR 20 2001 PM 11



STEVEN D. GRIFFIN  
Clerk of the Court  
285 Lewis Ave, 3rd Flr  
Las Vegas, NV 89155-1168

6910136300



4/6 2/10  
4/11/11

FILED

APR 22 2011

*Allen L. Blum*  
CLERK OF COURT

1 ASTA

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

7 STATE OF NEVADA, )

8 Plaintiff(s), )

9 vs. )

10 ANDRE D. BOSTON, )

11 Defendant(s), )  
12

) Case No: 88C084650

) Dept No: VI  
)  
)  
)

13  
14 **CASE APPEAL STATEMENT**

15 1. Appellant(s): Andre' Boston

16 2. Judge: Elissa Cadish

17 3. Appellant(s): Andre' Boston

18 Counsel:

19 Andre' Boston #27846  
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

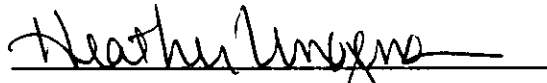


- 1 7. Appellant Represented by Appointed Counsel On Appeal: N/A  
2 8. Appellant Granted Leave to Proceed in Forma Pauperis: N/A  
3 9. Date Commenced in District Court: July 29, 1988  
4 10. Brief Description of the Nature of the Action: Criminal  
5 Type of Judgment or Order Being Appealed: Writ of Habeas Corpus  
6 11. Previous Appeal: Yes  
7 Supreme Court Docket Number(s): 21871, 26034  
8 12. Child Custody or Visitation: N/A  
9

10 Dated This 22 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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DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 88C084650**

**The State of Nevada vs Andre D Boston**

§ Location: **Department 6**  
§ Judicial Officer: **Cadish, Elissa F.**  
§ Filed on: **07/29/1988**  
§ Case Number History:  
§ Conversion Case Number: **C084650**  
§ Defendant's Scope ID #: **0920638**  
§ Lower Court Case Number: **88F03564**

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**CASE INFORMATION**

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Offense	Deg	Date	Case Type: <b>Felony/Gross Misdemeanor</b>
1. BURGLARY.	F	01/01/1900	Case Flags: <b>Appealed to Supreme Court Custody Status - Nevada Department of Corrections</b>
2. LEWDNESS WITH CHILD UNDER 14 YEARS WITH A DEADLY WEAPON	F	01/01/1900	
3. ASSAULT WITH A DEADLY WEAPON (5024)	F	01/01/1900	
4. BATTERY WITH INTENT TO COMMIT CRIME WITH A DEADLY WEAPON	F	01/01/1900	
5. KIDNAPPING IN FIRST DEGREE WITH A DEADLY WEAPON	F	01/01/1900	
6. SEXUAL ASSAULT WITH A DEADLY WEAPON	F	01/01/1900	
7. SEXUAL ASSAULT WITH A DEADLY WEAPON	F	01/01/1900	
8. SEXUAL ASSAULT WITH A DEADLY WEAPON	F	01/01/1900	
9. SEXUAL ASSAULT WITH A DEADLY WEAPON	F	01/01/1900	
10. SEXUAL ASSAULT WITH A DEADLY WEAPON	F	01/01/1900	
11. SEXUAL ASSAULT WITH A DEADLY WEAPON	F	01/01/1900	
12. SEXUAL ASSAULT WITH A DEADLY WEAPON	F	01/01/1900	
13. ROBBERY WITH A DEADLY WEAPON	F	01/01/1900	
14. ATTEMPTED PREVENTING OR DISSUADING WITNESS OR VICTIM FROM REPORTING CRIME OR WITH A DEADLY WEAPON	F	01/01/1900	

---

**DATE**

**CASE ASSIGNMENT**

---

**Current Case Assignment**

Case Number	88C084650
Court	Department 6
Date Assigned	12/28/2008
Judicial Officer	Cadish, Elissa F.

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**PARTY INFORMATION**

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<b>Defendant</b>	<b>Boston, Andre D</b>
<b>Plaintiff</b>	<b>State of Nevada</b>

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 88C084650**

**Bell, Jr., Rex A.**  
7023188300(W)

DATE	EVENTS & ORDERS OF THE COURT	INDEX
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 1. BURGLARY. Not Guilty	
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 2. LEWDNESS WITH CHILD UNDER 14 YEARS WITH A DEADLY WEAPON Not Guilty	
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 3. ASSAULT WITH A DEADLY WEAPON (5024) Not Guilty	
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 4. BATTERY WITH INTENT TO COMMIT CRIME WITH A DEADLY WEAPON Not Guilty	
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 5. KIDNAPPING IN FIRST DEGREE WITH A DEADLY WEAPON Not Guilty	
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 6. SEXUAL ASSAULT WITH A DEADLY WEAPON Not Guilty	
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 7. SEXUAL ASSAULT WITH A DEADLY WEAPON Not Guilty	
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 8. SEXUAL ASSAULT WITH A DEADLY WEAPON Not Guilty	
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 9. SEXUAL ASSAULT WITH A DEADLY WEAPON Not Guilty	
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 10. SEXUAL ASSAULT WITH A DEADLY WEAPON Not Guilty	
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 11. SEXUAL ASSAULT WITH A DEADLY WEAPON Not Guilty	
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 12. SEXUAL ASSAULT WITH A DEADLY WEAPON Not Guilty	
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 13. ROBBERY WITH A DEADLY WEAPON Not Guilty	
07/29/1988	Hearing <i>INITIAL ARRAIGNMENT</i>	88C0846500001.tif pages
08/02/1988	Information <i>INFORMATION</i>	88C0846500036.tif pages

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 88C084650**

08/11/1988	<b>Initial Arraignment</b> (9:00 AM) (Judicial Officer: Mendoza, John) Events: 07/29/1988 Hearing <i>INITIAL ARRAIGNMENT Heard By: John Mendoza</i>
10/20/1988	<b>Disposition</b> (Judicial Officer: User, Conversion) 1. BURGLARY. Guilty
10/20/1988	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/20/1988	<b>Disposition</b> (Judicial Officer: User, Conversion) 2. LEWDNESS WITH CHILD UNDER 14 YEARS WITH A DEADLY WEAPON Guilty
10/20/1988	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/20/1988	<b>Disposition</b> (Judicial Officer: User, Conversion) 3. ASSAULT WITH A DEADLY WEAPON (5024) Guilty
10/20/1988	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/20/1988	<b>Disposition</b> (Judicial Officer: User, Conversion) 4. BATTERY WITH INTENT TO COMMIT CRIME WITH A DEADLY WEAPON Guilty
10/20/1988	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/20/1988	<b>Disposition</b> (Judicial Officer: User, Conversion) 5. KIDNAPPING IN FIRST DEGREE WITH A DEADLY WEAPON Guilty
10/20/1988	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/20/1988	<b>Disposition</b> (Judicial Officer: User, Conversion) 6. SEXUAL ASSAULT WITH A DEADLY WEAPON Guilty
10/20/1988	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/20/1988	<b>Disposition</b> (Judicial Officer: User, Conversion) 7. SEXUAL ASSAULT WITH A DEADLY WEAPON Guilty
10/20/1988	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/20/1988	<b>Disposition</b> (Judicial Officer: User, Conversion) 8. SEXUAL ASSAULT WITH A DEADLY WEAPON Guilty
10/20/1988	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/20/1988	<b>Disposition</b> (Judicial Officer: User, Conversion) 9. SEXUAL ASSAULT WITH A DEADLY WEAPON Guilty
10/20/1988	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/20/1988	<b>Disposition</b> (Judicial Officer: User, Conversion)

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 88C084650**

	10. SEXUAL ASSAULT WITH A DEADLY WEAPON Guilty
10/20/1988	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/20/1988	<b>Disposition</b> (Judicial Officer: User, Conversion)
	11. SEXUAL ASSAULT WITH A DEADLY WEAPON Guilty
10/20/1988	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/20/1988	<b>Disposition</b> (Judicial Officer: User, Conversion)
	12. SEXUAL ASSAULT WITH A DEADLY WEAPON Guilty
10/20/1988	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/20/1988	<b>Disposition</b> (Judicial Officer: User, Conversion)
	13. ROBBERY WITH A DEADLY WEAPON Guilty
10/20/1988	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/20/1988	<b>Disposition</b> (Judicial Officer: User, Conversion)
	14. ATTEMPTED PREVENTING OR DISSUADING WITNESS OR VICTIM FROM REPORTING CRIME OR WITH A DEADLY WEAPON Guilty
10/20/1988	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/20/1988	<b>Sentence</b> (Judicial Officer: User, Conversion)
	1. BURGLARY. Adult Adjudication Converted Disposition: Sentence# 0001: Minimum 10 Years to Maximum 10 Years Placement: NSP Converted Disposition: Sentence# 0002: ADMINISTRATION FEE Amount: \$20.00
10/20/1988	<b>Sentence</b> (Judicial Officer: User, Conversion)
	2. LEWDNESS WITH CHILD UNDER 14 YEARS WITH A DEADLY WEAPON Adult Adjudication Converted Disposition: Sentence# 0001: Minimum 10 Years to Maximum 10 Years Placement: NSP Cons/Conc: Consecutive w/Charge Item: 0001 and Sentence#: 0001 Converted Disposition: Sentence# 0002: Minimum 10 Years to Maximum 10 Years Placement: NSP Cons/Conc: Consecutive w/Charge Item: 0002 and Sentence#: 0001
10/20/1988	<b>Sentence</b> (Judicial Officer: User, Conversion)
	3. ASSAULT WITH A DEADLY WEAPON (5024) Adult Adjudication

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 88C084650**

Converted Disposition:  
Sentence# 0001:  
Minimum 6 Years to Maximum 6 Years  
Placement: NSP  
Cons/Conc: Consecutive  
w/Charge Item: 0002  
and Sentence#: 0001

10/20/1988

**Sentence** (Judicial Officer: User, Conversion)

4. BATTERY WITH INTENT TO COMMIT CRIME WITH A DEADLY WEAPON

Adult Adjudication

Converted Disposition:  
Sentence# 0001:  
Minimum 10 Years to Maximum 10 Years  
Placement: NSP  
Cons/Conc: Consecutive  
w/Charge Item: 0003  
and Sentence#: 0001

Converted Disposition:  
Sentence# 0002:  
Minimum 10 Years to Maximum 10 Years  
Placement: NSP  
Cons/Conc: Consecutive  
w/Charge Item: 0004  
and Sentence#: 0001

10/20/1988

**Sentence** (Judicial Officer: User, Conversion)

5. KIDNAPPING IN FIRST DEGREE WITH A DEADLY WEAPON

Adult Adjudication

Converted Disposition:  
Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE  
Cons/Conc: Consecutive  
w/Charge Item: 0004  
and Sentence#: 0001

Converted Disposition:  
Sentence# 0002: LIFE WITH POSSIBILITY OF PAROLE  
Cons/Conc: Consecutive  
w/Charge Item: 0005  
and Sentence#: 0001

10/20/1988

**Sentence** (Judicial Officer: User, Conversion)

6. SEXUAL ASSAULT WITH A DEADLY WEAPON

Adult Adjudication

Converted Disposition:  
Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE  
Cons/Conc: Consecutive  
w/Charge Item: 0005  
and Sentence#: 0001

Converted Disposition:  
Sentence# 0002: LIFE WITH POSSIBILITY OF PAROLE  
Cons/Conc: Consecutive  
w/Charge Item: 0006  
and Sentence#: 0001

10/20/1988

**Sentence** (Judicial Officer: User, Conversion)

7. SEXUAL ASSAULT WITH A DEADLY WEAPON

Adult Adjudication

Converted Disposition:  
Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE  
Cons/Conc: Consecutive  
w/Charge Item: 0006  
and Sentence#: 0001

Converted Disposition:  
Sentence# 0002: LIFE WITH POSSIBILITY OF PAROLE

**CASE SUMMARY****CASE No. 88C084650**

Cons/Conc: Consecutive  
w/Charge Item: 0007  
and Sentence#: 0001

10/20/1988

**Sentence** (Judicial Officer: User, Conversion)**8. SEXUAL ASSAULT WITH A DEADLY WEAPON**

Adult Adjudication

Converted Disposition:

Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE  
Cons/Conc: Consecutive  
w/Charge Item: 0007  
and Sentence#: 0001

Converted Disposition:

Sentence# 0002: LIFE WITH POSSIBILITY OF PAROLE  
Cons/Conc: Consecutive  
w/Charge Item: 0008  
and Sentence#: 0001

10/20/1988

**Sentence** (Judicial Officer: User, Conversion)**9. SEXUAL ASSAULT WITH A DEADLY WEAPON**

Adult Adjudication

Converted Disposition:

Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE  
Cons/Conc: Consecutive  
w/Charge Item: 0008  
and Sentence#: 0001

Converted Disposition:

Sentence# 0002: LIFE WITH POSSIBILITY OF PAROLE  
Cons/Conc: Consecutive  
w/Charge Item: 0009  
and Sentence#: 0001

10/20/1988

**Sentence** (Judicial Officer: User, Conversion)**10. SEXUAL ASSAULT WITH A DEADLY WEAPON**

Adult Adjudication

Converted Disposition:

Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE  
Cons/Conc: Consecutive  
w/Charge Item: 0009  
and Sentence#: 0001

Converted Disposition:

Sentence# 0002: LIFE WITH POSSIBILITY OF PAROLE  
Cons/Conc: Consecutive  
w/Charge Item: 0010  
and Sentence#: 0001

10/20/1988

**Sentence** (Judicial Officer: User, Conversion)**11. SEXUAL ASSAULT WITH A DEADLY WEAPON**

Adult Adjudication

Converted Disposition:

Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE  
Cons/Conc: Consecutive  
w/Charge Item: 0010  
and Sentence#: 0001

Converted Disposition:

Sentence# 0002: LIFE WITH POSSIBILITY OF PAROLE  
Cons/Conc: Consecutive  
w/Charge Item: 0011  
and Sentence#: 0001

10/20/1988

**Sentence** (Judicial Officer: User, Conversion)**12. SEXUAL ASSAULT WITH A DEADLY WEAPON**

Adult Adjudication

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 88C084650**

	<p>Converted Disposition: Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE Cons/Conc: Consecutive w/Charge Item: 0011 and Sentence#: 0001</p> <p>Converted Disposition: Sentence# 0002: LIFE WITH POSSIBILITY OF PAROLE Cons/Conc: Consecutive w/Charge Item: 0012 and Sentence#: 0001</p>	
10/20/1988	<p><b>Sentence</b> (Judicial Officer: User, Conversion) 13. ROBBERY WITH A DEADLY WEAPON Adult Adjudication Converted Disposition: Sentence# 0001: Minimum 15 Years to Maximum 15 Years Placement: NSP Cons/Conc: Consecutive w/Charge Item: 0012 and Sentence#: 0001</p> <p>Converted Disposition: Sentence# 0002: Minimum 15 Years to Maximum 15 Years Placement: NSP Cons/Conc: Consecutive w/Charge Item: 0013 and Sentence#: 0001</p>	
10/20/1988	<p><b>Sentence</b> (Judicial Officer: User, Conversion) 14. ATTEMPTED PREVENTING OR DISSUADING WITNESS OR VICTIM FROM REPORTING CRIME OR WITH A DEADLY WEAPON Adult Adjudication Converted Disposition: Sentence# 0001: Minimum 3 Years to Maximum 3 Years Placement: NSP Cons/Conc: Consecutive w/Charge Item: 0013 and Sentence#: 0001</p> <p>Converted Disposition: Sentence# 0002: Minimum 3 Years to Maximum 3 Years Placement: NSP Cons/Conc: Consecutive w/Charge Item: 0014 and Sentence#: 0001</p>	
11/27/1990	<p><b>Petition to Proceed in Forma Pauperis</b> (0:00 AM) (Judicial Officer: Mendoza, John) <i>FOR LEAVE TO PROCEED IN FORMA PAUPERIS</i></p>	
11/27/1990	<p><b>Petition</b> (0:00 AM) (Judicial Officer: Mendoza, John) <i>PROPER PERSON PETITION</i></p>	
11/27/1990	<p><b>Petition for Post Conviction Relief</b> (0:00 AM) (Judicial Officer: Mendoza, John) <i>PETITION FOR POST CONVICTION RELIEF Heard By: John Mendoza</i></p>	
11/28/1990	<p>Motion <i>FOR LEAVE TO PROCEED IN FORMA PAUPERIS</i></p>	88C0846500002.tif pages
11/28/1990	<p>Petition <i>PROPER PERSON PETITION</i></p>	88C0846500003.tif pages



DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 88C084650**

11/28/1990	Petition <i>PETITION FOR POST CONVICTION RELIEF</i>	88C0846500004.tif pages
11/28/1990	Response <i>RESPONSE TO TO DEFENDANTS PETITION FOR POST CONVICTION RELIEF</i>	88C0846500005.tif pages
12/13/1990	<b>Petition to Proceed in Forma Pauperis</b> (9:00 AM) (Judicial Officer: Mendoza, John) <i>FOR LEAVE TO PROCEED IN FORMA PAUPERIS</i>	
12/13/1990	<b>Petition</b> (9:00 AM) (Judicial Officer: Mendoza, John) <i>PROPER PERSON PETITION</i>	
12/13/1990	<b>Petition for Post Conviction Relief</b> (9:00 AM) (Judicial Officer: Mendoza, John) <i>PETITION FOR POST CONVICTION RELIEF Heard By: John Mendoza</i>	
12/14/1990	<b>Petition to Proceed in Forma Pauperis</b> (9:00 AM) <i>FOR LEAVE TO PROCEED IN FORMA PAUPERIS</i>	
12/14/1990	<b>Petition</b> (9:00 AM) <i>PROPER PERSON PETITION</i>	
12/14/1990	<b>Petition for Post Conviction Relief</b> (9:00 AM) <i>PETITION FOR POST CONVICTION RELIEF Heard By: John Mendoza</i>	
12/18/1990	Notice <i>NOTICE OF ENTRY OF ORDER</i>	88C0846500006.tif pages
12/18/1990	Judgment <i>FINDING OF FACTS, CONCLUSION OF LAW AND ORDER</i>	88C0846500007.tif pages
01/11/1991	Notice Filed By: Defendant Boston, Andre D <i>NOTICE OF APPEAL</i>	88C0846500009.tif pages
01/11/1991	Notice of Appeal Filed By: Defendant Boston, Andre D <i>DESIGNATION OF RECORD ON APPEAL</i>	88C0846500010.tif pages
01/28/1991	Order Filed By: Defendant Boston, Andre D <i>ORDER TO PREPARE AN ORIGINAL &amp; 2 COPIES OF TRANSCRIPT OF HEARING OF 12/14/90</i>	88C0846500011.tif pages
02/12/1991	Reply Filed by: Defendant Boston, Andre D <i>PETITIONERS REPLY TO THE RESPONDENTS RESPONSE TO THE PETITION FOR POST CONVICTION RELIEF CONVICTION RELIEF</i>	88C0846500012.tif pages
10/21/1991	Hearing <i>ORAL REQUEST FOR FURTHER PROCEEDINGS PER SUPREME COURT</i>	88C0846500013.tif pages
10/24/1991	<b>Further Proceedings</b> (9:00 AM) (Judicial Officer: Sobel, Jeffrey) Events: 10/21/1991 Hearing <i>ORAL REQUEST FOR FURTHER PROCEEDINGS PER SUPREME COURT Court Clerk: ALONA CANDITO Reporter/Recorder: SHIRLEE CHRISTOFFERSON Heard By: Jeffrey Sobel</i>	
10/24/1991	Hearing <i>STATUS CHECK RESET EVIDENTARY HEARING</i>	88C0846500014.tif pages
10/25/1991	Judgment	88C0846500015.tif pages

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 88C084650**







NEVADA SUPREME COURT CLERKS CERTIFICATE/ JUDGMENT - REVERSED AND REMANDED

11/07/1991	<b>Status Check</b> (9:00 AM) (Judicial Officer: Sobel, Jeffrey) Events: 10/24/1991 Hearing <i>STATUS CHECK RESET EVIDENTIARY HEARING Court Clerk: ALONA CANDITO Reporter/Recorder: SHIRLEE CHRISTOFFERSON Heard By: SOBEL, JEFFREY</i>	
11/26/1991	<b>Status Check</b> (9:00 AM) (Judicial Officer: Sobel, Jeffrey) <i>STATUS CHECK RESET EVIDENTIARY HEARING Court Clerk: ALONA CANDITO Reporter/Recorder: ARLENE BLAZI Heard By: SOBEL, JEFFREY</i>	
12/17/1991	<b>Status Check</b> (9:00 AM) <i>STATUS CHECK RESET EVIDENTIARY HEARING Court Clerk: ALONA CANDITO Reporter/Recorder: SHIRLEE CHRISTOFFERSON Heard By: Jeffrey Sobel</i>	
12/17/1991	Hearing <i>EVIDENTIARY HEARING</i>	88C0846500016.tif pages
02/25/1992	Motion <i>MOTION FOR CONTINUANCE OF EVIDENTIARY HEARING</i>	88C0846500017.tif pages
02/27/1992	<b>Motion to Continue</b> (9:00 AM) (Judicial Officer: Sobel, Jeffrey) Events: 02/25/1992 Motion <i>MOTION FOR CONTINUANCE OF EVIDENTIARY HEARING Court Clerk: ALONA CANDITO Reporter/Recorder: SHIRLEE CHRISTOFFERSON Heard By: Jeffrey Sobel</i>	
03/02/1992	<b>Evidentiary Hearing</b> (9:15 AM) (Judicial Officer: Sobel, Jeffrey) Events: 12/17/1991 Hearing <i>EVIDENTIARY HEARING Heard By: Jeffrey Sobel</i>	
05/01/1992	<b>Evidentiary Hearing</b> (10:00 AM) (Judicial Officer: Sobel, Jeffrey) <i>EVIDENTIARY HEARING Court Clerk: ALONA CANDITO Reporter/Recorder: SHIRLEE CHRISTOFFERSON Heard By: Jeffrey Sobel</i>	
05/01/1992	Hearing <i>STATUS CHECK: SET EVIDENTIARY HEARING</i>	88C0846500018.tif pages
07/02/1992	<b>Status Check</b> (9:00 AM) (Judicial Officer: Sobel, Jeffrey) Events: 05/01/1992 Hearing <i>STATUS CHECK: SET EVIDENTIARY HEARING Relief Clerk: TINA HURD Reporter/Recorder: SHIRLEE CHRISTOFFERSON Heard By: Jeffrey Sobel</i>	
07/02/1992	Hearing <i>HEARING JUDGE'S DECISION</i>	88C0846500019.tif pages
07/30/1992	<b>Decision</b> (9:00 AM) (Judicial Officer: Sobel, Jeffrey) Events: 07/02/1992 Hearing <i>HEARING JUDGE'S DECISION Relief Clerk: CINDY HORTON Reporter/Recorder: SHIRLEE CHRISTOFFERSON Heard By: SOBEL, JEFFREY</i>	
07/31/1992	<b>Decision</b> (9:00 AM) (Judicial Officer: Sobel, Jeffrey) <i>HEARING JUDGE'S DECISION Relief Clerk: CINDY HORTON Reporter/Recorder: SHIRLEE CHRISTOFFERSON Heard By: Jeffrey Sobel</i>	
07/31/1992	Hearing <i>STATUS CHECK</i>	88C0846500020.tif pages
08/13/1992	<b>Status Check</b> (9:00 AM) (Judicial Officer: Mosley, Donald) Events: 07/31/1992 Hearing <i>STATUS CHECK Relief Clerk: SHARON PHELPS Reporter/Recorder: DONNA LITTLE Heard By: Donald Mosley</i>	











DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 88C084650**

08/13/1992	Hearing <i>EVIDENTIARY HEARING</i>	88C0846500021.tif pages
09/04/1992	<b>Evidentiary Hearing</b> (10:00 AM) (Judicial Officer: Sobel, Jeffrey) Events: 08/13/1992 Hearing <i>EVIDENTIARY HEARING Court Clerk: ALONA CANDITO Reporter/Recorder: DEBRA WINN Heard By: Jeffrey Sobel</i>	
09/04/1992	Hearing <i>STATUS CHECK</i>	88C0846500022.tif pages
09/04/1992	Notice <i>NOTICE OF EXHIBIT IN THE VAULT</i>	88C0846500023.tif pages
12/17/1992	Order <i>ORDER FOR VIDEO RECORDING</i>	88C0846500028.tif pages
01/05/1993	<b>Status Check</b> (9:00 AM) (Judicial Officer: Sobel, Jeffrey) Events: 09/04/1992 Hearing <i>STATUS CHECK Court Clerk: ALONA CANDITO Relief Clerk: MARY DAIGLE Reporter/Recorder: DEBRA WINN Heard By: SOBEL, JEFFREY</i>	
02/16/1993	<b>Status Check</b> (9:00 AM) <i>STATUS CHECK Court Clerk: ALONA CANDITO Reporter/Recorder: SHIRLEE CHRISTOFFERSON Heard By: SOBEL, JEFFREY</i>	
02/24/1993	Order <i>ORDER FOR VIDEO RECORDING</i>	88C0846500024.tif pages
04/06/1993	<b>Status Check</b> (9:00 AM) <i>STATUS CHECK Relief Clerk: DENISE TRUJILLO Reporter/Recorder: SHIRLEE CHRISTOFFERSON Heard By: SOBEL, JEFFREY</i>	
04/06/1993	Order <i>ORDER RELEASING EVIDENCE</i>	88C0846500025.tif pages
04/06/1993	Ex Parte <i>EX PARTE MOTION FOR RELEASE OF EVIDENCE</i>	88C0846500026.tif pages
04/21/1993	Affidavit in Support Filed By: Defendant Boston, Andre D <i>AFFIDAVIT</i>	88C0846500027.tif pages
06/01/1993	<b>Status Check</b> (9:00 AM) (Judicial Officer: Sobel, Jeffrey) <i>STATUS CHECK Court Clerk: ALONA CANDITO Reporter/Recorder: DEBRA WINN Heard By: SOBEL, JEFFREY</i>	
06/08/1993	<b>Status Check</b> (9:00 AM) <i>STATUS CHECK Court Clerk: ALONA CANDITO Relief Clerk: MARY LOU BALLEZ Reporter/Recorder: SHIRLEE CHRISTOFFERSON Heard By: Jeffrey Sobel</i>	
06/08/1993	Hearing <i>HEARING JUDGE'S DECISION</i>	88C0846500029.tif pages
06/30/1993	Points and Authorities <i>SUPPLEMENTAL POINTS AND AUTHORITIES</i>	88C0846500031.tif pages
08/05/1993	<b>Decision</b> (9:00 AM) (Judicial Officer: Sobel, Jeffrey) Events: 06/08/1993 Hearing <i>HEARING JUDGE'S DECISION Court Clerk: ALONA CANDITO Reporter/Recorder:</i>	

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 88C084650**

	<i>SHIRLEE CHRISTOFFERSON</i> Heard By: <i>SOBEL, JEFFREY</i>	
08/26/1993	<b>Decision</b> (9:00 AM) <i>HEARING JUDGE'S DECISION Court Clerk: ALONA CANDITO Reporter/Recorder: SHIRLEE CHRISTOFFERSON</i> Heard By: <i>SOBEL, JEFFREY</i>	
09/23/1993	<b>Decision</b> (9:00 AM) (Judicial Officer: Sobel, Jeffrey) <i>HEARING JUDGE'S DECISION Court Clerk: ALONA CANDITO Reporter/Recorder: SHIRLEE CHRISTOFFERSON</i> Heard By: <i>SOBEL, JEFFREY</i>	
10/14/1993	<b>Decision</b> (9:00 AM) <i>HEARING JUDGE'S DECISION Court Clerk: ALONA CANDITO Reporter/Recorder: SHIRLEE CHRISTOFFERSON</i> Heard By: <i>Jeffrey Sobel</i>	
10/14/1993	Reporters Transcript <i>REPORTER'S TRANSCRIPT EVIDENTIARY HEARING</i>	<i>88C0846500030.tif pages</i>
10/14/1993	Reporters Transcript <i>REPORTER'S TRANSCRIPT HEARING: JUDGES DECISION</i>	<i>88C0846500032.tif pages</i>
03/18/1994	Judgment <i>FINDINGS OF FACTS, CONCLUSIONS OF LAW AND ORDER</i>	<i>88C0846500033.tif pages</i>
03/21/1994	Notice <i>NOTICE OF ENTRY OF ORDER</i>	<i>88C0846500034.tif pages</i>
07/25/1994	Notice Filed By: Defendant Boston, Andre D <i>NOTICE OF APPEAL</i>	<i>88C0846500035.tif pages</i>
11/03/1994	NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>NEVADA SUPREME COURT JUDGMENT / ORDERED APPEAL DISMISSED</i>	<i>88C0846500037.tif pages</i>
01/05/2011	 Petition for Writ of Habeas Corpus Filed by: Defendant Boston, Andre D	
01/05/2011	 Notice of Motion Filed By: Defendant Boston, Andre D <i>Pro Per Notice of Motion and Motion for Permission to Extend the Page Limit for A Separate Memorandum of Points and Authorities in Support of the Petition for Writ of Habeas Corpus</i>	
01/05/2011	 Petition for Writ of Habeas Corpus Filed by: Defendant Boston, Andre D <i>Pro Per Petition for Writ of Habeas Corpus-Jurisdictional Statement &amp; Request to Allow Limited Confirmation Copies of Documents, for Service on Respondents.</i>	
01/05/2011	 Notice Filed By: Defendant Boston, Andre D <i>Pro Per Notice of Lodging and Lodging of Exhibits in Support of the Petition for Writ of Habeas Corpus (Exhibits A-Q)</i>	
01/14/2011	 Opposition to Motion <i>State's Opposition to Defendant's Motion for Permission to Extend the Page Limit for a Separate Memorandum of Points and Authorities in Support of the Petition for Writ of Habeas Corpus</i>	
01/18/2011	 Order for Petition for Writ of Habeas Corpus	

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 88C084650**

01/19/2011	 <b>Motion</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.) Events: 01/05/2011 Notice of Motion <i>Pro Per Notice of Motion and Motion for Permission to Extend the Page Limit for A Separate Memorandum of Points and Authorities in Support of the Petition for Writ of Habeas Corpus</i>
03/04/2011	 Response <i>State's Response to Defendant's Petition for Writ of Habeas Corpus (Post-Conviction)</i>
03/09/2011	 Order Denying Motion Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Motion for Permission to Extend the Page Limit for a Separate Memorandum of Points and Authorities in Support of the Petition for Writ of Habeas Corpus</i>
03/22/2011	 Motion Filed By: Defendant Boston, Andre D <i>Notice of Motion and Motion for Enlargement of Time Pursuant to NRS 178.476</i>
03/23/2011	 <b>Petition for Writ of Habeas Corpus</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.) Events: 01/18/2011 Order for Petition for Writ of Habeas Corpus
03/28/2011	 Opposition to Motion Filed By: Defendant Boston, Andre D <i>Petitioner's Opposition to the State's Response and Motion to Dismiss the Petition for Writ of Habeas Corpus</i>
03/29/2011	 Opposition <i>State's Opposition to Defendant's Motion for Enlargement of Time Pursuant to NRS 178.476</i>
03/29/2011	 Response <i>State's Response to Defendant's Opposition To The State's Response And Motion To Dismiss The Petition For Writ Of Habeas Corpus</i>
04/04/2011	 <b>Motion</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.) Events: 03/22/2011 Motion <i>Notice of Motion and Motion for Enlargement of Time Pursuant to NRS 178.476</i>
04/19/2011	 Notice of Appeal (criminal) Party: Defendant Boston, Andre D

DATE	FINANCIAL INFORMATION
	<b>Defendant</b> Boston, Andre D
	Total Charges 1,127.00
	Total Payments and Credits 1,127.00
	<b>Balance Due as of 4/22/2011 0.00</b>

CASE NO. C84650TITLE THE STATE OF NEVADA VS. ANDRE DUPREE BOSTONDATE, JUDGE  
OFFICERS OF  
COURT PRESENT

## APPEARANCES -- HEARING

## CONTINUED TO:

8-11-88 JOHN F. MENDOZA DEPT. FIVE R.SNAPE, CLERK S.CHRISTOFFERSON RECORDER	<u>ARRAIGNMENT</u> State represented by Eric Jorgenson, Deputy District Attorney. Defendant Boston present with John Fadgen. Mr. Jorgenson moved to Amend the Information, Count XIV, to add "WITH USE OF A DEADLY WEAPON" and there being no objection, by the COURT SO ORDERED. Defendant was arraigned and entered a Plea of Not Guilty.	9-12-88 - 10:00 A.M.  JURY TRIAL ----- 9-8-88 - 9:00 A.M.  CALENDAR CALL
	Mr. Fadgen stated they would invoke the 60 day rule. COURT ORDERED, this matter is set for Trial September 12, 1988 at 10:00 A.M. and Calendar Call will be September 8, 1988 at 9:00 A.M.  CUSTODY	
9-8-88 JOHN F. MENDOZA DEPT. FIVE R.SNAPE, CLERK S.CHRISTOFFERSON RECORDER	<u>CALENDAR CALL</u> State represented by Ronald Bloxham, Deputy District Attorney. Defendant Boston present with John Fadgen. Mr. Fadgen stated there was no objection to Motion to Endorse Names. COURT ORDERED, Motion to Endorse Names granted. COURT ORDERED, this case will be tried in Department Five September 12, 1988 at 10:00 A.M. CUSTODY	9-12-88 - 10:00 A.M.  JURY TRIAL DEPT. FIVE
9-12-13-14-15-88 JOHN F. MENDOZA DEPT. FIVE R.SNAPE, CLERK S.CHRISTOFFERSON RECORDER	<u>JURY TRIAL</u> State represented by Ronald Bloxham, Deputy District Attorney. Defendant Boston present with John Fadgen. Mr. Bloxham presented Motion to Endorse Names to the Court. No objection by Mr. Fadgen. Mr. Fadgen advised the Court Defendant was dressed in prison uniform. Court stated there were no markings on the clothing. Court heard arguments of Counsel in regard to Motion to Dismiss. COURT ORDERED, Motion to Endorse Names is granted. FURTHER ORDERED, Motion to Dismiss is denied. Jurors brought into the Courtroom. Jury was selected and sworn. Court advised Jury in regard to how his case would proceed to Trial.	
	Opening statement by Mr. Bloxham. Court heard testimony of witnesses and admitted exhibits. Outside presence of the Jury, Juror #6 was examined by the Court and excused from the panel and replaced the first Alternate, WILLIAM JAMES JOHNSON. Jury returned to the Courtroom. Court heard further testimony of witnesses.	

CASE NO. C84650

THE STATE OF NEVADA VS. ANDRE DUPREE BOSTON

DATE, JUDGE  
OFFICERS OF  
COURT PRESENT

## APPEARANCES -- HEARING

## CONTINUED TO:

9-15-88 JOHN F. MENDOZA DEPT. FIVE R.SNAPE, CLERK S. CHRISTOFFERSON RECORDER	<u>JURY TRIAL CONTINUED</u> Jury returned to Courtroom. Jury returned Verdicts of Guilty on all Counts, Count Nine having previously been dismissed. COURT ORDERED, this matter continued to October 20, 1988 at 9:00 A.M. for Sentencing. CUSTODY	
10-20-88 JOHN F. MENDOZA DEPT. FIVE R.SNAPE, CLERK D. WINN RECORDER	<u>SENTENCING</u> State represented by Ronald Bloxham, Deputy District Attorney. Defendant Boston present with John Faden. Dennis Gilmore, Probation Officer, also present. Court heard arguments of Counsel. Court stated its findings. COURT ORDERED, Defendant is adjudged Guilty and sentenced as follows: COUNT ONE - Burglary - TEN YEARS NSP; COUNT TWO - Lewdness With a Minor	
	With Use of Deadly Weapon - TEN YEARS and TEN YEARS consecutive for Use of Weapon, to run con- secutive to Count One; COUNT THREE - Assault With Deadly Weapon - SIX YEARS NSP consecutive to Counts One and Two; COUNT FOUR - Battery With Intent to Commit Crim With Use of Deadly Weapon - TEN YEARS NSP and TEN YEARS consecutive for Use of Deadly Weapon, to run consecutive to sentences in Counts One, Two and Three; COUNT	
	FIVE - First Degree Kidnapping With Use of Deadly Weapon - LIFE NSP and LIFE NSP consecutive for Use of Deadly Weapon, to run consecutive to Counts One, Two, Three and Four; COUNT SIX - Sexual Assault With Use of Deadly Weapon - LIFE NSP with LIFE NSP consecutive for Use of Deadly Weapon, to run consecutive to Counts One, Two, Three, Four and Five; COUNT SEVEN - Sexual Assault with Use of Deadly Weapon - LIFE NSP with LIFE NSP consecutive for Use of Deadly Weapon, to run consecutive to Counts	
	One through Six; COUNT EIGHT - Sexual Assault With Use of Deadly Weapon - LIFE NSP with LIFE NSP consecutive for Use of Deadly Weapon, to run consecutive to Counts One through Seven; COUNT NINE - Dismissed; COUNT TEN - Sexual Assault with Use of Deadly Weapon - LIFE NSP with LIFE NSP consecutive for Use of Deadly Weapon, to run consecutive to Counts One through Eight; COUNT ELEVEN - Sexual Assault With Deadly Weapon - LIFE NSP with LIFE NSP	
	consecutive for Use of Deadly Weapon, to run consecutive to Counts One through Ten; COUNT TWELVE - Sexual Assault with Use of Deadly Weapon - LIFE NSP with LIFE NSP consecutive for Use of Deadly Weapon, to run consecutive to Counts One through Eleven; COUNT THIRTEEN - Robbery With Use of a Deadly Weapon - FIFTEEN YEARS and FIFTEEN YEARS consecutive for Use of Deadly Weapon, to run consecutive to Counts One through Twelve; COUNT FOURTEEN - Attempt Dissuade	
	Victim or Witness from Reporting a Crime With Use of Deadly Weapon - THREE YEARS with THREE YEARS consecutive for Use of <b>MINUTES - CRIMINAL</b> Deadly Weapon, to run consecutive to Counts One through Thirteen.	

CONT. NEXT PAGE

CASE NO. 084650 TITLE THE STATE OF NEVADA VS. ANDRE DUPREE BOSTON

DATE, JUDGE  
OFFICERS OF  
COURT PRESENT

APPEARANCES -- HEARING

CONTINUED TO:

10-20-88 JOHN F. MENDOZA DEPT. FIVE  R.SNAPE, CLERK  D. WINN RECORDER	Mr. Bloxham inquired if these sentences would run consecutive to sentences in California. Argument in opposition by Mr. Fadgen. COURT ORDERED, sentences to run consecutive to California sentence. Mr. Fadgen moved Court to withdraw. COURT ORDERED, Mr. Fadgen to file Notice of Appeal and after that time, he may be allowed to withdraw. FURTHER ORDERED, Defendant to receive no credit for time served.	
	CUSTODY	
1-24-89 JOHN F. MENDOZA DEPT. FIVE  R.SNAPE, CLERK  S. CHRISTOFFERSON RECORDER	PER SUPREME COURT ORDER: APPOINTMENT OF COUNSEL State represented by Ronald Bloxham, Deputy District Attorney. Defendant Boston not present nor represented. Mr. Bloxham stated there was an Order from the Supreme Court stating that this Court should appoint Counsel if Defendant was indigent. Mr. Bloxham stated Defendant was placed in custody in California in 1983 and had received numerous Life sentences.	1-31-89 - 9:00 A.M.  CONFIRMATION OF COUNSEL
	COURT ORDERED, Public Defender is appointed to represent Defendant and this matter is continued to January 31, 1989 at 9:00 A.M. for Confirmation of Counsel.  CUSTODY	
1-31-89 JOHN F. MENDOZA DEPT. FIVE  R.SNAPE, CLERK  D. WINN RECORDER	CONFIRMATION OF COUNSEL State represented by ERIC Jorgenson, Deputy District Attorney. Defendant Boston not present, being in custody NSP, represented by David Wall, Deputy P.D. Mr. Wall stated the Public Defender could confirm as Counsel in this case. COURT ORDERED, Public Defender is confirmed as Counsel for Defendant.  CUSTODY (NSP)	
11-13-90 JOHN F. MENDOZA DEPT. FIVE  R.SNAPE, CLERK  S. CHRISTOFFERSON RECORDER	DEFENDANT'S PRO PER MOTION TO PROCEED IN FORMA PAUPERIS DEFENDANT'S PRO PER PETITION FOR POST CONVICTION RELIEF. State represented by Ronald Bloxham, Deputy District Attorney. Defendant Boston not present, represented by Mark Blaskey, Deputy Public Defender. Mr. Bloxham stated the Attorney General may be handling this case.	11-28-90 - 9:00 A.M.  DEPT'S PRO PER MOTIONS

COURT ORDERED, continued to November 27, 1990 at 9:00 A.M. to allow District Attorney to determine if this is an Attorney General case or District

MINUTES -- CRIMINAL

Attorney case.

CUSTODY (NSP)



CASE NO. C84650 TITLE THE STATE OF NEVADA VS. ANDRE DUPREE BOSTON

DATE, JUDGE OFFICERS OF COURT PRESENT	APPEARANCES — HEARING	CONTINUED TO:
11-27-90 JOHN F. MENDOZA DEPT. FIVE  R.SNAPE, CLERK  ALICE EASTGATE RECORDER	DEFENDANT'S PRO PER MOTION TO PROCEED IN FORMA PAUPERIS DEFENDANT'S PRO PER PETITION FOR POST CONVICTION RELIEF State represented by Ronald Bloxham, Deputy District Attorney. Defendant Boston not present, being in custody NSP, represented by Robert Miller, Deputy Public Defender. <del>Counsel stated there should be no conflict</del>	12-13-90 - 9:00 A.M.          PRO PER MOTIONS
	<del>with the Public Defender continuing to represent this Defendant.</del> COURT ORDERED, District Attorney has until November 29, 1990 to file and the Public Defender has ten days thereafter to respond. FURTHER ORDERED, this matter continued to December 13, 1990 at 9:00 A.M. for Argument.   CUSTODY (NSP)	
12-13-90 JOHN F. MENDOZA DEPT. FIVE  R.SNAPE, CLERK  S.CHRISTOFFERSON RECORDER	DEFENDANT'S PRO PER MOTION TO PROCEED IN FORMA PAUPERIS DEFENDANT'S PRO PER PETITION FOR POST CONVICTION RELIEF State represented by Douglas Smith, Deputy District Attorney. Defendant Boston not present, represented by Robert Miller, Deputy Public Defender. Mr. Smith stated a written response was filed November 28.	12-14-90 - 9:00 A.M.          PRO PER MOTIONS
	Court stated it was not in file. COURT ORDERED, continued to December 14, 1990 at 9:00 A.M. Copy of Response provided to the Court.   CUSTODY (NSP)	
12-14-90 JOHN F. MENDOZA DEPT. FIVE  R.SNAPE, CLERK  S.CHRISTOFFERSON RECORDER	DEFENDANT'S PRO PER MOTION TO PROCEED IN FORMA PAUPERIS DEFENDANT'S PRO PER PETITION FOR POST CONVICTION RELIEF State represented by Ronald Bloxham, Deputy District Attorney. Defendant Boston not present, being in custody NSP, represented by Robert Miller, Deputy Public Defender.	
	<del>Court heard arguments of Counsel.</del> Court stated its findings. COURT ORDERED, Prayer of the Petition is denied.   CUSTODY (NSP)	

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****October 24, 1991**

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88C084650

The State of Nevada vs Andre D Boston

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**October 24, 1991****9:00 AM****Further Proceedings****ORAL REQUEST  
FOR FURTHER  
PROCEEDINGS  
PER SUPREME  
COURT Court Clerk:  
ALONA CANDITO  
Reporter/Recorder:  
SHIRLEE  
CHRISTOFFERSON  
Heard By: Jeffrey  
Sobel****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Monroe, Vicki J. Attorney  
Williams, Kevin V. Attorney**JOURNAL ENTRIES**

- Court advised Counsel that the Supreme Court reversed the 1988 Court ruling denying the motion for an Evidentiary Hearing. Statements by Counsel regarding the setting of a hearing date. COURT ORDERED, MATTER CONTINUED FOR A STATUS CHECK.

CUSTODY - NSP

NOVEMBER 7, 1991 @ 9 A.M. -- STATUS CHECK: RESET EVIDENTIARY HEARING

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****November 07, 1991**

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88C084650

The State of Nevada vs Andre D Boston

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**November 07, 1991****9:00 AM****Status Check****STATUS CHECK  
RESET  
EVIDENTIARY  
HEARING Court  
Clerk: ALONA  
CANDITO  
Reporter/Recorder:  
SHIRLEE  
CHRISTOFFERSON  
Heard By: SOBEL,  
JEFFREY****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Bloxham, Ronald C. Attorney  
Thompson, Robert H. Attorney**JOURNAL ENTRIES**

- Mr. Bloxham advised Court that the State has run into road blocks in getting Defendant Boston transported from California as neither orders to transport nor extradition are successful. Both Counsel requested a continuance for Counsel to decide if Defendant's presence is necessary. Mr. Thompson advised Court that he has not been in touch with Defendant.  
COURT ORDERED, matter continued as the Defendant is doing prison time in California and has been convicted in Nevada, the issue is how to bring the Defendant back to Nevada for the Evidentiary Hearing.

**CUSTODY - NSP****STATUS CHECK: RESET EVIDENTIARY HEARING -- NOVEMBER 26, 1991 @ 9 A.M.**

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****November 26, 1991**

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88C084650

The State of Nevada vs Andre D Boston

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**November 26, 1991****9:00 AM****Status Check****STATUS CHECK  
RESET  
EVIDENITARY  
HEARING Court  
Clerk: ALONA  
CANDITO  
Reporter/Recorder:  
ARLENE BLAZI  
Heard By: SOBEL,  
JEFFREY****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Smith, Ulrich W. Attorney  
Walker, Jr., Robert B. Attorney**JOURNAL ENTRIES**

- Mr. Miller advised Court that the Defendant definitely needs to be present for the evidentiary hearing. Mr. Smith advised Court that the State cannot get the Defendant back as it does not have any statutory vehicle to get the Defendant out of California Prison. Mr. Smith suggested that a deposition be taken in the California Prison. Mr. Smith submitted a letter to the Court from the Attorney General's office advising that the State has no jurisdiction. Mr. Smith submitted a copy of letter to Mr. Miller in open Court. Mr. Miller advised Court that a Deposition does not allow the Defendant to be present during the Defendant's previous attorney's testimony. COURT ORDERED, MATTER CONTINUED FOR A STATUS CHECK.

CUSTODY - NSP

DECEMBER 17, 1991 @ 9 A.M. -- STATUS CHECK

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****December 17, 1991**

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88C084650

The State of Nevada vs Andre D Boston

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**December 17, 1991****9:00 AM****Status Check****STATUS CHECK  
RESET  
EVIDENTIARY  
HEARING Court  
Clerk: ALONA  
CANDITO  
Reporter/Recorder:  
SHIRLEE  
CHRISTOFFERSON  
Heard By: Jeffrey  
Sobel****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**      Miller, Robert L.      Attorney  
                         Smith, Ulrich W.      Attorney**JOURNAL ENTRIES**

- Mr. Miller advised Court that the Defendant is due to be released from the California State Prison around the year 2010. Court inquired from Counsel if they knew a way to get Defendant here. Mr. Smith suggested that the Defendant's deposition be taken in the California Prison and Defendant's trial Counsel can testify prior to the Deposition. COURT ORDERED, MATTER SET FOR AN EVIDENTIARY HEARING.

CUSTODY - PRISON

MARCH 2, 1992 @ 9:15 A.M. -- EVIDENTIARY HEARING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 27, 1992

88C084650

The State of Nevada vs Andre D Boston

February 27, 1992

9:00 AM

Motion to Continue

MOTION FOR  
CONTINUANCE OF  
EVIDENTIARY  
HEARING Court  
Clerk: ALONA  
CANDITO  
Reporter/Recorder:  
SHIRLEE  
CHRISTOFFERSON  
Heard By: Jeffrey  
Sobel

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

**PRESENT:** Monroe, Vicki J. Attorney  
Williams, Kevin V. Attorney

**JOURNAL ENTRIES**

- Court advised Counsel that it has gathered that there is a problem with the current evidentiary hearing setting. COURT ORDERED, EVIDENTIARY HEARING VACATED AND RESET.

CUSTODY - NSP

5/1/92 @ 10 A.M. -- EVIDENTIARY HEARING

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****May 01, 1992**

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88C084650

The State of Nevada vs Andre D Boston

---

**May 01, 1992****10:00 AM****Evidentiary Hearing****EVIDENTIARY  
HEARING Court  
Clerk: ALONA  
CANDITO  
Reporter/Recorder:  
SHIRLEE  
CHRISTOFFERSON  
Heard By: Jeffrey  
Sobel****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES**

<b>PRESENT:</b>	Bloxham, Ronald C.	Attorney
	Miller, Robert L.	Attorney
	Public Defender	Attorney

**JOURNAL ENTRIES**

- Counsel advised court that they will not be able to go forward this morning as trial counsel is not under subpoena, but is now aware of his location. Mr. Miller advised court that he has spoken with the defendant and knows the issues which need to come up, but requested a continuance for the testimony of a doctor. COURT ORDERED, MATTER CONTINUED.

CUSTODY - NSP

7/2/92 -- STATUS CHECK: EVIDENTIARY HEARING

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****July 02, 1992**

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88C084650

The State of Nevada vs Andre D Boston

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**July 02, 1992****9:00 AM****Status Check****STATUS CHECK:****SET****EVIDENTIARY****HEARING Relief****Clerk: TINA HURD****Reporter/Recorder:****SHIRLEE****CHRISTOFFERSON****Heard By: Jeffrey****Sobel****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES**

<b>PRESENT:</b>	Miller, Robert L.	Attorney
	Monroe, Vicki J.	Attorney
	Public Defender	Attorney

**JOURNAL ENTRIES**

- Mr. Miller advised there is one witness, a doctor. The Supreme Court has remanded this case for conduction of an evidentiary hearing. At this point an evidentiary hearing is not warranted as the doctor cannot be found, however, the Court can take the matter under submission to evaluate the documents. Court took the matter UNDER ADVISEMENT and ORDERED, matter placed on calendar in one month for decision.

CUSTODY (NSP)

7-30-92 9:00 A.M. DECISION



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 30, 1992

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88C084650

The State of Nevada vs Andre D Boston

---

July 30, 1992

9:00 AM

Decision

HEARING JUDGE'S  
DECISION Relief  
Clerk: CINDY  
HORTON  
Reporter/Recorder:  
SHIRLEE  
CHRISTOFFERSON  
Heard By: SOBEL,  
JEFFREY

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

**PRESENT:** Robinson, Lynn M. Attorney  
Williams, Kevin V. Attorney

**JOURNAL ENTRIES**

- Mr. Williams advised that this is Mr. Miller's case and stated he would submit the matter. COURT ORDERED, matter continued for Mr. Miller to be present.

CUSTODY (NSP)

7/31/92 - 9 AM - DECISION CONTINUED

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****July 31, 1992**

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88C084650

The State of Nevada vs Andre D Boston

---

July 31, 1992

9:00 AM

Decision

HEARING JUDGE'S  
DECISION Relief  
Clerk: CINDY  
HORTON  
Reporter/Recorder:  
SHIRLEE  
CHRISTOFFERSON  
Heard By: Jeffrey  
Sobel

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

**PRESENT:** Bloxham, Ronald C. Attorney  
Miller, James J. Attorney

**JOURNAL ENTRIES**

- Mr. Bloxham advised that the original Doctor is not available. Court stated that the Supreme Court found cause enough to trigger an evidentiary hearing and that if the defense had other thing to bring out they should have had that right. Colloquy between the Court and counsel regarding the trial attorneys. Mr. Miller advised that the debt was in a California prison until the year 2010. State advised that possibly the only way to have the debt here was possibly through the Governor's office. Mr. Miller stated he wanted it put on the record that the debt wants to be present for any hearings. COURT ORDERED, matter continued for contact with Fadgen of which the results can be relayed to Mr. Boston and then matter can be set for hearing.  
CUSTODY (NSP)

8/13/92 - 9 AM - STATUS CHECK

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****August 13, 1992**

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88C084650

The State of Nevada vs Andre D Boston

---

**August 13, 1992****9:00 AM****Status Check****STATUS CHECK  
Relief Clerk:  
SHARON PHELPS  
Reporter/Recorder:  
DONNA LITTLE  
Heard By: Donald  
Mosley****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Barker, David B. Attorney**JOURNAL ENTRIES**

- COURT ORDERED, matter continued for Evidentiary Hearing.  
CUSTODY (NSP)...9-4-92 @ 10:00 A.M. EVIDENTIARY HEARING

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****September 04, 1992**

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88C084650

The State of Nevada vs Andre D Boston

---

**September 04, 1992****10:00 AM****Evidentiary Hearing****EVIDENTIARY  
HEARING Court  
Clerk: ALONA  
CANDITO  
Reporter/Recorder:  
DEBRA WINN  
Heard By: Jeffrey  
Sobel****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES**

<b>PRESENT:</b>	Bloxham, Ronald C.	Attorney
	Miller, Robert L.	Attorney
	Public Defender	Attorney

**JOURNAL ENTRIES**

- Mr. Miller advised court that he had a conversation with defendant Boston and the defendant objects to the Evidentiary Hearing proceeding without him being present. Court advised counsel that there is no procedural mechanism to get defendant to this jurisdiction as he is serving a California sentence and is not due to be released until 2010; and this matter is being video taped for the defendant's benefit. Witnesses sworn and testified and evidence admitted. (PER WORKSHEET.)  
CONFERENCE AT BENCH. COURT ORDERED, RECESS. LATER: COURT ORDERED, MATTER CONTINUED FOR A STATUS CHECK. Mr. Bloxham requested a transcript of today's proceedings. Mr. Miller requested a copy of this video tape. SO ORDERED.  
(THIS MATTER WAS VIDEO TAPED AT THE REQUEST OF THE COURT FOR THE BENEFIT OF THE DEFENDANT.)

CUSTODY - NSP

01/05/93 -- STATUS CHECK

PRINT DATE: 04/22/2011

Page 11 of 24

Minutes Date:

August 11, 1988

88C084650

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 05, 1993

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88C084650

The State of Nevada vs Andre D Boston

---

January 05, 1993

9:00 AM

Status Check

STATUS CHECK  
Court Clerk: ALONA  
CANDITO Relief  
Clerk: MARY  
DAIGLE  
Reporter/Recorder:  
DEBRA WINN  
Heard By: SOBEL,  
JEFFREY

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

<b>PRESENT:</b>	Barker, David B.	Attorney
	Miller, Robert L.	Attorney
	Public Defender	Attorney

**JOURNAL ENTRIES**

- Mr. Miller advised Court that he spoke with Mr. Bloxham and advised him he will be going to Tehachapi to see the defendant and there is no objection. COURT ORDERED, MATTER CONTINUED FOR A STATUS CHECK.  
CUSTODY - NSP

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

---

**Felony/Gross Misdemeanor****COURT MINUTES****February 16, 1993**

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88C084650

The State of Nevada vs Andre D Boston

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**February 16, 1993****9:00 AM****Status Check**

**STATUS CHECK**  
**Court Clerk: ALONA**  
**CANDITO**  
**Reporter/Recorder:**  
**SHIRLEE**  
**CHRISTOFFERSON**  
**Heard By: SOBEL,**  
**JEFFREY**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES**

**PRESENT:**      Bloxham, Ronald C.      Attorney  
                         Miller, Robert L.      Attorney  
                         Public Defender      Attorney

**JOURNAL ENTRIES**

- Mr. Miller advised court that the defendant has seen the video tape and requested a continuance for a affidavit of the defendant to be prepared stating whatever he would like court to consider. COURT ORDERED, MATTER CONTINUED.  
CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****April 06, 1993**

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88C084650

The State of Nevada vs Andre D Boston

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**April 06, 1993****9:00 AM****Status Check****STATUS CHECK****Relief Clerk: DENISE  
TRUJILLO****Reporter/Recorder:  
SHIRLEE****CHRISTOFFERSON****Heard By: SOBEL,  
JEFFREY****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES**

<b>PRESENT:</b>	Bloxham, Ronald C.	Attorney
	Miller, Robert L.	Attorney
	Public Defender	Attorney

**JOURNAL ENTRIES**

- Mr. Miller requested thirty day continuance to respond as he is awaiting affidavit from deft. COURT ORDERED, matter continued sixty days, deft. to respond in 30 days, State to have two weeks to reply with a hearing set two weeks thereafter. Mr. Bloxham filed exparte MOTION FOR RELEASE OF EVIDENCE in open Court. Mr. Miller objected as he doesn't want exhibits to this case. Mr. Bloxham advised the evidence in this case, need to be tested for possible use in a murder case that may be filed against deft. COURT ORDERED, motion is granted, if evidence is needed in this case then it must be returned or in any event, not destroyed.



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 01, 1993

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88C084650

The State of Nevada vs Andre D Boston

---

June 01, 1993

9:00 AM

Status Check

STATUS CHECK  
Court Clerk: ALONA  
CANDITO  
Reporter/Recorder:  
DEBRA WINN  
Heard By: SOBEL,  
JEFFREY

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

<b>PRESENT:</b>	Bloxham, Ronald C.	Attorney
	Public Defender	Attorney
	Williams, Kevin V.	Attorney

**JOURNAL ENTRIES**

- Court stated that it is waiting for an affidavit from Lompoc. Mr. Williams advised Court that he has the affidavit. COURT ORDERED, DEPARTMENT SECRETARY TO MAKE COPY OF THE AFFIDAVIT AND MATTER CONTINUED.  
CUSTODY - NDP

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****June 08, 1993**

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88C084650

The State of Nevada vs Andre D Boston

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**June 08, 1993****9:00 AM****Status Check****STATUS CHECK**  
**Court Clerk: ALONA**  
**CANDITO Relief**  
**Clerk: MARY LOU**  
**BALLEZ**  
**Reporter/Recorder:**  
**SHIRLEE**  
**CHRISTOFFERSON**  
**Heard By: Jeffrey**  
**Sobel****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Do Not Use, - Attorney  
Hillman, Ralph R. Attorney**JOURNAL ENTRIES**

- COURT STATED THAT DEFENDANT WILL NOT BE ABLE TO COME TO NEVADA UNTIL NEXT CENTURY. COURT STATED THAT THE PUBLIC DEFENDER FILED AN AFFIDAVIT OF THE DEFENDANT THAT DEALS WITH ISSUES IN THIS CASE, WHICH DOES NOT HAVE A RESPONSE. Mr. Bloxham requested to respond to this. COURT ORDERED, STATE TO RESPOND BY 7/8/93, PUBLIC DEFENDER TO REPLY BY 7/29/93 WITH COURTESY COPIES TO THE COURT.

CUSTODY - NDP

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 05, 1993

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88C084650

The State of Nevada vs Andre D Boston

---

August 05, 1993

9:00 AM

Decision

HEARING JUDGE'S  
DECISION Court  
Clerk: ALONA  
CANDITO  
Reporter/Recorder:  
SHIRLEE  
CHRISTOFFERSON  
Heard By: SOBEL,  
JEFFREY

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

<b>PRESENT:</b>	Bloxham, Ronald C.	Attorney
	Hillman, Ralph R.	Attorney
	Public Defender	Attorney

**JOURNAL ENTRIES**

- Court stated that it received the State's supplemental points and authorities, but has not recieved the reply from Mr. Miller. COURT ORDERED, MATTER CONTINUED, COUNSEL TO SUBMIT COURTESY COPIES.  
CUSTODY - NDP

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 26, 1993

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88C084650

The State of Nevada vs Andre D Boston

---

August 26, 1993

9:00 AM

Decision

HEARING JUDGE'S  
DECISION Court  
Clerk: ALONA  
CANDITO  
Reporter/Recorder:  
SHIRLEE  
CHRISTOFFERSON  
Heard By: SOBEL,  
JEFFREY

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

<b>PRESENT:</b>	Holthus, Mary Kay	Attorney
	Miller, Robert L.	Attorney
	Public Defender	Attorney

**JOURNAL ENTRIES**

- Mr. Miller advised Court that he will be submitting matter. COURT ORDERED, MATTER  
CONTINUED FOR COURT TO REVIEW.  
CUSTODY - NDP

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 23, 1993

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88C084650

The State of Nevada vs Andre D Boston

---

September 23, 1993

9:00 AM

Decision

HEARING JUDGE'S  
DECISION Court  
Clerk: ALONA  
CANDITO  
Reporter/Recorder:  
SHIRLEE  
CHRISTOFFERSON  
Heard By: SOBEL,  
JEFFREY

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

<b>PRESENT:</b>	Holthus, Mary Kay	Attorney
	Public Defender	Attorney
	Williams, Kevin V.	Attorney

**JOURNAL ENTRIES**

- COURT STATED THAT IT DID NOT HAVE THE OPPORTUNITY TO REVIEW THIS FILE AND  
MATTER CONTINUED.  
CUSTODY - NSP

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 14, 1993

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88C084650

The State of Nevada vs Andre D Boston

---

October 14, 1993

9:00 AM

Decision

HEARING JUDGE'S  
DECISION Court  
Clerk: ALONA  
CANDITO  
Reporter/Recorder:  
SHIRLEE  
CHRISTOFFERSON  
Heard By: Jeffrey  
Sobel

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

<b>PRESENT:</b>	Holthus, Mary Kay	Attorney
	Public Defender	Attorney
	Williams, Kevin V.	Attorney

**JOURNAL ENTRIES**

- COURT ORDERED, POST CONVICTION RELIEF IS DENIED AND COURT STATED FINDINGS.  
COURT DIRECTED THE STATE TO PREPARE FINDINGS.  
CUSTODY - NSP

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**January 19, 2011**

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88C084650

The State of Nevada vs Andre D Boston

---

**January 19, 2011**

**8:30 AM**

**Motion**

**HEARD BY:** Cadish, Elissa F.

**COURTROOM:** RJC Courtroom 15B

**COURT CLERK:** Keith Reed

**RECORDER:** Jessica Kirkpatrick

**REPORTER:**

**PARTIES**

**PRESENT:** O'Callaghan, Michael Attorney  
Neil  
State of Nevada Plaintiff

**JOURNAL ENTRIES**

- Court stated findings and ORDERED, motion DENIED as MOOT & will be heard in the ordinary course.

NDC

3-23-11 8:30 AM PETITION FOR WRIT OF HABEAS CORPUS

Clerk's Note: Minutes Distributed to: Andre D. Boston, #27846, HDSP, 13A/2A, POB 650, Indian Springs, Nv. 89070-0650

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****March 23, 2011**

---

88C084650

The State of Nevada vs Andre D Boston

---

**March 23, 2011****8:30 AM****Petition for Writ of Habeas  
Corpus****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES**

<b>PRESENT:</b>	Public Defender	Attorney
	Spells, Jasmin	Attorney
	State of Nevada	Plaintiff
	Stephens, Robert	Attorney

**JOURNAL ENTRIES**

- In the absence of the Deft. Court stated there will not be any argument; the ruling will be based upon the written briefs. Court stated findings and ORDERED, Petition For Writ Of Habeas Corpus DENIED, it's untimely, successive, without good cause for the procedural defects and has failed to rebut the state's defense of laches; motion to dismiss GRANTED; Public Defender RELIEVED as counsel of record.

NDC

CLERK'S NOTE: Minutes distributed to: Andre D. Boston #27846 HDSP 11A/9A, Indian Springs Nv.  
89070



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**April 04, 2011**

---

88C084650

The State of Nevada vs Andre D Boston

---

**April 04, 2011**

**8:30 AM**

**Motion**

**HEARD BY:** Cadish, Elissa F.

**COURTROOM:** RJC Courtroom 15B

**COURT CLERK:** Keith Reed

**RECORDER:** Jessica Kirkpatrick

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- Court stated findings and ORDERED, instant motion DENIED; underlying ruling on the writ STANDS.

NDC

CLERK S NOTE: Minutes distributed to: Andre D. Boston #27846 HDSP 11A/9A, Indian Springs Nv. 89070

## OFFERED ADMITTED

1. Diagram	<input checked="" type="checkbox"/> 9-12 no obj	<input checked="" type="checkbox"/> 9-12
2. Diagram	<input checked="" type="checkbox"/> 9-12 no obj	<input checked="" type="checkbox"/> 9-12
3. Diagram	<input checked="" type="checkbox"/> 9-12 no obj	<input checked="" type="checkbox"/> 9-12
4. Evidence Bag	<input checked="" type="checkbox"/> 9-13 no obj	<input checked="" type="checkbox"/> 9-13
4A. Jeans	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4B. Sweater	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4C. Bra	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4D. Panties	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4E. Sox	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
5. Evidence Envelope	<input checked="" type="checkbox"/> 9-14 no obj	<input checked="" type="checkbox"/>
5A. Evidence Envelope	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
5B. Bag	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
5C. Bandana	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
6. Evidence Bag	<input checked="" type="checkbox"/> 9-14 no obj	<input checked="" type="checkbox"/> 9-14
6A. Bag	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
6A-1. Pants	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
6B. Bag	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
6-B-1 shirt	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
7. Evidence Envelope	<input checked="" type="checkbox"/> 9-13 no obj	<input checked="" type="checkbox"/> 9-13
7A. Plastic case w/slides	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
7B. Vial	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
7C. Vial	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
7D. Vial - Blood	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
7E. Evidence Envelope	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
7E1 Envelope containing head hair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
7E2 Envelope containing pubic hair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
7E3 Envelope containing combed pubic hair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
7E4 Vial	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

6B  
6B16B  
6B17E2  
7E3

7E4

	OFFERED	ADMITTED
7.7 Report	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
8 Evidence Envelope	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
8A Photos	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
8B Photo	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
8C Photo	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
8D Photo	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
8E Photo	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
8F Photo	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
8G <del>Photo</del>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
9 Evidence Envelope	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
9A Photo	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
9B Photo	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
9C Photo	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
9D Photo	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
9E Photo	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
9F Photo	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
9G Photo	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
9H Photo	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
10 Evidence Envelope	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
10A Photo	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
10B Photo	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
10C Photo	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
10D P	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
10E Photo	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
10F Photo	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
10G Photo	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

OFFERED ADMITTED

10 H Photo	<input checked="" type="checkbox"/>	9-13 no obj	<input checked="" type="checkbox"/>	9-13
10 I Photo	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	9-13
11. Evidence Envelope	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
11A Baggie containing tissue	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
11B Baggie containing tissue	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
11C Baggie containing tissue	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
11D Baggie containing tissue	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
12 Evidence Envelope	<input checked="" type="checkbox"/>	9-13 no obj	<input checked="" type="checkbox"/>	9-13
12A Baggie containing tissue	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
12B Baggie containing tissue	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
12C Baggie containing tissue	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
12D Baggie containing tissue	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
12E Baggie containing tissue	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
13. Evidence Bag	<input type="checkbox"/>		<input type="checkbox"/>	
13A Bag	<input type="checkbox"/>		<input type="checkbox"/>	
13A1 Dice	<input type="checkbox"/>		<input type="checkbox"/>	
13A2 Tassell	<input type="checkbox"/>		<input type="checkbox"/>	
13A3 Leather Band - andre + marie	<input type="checkbox"/>		<input type="checkbox"/>	
13A4 Leather Band	<input type="checkbox"/>		<input type="checkbox"/>	
13A5 Ribbon	<input type="checkbox"/>		<input type="checkbox"/>	
14 Evidence Bag	<input type="checkbox"/>		<input type="checkbox"/>	
14A Bag	<input type="checkbox"/>		<input type="checkbox"/>	
14B Bag	<input type="checkbox"/>		<input type="checkbox"/>	
14A1 Bag	<input type="checkbox"/>		<input type="checkbox"/>	
14A2 Shoes	<input type="checkbox"/>		<input type="checkbox"/>	
15 Photo Lineup	<input checked="" type="checkbox"/>	9-14 no obj	<input checked="" type="checkbox"/>	

OFFERED ADMITTED

16. Vehicle Registration		<input checked="" type="checkbox"/> 9-13 no obj	<input checked="" type="checkbox"/> 9-13
17. Marriage License		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
18. Marriage Certificate		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
19. Envelope		<input checked="" type="checkbox"/> 9-13 no obj	<input checked="" type="checkbox"/> 9-13
19A Photo		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
19B Photo		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
19C Photo		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
19D Photo		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
19E Photo		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
19F Photo		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
20. Evidence Envelope	20A Plastic Bag	<input checked="" type="checkbox"/> 9-14 no obj	<input checked="" type="checkbox"/> 9-14
21. Envelope & Photos	21A-777	<input checked="" type="checkbox"/> 9-13 no obj	<input checked="" type="checkbox"/> 9-13
22. Search Warrant		<input type="checkbox"/>	<input type="checkbox"/>
23. Evidence Bag	A-21-Plastic Bag	<input checked="" type="checkbox"/> 9-14	<input checked="" type="checkbox"/> 9-14
24. Evidence Bag	24A Tissue Box	<input checked="" type="checkbox"/> 9-14	<input checked="" type="checkbox"/>
25. Evidence Bag Envelope	25A Plastic Bag	<input checked="" type="checkbox"/> 9-14	<input checked="" type="checkbox"/>
26. Evidence Bag	26A Plastic Bag	<input checked="" type="checkbox"/> 9-14	<input checked="" type="checkbox"/> 9-14
27. Evidence Bag Envelope	27A Plastic Bag	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	27B Plastic Bag	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
28. Evidence Envelope	28A Plastic Bag	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	28B Plastic Bag	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
29. Carpet		<input checked="" type="checkbox"/> 9-14	<input checked="" type="checkbox"/>
30. Envelope Photos	30A-S 30B with	<input checked="" type="checkbox"/> 9-14 no obj	<input checked="" type="checkbox"/> 9-14
31. Evidence Envelope	31A-Card & Tape	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
32. Evidence Bag & Contents		<input checked="" type="checkbox"/> 9-14	<input checked="" type="checkbox"/>
33. Consent to Search		<input checked="" type="checkbox"/> 9-14 no obj	<input checked="" type="checkbox"/> 9-14
34. Consent to Search		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
35. Consent to Search		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

DEFENDANT'S EXHIBITS:

CASE NO. 084650

	OFFERED	ADMITTED
A. <u>Photo</u>	<input checked="" type="checkbox"/> 9-13 mostly	<input checked="" type="checkbox"/>
B. <u>Photo</u>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
C. <u>Photo</u>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
D. _____	<input type="checkbox"/>	<input type="checkbox"/>
E. _____	<input type="checkbox"/>	<input type="checkbox"/>
F. _____	<input type="checkbox"/>	<input type="checkbox"/>
G. _____	<input type="checkbox"/>	<input type="checkbox"/>
H. _____	<input type="checkbox"/>	<input type="checkbox"/>
I. _____	<input type="checkbox"/>	<input type="checkbox"/>
J. _____	<input type="checkbox"/>	<input type="checkbox"/>
K. _____	<input type="checkbox"/>	<input type="checkbox"/>
L. _____	<input type="checkbox"/>	<input type="checkbox"/>
M. _____	<input type="checkbox"/>	<input type="checkbox"/>
N. _____	<input type="checkbox"/>	<input type="checkbox"/>
O. _____	<input type="checkbox"/>	<input type="checkbox"/>
P. _____	<input type="checkbox"/>	<input type="checkbox"/>
Q. _____	<input type="checkbox"/>	<input type="checkbox"/>
R. _____	<input type="checkbox"/>	<input type="checkbox"/>
S. _____	<input type="checkbox"/>	<input type="checkbox"/>
T. _____	<input type="checkbox"/>	<input type="checkbox"/>
U. _____	<input type="checkbox"/>	<input type="checkbox"/>
V. _____	<input type="checkbox"/>	<input type="checkbox"/>
W. _____	<input type="checkbox"/>	<input type="checkbox"/>
X. _____	<input type="checkbox"/>	<input type="checkbox"/>
Y. _____	<input type="checkbox"/>	<input type="checkbox"/>
Z. _____	<input type="checkbox"/>	<input type="checkbox"/>



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



ANDRE' BOSTON #27846  
P.O. BOX 650  
INDIAN SPRINGS, NV 89070

DATE: April 22, 2011  
CASE: C084650

RE CASE: STATE OF NEVADA vs. ANDRE D. BOSTON

NOTICE OF APPEAL FILED: April 19, 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

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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):

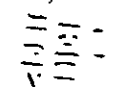
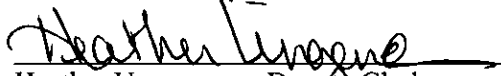
NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT  
DOCKET ENTRIES; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

STATE OF NEVADA,	)	
	)	
Plaintiff(s),	)	Case No: C084650
	)	Dept No: VI
vs.	)	
	)	
ANDRE D. BOSTON,	)	
	)	
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 22 day of April 2011.

Steven D. Grierson, Clerk of the Court

  
  
Heather Ungermann, Deputy Clerk