

FILED

MAY 01 2012

Tracie K. Lindeman
CLERK OF COURT

Electronically Filed
May 04 2012 02:38 p.m.
Tracie K. Lindeman
Clerk of Supreme Court

Robert Holmes III
In Propria Personam
Post Office Box 208, S.D.C.C.
Indian Springs, Nevada 89018

**DISTRICT COURT
CLARK COUNTY, NEVADA**

*Las Vegas Metropolitan
Police Department
State of Nevada* Plaintiff,

vs.
*U.S. Currency #281656-73
Robert Holmes III* Defendant.

Case No. 07 A537416

Dept. No. VII

Docket _____

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN, That the Petitioner/Defendant,
Robert Holmes III, in and through his proper person, hereby
appeals to the Supreme Court of Nevada from the ORDER denying and/or
dismissing the

Opposition to plaintiff's Motion to Lift Stay

ruled on the 9 day of April, 20 12.

Dated this 19 day of April, 20 12.

Respectfully Submitted,

Robert Holmes III

07A537416
NOAS
Notice of Appeal
1840051



RECEIVED
MAY 01 2012
CLERK OF THE COURT

Robert Holmes 1034184
Petitioner/In Propria Persona
Post Office Box 208, SDCC
Indian Springs, Nevada 89070-0208

IN THE Eighth JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF Nevada

Las Vegas Metropolitan
Police Department

State of Nevada

Plaintiff,

vs.

U.S. Currency #281,656.73

Robert Holmes III

Defendant.

CASE No. 07 A537416

DEPT. No. VII

DESIGNATION OF RECORD ON APPEAL

TO: D.A. Office
District Attorney
Steve Wilksan
200 Lewis Avenue
Las Vegas Nevada 89155

The above-named Plaintiff hereby designates the entire record of the above-entitled case, to include all the papers, documents, pleadings, and transcripts thereof, as and for the Record on Appeal.

DATED this 19 day of April, 20 12.

RESPECTFULLY SUBMITTED BY:

Robert Holmes III

Robert Holmes # 1034184

Plaintiff/In Propria Persona

CERTIFICATE OF SERVICE BY MAILING

I, Robert Holmes III, hereby certify, pursuant to NRCP 5(b), that on this 19
day of April, 2012, I mailed a true and correct copy of the foregoing, "notice
of Appeal opposition to Plaintiff's motion to lift stay"
by placing document in a sealed pre-postage paid envelope and deposited said envelope in the
United State Mail addressed to the following:

D.A. office
Distict Attorney office
D.A. Steve Wolfson
Joe Lewis Avenue
Las Vegas Nevada 89155

CC:FILE

DATED: this 19 day of April, 2012.

Robert Holmes III 1234134
Robert Holmes III # 1234134
/In Propria Personam
Post Office Box 208, S.D.C.C.
Indian Springs, Nevada 89018
IN FORMA PAUPERIS:

AFFIRMATION
Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding Notice of

Appeal opposition to plaintiff's motion to lift stay
(Title of Document)

filed in District Court Case number 07 A537416

☒ 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.

Robert Holmes III
Signature

4-19-2012
Date

Robert Holmes III
Print Name

pro se
Title

Robert Holmes III 1034184
5000 P.O. Box 208
Indian Springs Nevada 89070

3763

Master

04/26/2012

US POSTAGE

FIRST-CLASS MAIL

\$00.43

ZIP 89101

011D12602491



CONFIDENTIAL

Steven D. Grierson
Clerk of The Court
200 Lewis Avenue
3rd Floor
Las Vegas NV 89155-1160

8910148300



FILED

MAY 04 2012

Allen & Johnson
CLERK OF COURT

1 ASTA

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

7 LAS VEGAS METROPOLITAN POLICE
8 DEPARTMENT.,

Case No: 07A537416
Dept No: VIII

9 Plaintiff(s),

10 vs.

11 U.S. CURRENCY \$281,656.73,

12 Defendant(s).
13
14

15 **CASE APPEAL STATEMENT**

16 1. Appellant(s): Robert Holmes, III

17 2. Judge: Douglas Smith

18 3. Appellant(s): Robert Holmes, III

19 Counsel:

20 Robert Holmes, III #1034184
21 P.O. Box 208
Indian Springs, NV 89070

22 4. Respondent (s): Las Vegas Metropolitan Police Dept.

23 Counsel:

24 Steven B. Wolfson, District Attorney
25 200 Lewis Ave.
26 Las Vegas, NV 89155

27 5. Respondent's Attorney Licensed in Nevada: Yes

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

7. Appellant Represented by Appointed Counsel On Appeal: N/A

1
2 8. Appellant Granted Leave to Proceed in Forma Pauperis**: N/A
3 ***Expires 1 year from date filed*

4 9. Date Commenced in District Court: March 9, 2007

5 10. Brief Description of the Nature of the Action: Unknown

6 Type of Judgment or Order Being Appealed: Misc. Order

7 11. Previous Appeal: Yes


8 Supreme Court Docket Number(s): 60547

9 12. Child Custody or Visitation: N/A

10 13. Possibility of Settlement: Unknown

11 Dated This 4 day of May 2012.

12 Steven D. Grierson, Clerk of the Court

13
14 
15 Sarah Bartholomew, Deputy Clerk
16 200 Lewis Ave
17 PO Box 551601
18 Las Vegas, Nevada 89155-1601
19 (702) 671-0512
20
21
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28

DEPARTMENT 8
CASE SUMMARY
CASE NO. 07A537416

Las Vegas Metropolitan Police Dept
vs
U S Currency \$281,656.73

§
§
§
§
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§

Location: **Department 8**
Judicial Officer: **Smith, Douglas E.**
Filed on: **03/09/2007**
Case Number History:
Conversion Case Number: **A537416**
Supreme Court No.: **60547**

CASE INFORMATION

Statistical Closures

11/03/2009 Dismissed (with or without prejudice)

Case Type: **Other Civil Filing**
Sub Type: **Other Civil Matters**
Case Flags: **Appealed to Supreme Court**

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number	07A537416
Court	Department 8
Date Assigned	12/28/2008
Judicial Officer	Smith, Douglas E.

PARTY INFORMATION

Plaintiff **Las Vegas Metropolitan Police Dept**

Lead Attorneys
Wolfson, Steven B
Retained
702-671-2700(W)

Defendant **U S Currency \$281,656.73**

Also Known As **Ferguson, J B**
Holmes, Bobby
Holmes, Robert
Hoyt, Daimon D

Conversion **No Convert Value @ 07A537416**
Extended Removed: 04/24/2009
Connection Type Converted From Blackstone

Other **Trevarthen, Tonya M**

Other Defendant **Ferguson, Bryan M**

Dustin, Cynthia L.
Retained
702-382-0905(W)
Sullivan, Sean P.
Retained
7023857270(W)

Holmes III, Robert

Monroe, Daimon

Pro Se


DATE

EVENTS & ORDERS OF THE COURT

INDEX








03/09/2007  Complaint
COMPLAINT FILED Fee \$0.00

07A5374160001.tif pages

03/20/2007  Affidavit
Filed By: Plaintiff Las Vegas Metropolitan Police Dept

07A5374160002.tif pages

DEPARTMENT 8
CASE SUMMARY
CASE NO. 07A537416

	<i>AFFIDAVIT OF SERVICE</i>	
03/20/2007	Affidavit Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>AFFIDAVIT OF SERVICE</i>	<i>07A5374160003.tif pages</i>
03/20/2007	 Summons Filed by: Plaintiff Las Vegas Metropolitan Police Dept <i>SUMMONS ISSUED ONLY</i>	<i>07A5374160004.tif pages</i>
03/20/2007	Summons Filed by: Plaintiff Las Vegas Metropolitan Police Dept <i>SUMMONS ISSUED ONLY</i>	<i>07A5374160005.tif pages</i>
03/20/2007	Summons Filed by: Plaintiff Las Vegas Metropolitan Police Dept <i>SUMMONS ISSUED ONLY</i>	<i>07A5374160006.tif pages</i>
03/20/2007	Summons Filed by: Plaintiff Las Vegas Metropolitan Police Dept <i>SUMMONS ISSUED ONLY</i>	<i>07A5374160007.tif pages</i>
03/20/2007	Summons Filed by: Plaintiff Las Vegas Metropolitan Police Dept <i>SUMMONS ISSUED ONLY</i>	<i>07A5374160008.tif pages</i>
03/27/2007	 Order for Service by Publication Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>ORDER FOR PUBLICATION OF FORFEITURE ACTION</i>	<i>07A5374160009.tif pages</i>
03/27/2007	 Affidavit Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>AFFIDAVIT FOR ORDER OF PUBLICATION</i>	<i>07A5374160010.tif pages</i>
03/28/2007	 Affidavit of Mailing Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>AFFIDAVIT OF MAILING</i>	<i>07A5374160011.tif pages</i>
03/28/2007	 Acceptance of Service Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>ACCEPTANCE OF SERVICE</i>	<i>07A5374160013.tif pages</i>
03/28/2007	Acceptance of Service Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>ACCEPTANCE OF SERVICE</i>	<i>07A5374160014.tif pages</i>
03/28/2007	Acceptance of Service Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>ACCEPTANCE OF SERVICE</i>	<i>07A5374160015.tif pages</i>
03/28/2007	 Affidavit Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>AFFIDAVIT OF SERVICE</i>	<i>07A5374160016.tif pages</i>
03/29/2007	 Answer Filed By: Other Defendant Holmes III, Robert <i>ANSWER</i>	<i>07A5374160012.tif pages</i>

DEPARTMENT 8
CASE SUMMARY
CASE NO. 07A537416

03/29/2007	 Initial Appearance Fee Disclosure Filed By: Other Defendant Holmes III, Robert <i>INITIAL APPEARANCE FEE DISCLOSURE</i>	07A5374160017.tif pages
04/05/2007	 Answer Filed By: Other Defendant Monroe, Daimon <i>FORMAL ANSWER TO COMPLAINT</i>	07A5374160018.tif pages
04/05/2007	 Motion Filed By: Other Defendant Monroe, Daimon <i>MOTION TO STAY PROCEEDINGS</i>	07A5374160019.tif pages
04/05/2007	 Order to Proceed In Forma Pauperis Granted for: Other Defendant Monroe, Daimon <i>ORDER TO PROCEED IN FORMA PAUPERIS</i>	07A5374160020.tif pages
04/05/2007	 Application to Proceed in Forma Pauperis Filed By: Other Defendant Monroe, Daimon <i>APPLICATION TO PROCEED IN FORMA PAUPERIS</i>	07A5374160021.tif pages
04/10/2007	 Answer Filed By: Other Defendant Fergason, Bryan M <i>ANSWER TO COMPLAINT FOR FORFEITURE</i>	07A5374160022.tif pages
04/10/2007	 Initial Appearance Fee Disclosure Filed By: Other Defendant Fergason, Bryan M <i>INITIAL APPEARANCE FEE DISCLOSURE</i>	07A5374160024.tif pages
04/12/2007	 Amended Answer Filed By: Other Defendant Holmes III, Robert <i>AMENDED ANSWER</i>	07A5374160025.tif pages
04/13/2007	 Motion <i>DEFT MONROE'S MTN OF CLAIMANTS FAILURE TO VERIFY ANSWER /1</i>	07A5374160023.tif pages
04/17/2007	 Motion <i>MONROE'S NOTICE OF HEARING/MOTION TO STAY PROCEEDINGS /2 VC 5/16/07</i>	07A5374160026.tif pages
04/23/2007	 Motion <i>CLAIMANT'S MTN FOR STAY OF FORFEITURE CASE/3 VJ 5/16/07</i>	07A5374160027.tif pages
04/23/2007	 Receipt of Copy Filed by: Other Defendant Fergason, Bryan M <i>RECEIPT OF COPY</i>	07A5374160028.tif pages
04/26/2007	 Response Filed by: Plaintiff Las Vegas Metropolitan Police Dept <i>PLTFS RESPONSE TO CLAIMANTS MOTION FOR STAY OF FORFEITURE PROCEEDINGS</i>	07A5374160029.tif pages
05/08/2007	 Affidavit of Publication <i>AFFIDAVIT OF PUBLICATION</i>	07A5374160030.tif pages

DEPARTMENT 8
CASE SUMMARY
CASE NO. 07A537416

05/16/2007	Motion (8:30 AM) (Judicial Officer: Bell, Stewart) Events: 04/13/2007 Motion <i>DEFT MONROE'S MTN OF CLAIMENTS FAILURE TO VERIFY ANSWER /1 Relief</i> <i>Clerk: Carole D'Aloia Reporter/Recorder: Renee Vincent Heard By: Stewart Bell</i>	
05/18/2007	 Three Day Notice of Intent to Default Filed by: Plaintiff Las Vegas Metropolitan Police Dept <i>THREE DAY NOTICE OF INTENT TO TAKE DEFAULT</i>	07A5374160031.tif pages
05/21/2007	CANCELED Motion to Stay (8:30 AM) Events: 04/17/2007 Motion <i>Vacated</i>	
05/21/2007	 Notice of Entry of Order Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>NOTICE OF ENTRY OF ORDER</i>	07A5374160032.tif pages
05/30/2007	CANCELED Motion to Stay (8:30 AM) Events: 04/23/2007 Motion <i>Vacated</i>	
06/01/2007	 Motion Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>MOTION FOR PARTIAL JUDGMENT BY DEFAULT</i>	07A5374160033.tif pages
06/01/2007	 Default Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>PARTIAL DEFAULT</i>	07A5374160034.tif pages
06/19/2007	 Change of Address Filed By: Also Known As Holmes, Robert <i>CHANGE OF ADDRESS</i>	07A5374160035.tif pages
08/20/2008	 Motion <i>SULLIVAN'S MTN TO WITHDRAW AS COUNSEL /04 VI 9-18-08</i>	07A5374160039.tif pages
08/21/2008	 Certificate of Mailing Filed By: Other Defendant Holmes III, Robert <i>CERTIFICATE OF MAILING</i>	07A5374160040.tif pages
09/22/2008	CANCELED Motion to Withdraw as Counsel (3:00 AM) (Judicial Officer: Cadish, Elissa F.) Events: 08/20/2008 Motion <i>Vacated</i>	
10/29/2009	 Order to Statistically Close Case	
05/13/2010	 Notice of Motion Filed By: Other Defendant Holmes III, Robert	
06/11/2010	 Motion (8:33 AM) (Judicial Officer: Smith, Douglas E.) Events: 05/13/2010 Notice of Motion <i>Deft. Robert Holmes III's Motion For Return of Illegally Seized Preoperty and Money</i>	

DEPARTMENT 8
CASE SUMMARY
CASE NO. 07A537416



10/26/2011	 Notice Filed By: Other Defendant Monroe, Daimon <i>Notice to the Court</i>
11/30/2011	 Motion to Reconsider Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Notice of Motion and Motion to Reconsider Court Statistically Closing Case</i>
12/19/2011	 Notice Filed By: Other Defendant Monroe, Daimon <i>Notice to Court</i>
01/03/2012	 Notice of Motion Filed By: Other Defendant Holmes III, Robert
01/09/2012	 Motion to Reconsider (3:00 AM) (Judicial Officer: Smith, Douglas E.) <i>Plaintiff's Motion to Reconsider Court Statistically Closing Case</i>
01/24/2012	 Order Granting Motion Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Order Granting Plaintiff's Motion to Reconsider Statistically Closing Case</i>
02/06/2012	 Motion (3:00 AM) (Judicial Officer: Smith, Douglas E.) 02/06/2012, 02/21/2012, 02/28/2012 Events: 01/03/2012 Notice of Motion <i>Defendant's Motion for Enlargement of time to Respond to Plaintiff's Motion to Reconsider Court Statistically Closing Case</i>
02/06/2012	 Motion to Dismiss Filed By: Other Defendant Holmes III, Robert <i>Motion to Dismiss Plaintiff's Motion to Reconsider Court Statistically Closing Case</i>
02/06/2012	 Notice of Motion <i>Notice of Motion</i>
02/09/2012	 Supplement Filed by: Other Defendant Holmes III, Robert <i>Supplement to Motion to Dismiss Plaintiff's Motion to Reconsider Court Statiscally Closing Case</i>
02/10/2012	 Notice of Motion Filed By: Other Defendant Holmes III, Robert
02/22/2012	 Opposition Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Opposition to Claimant's Motion to Dismiss Planitiff's Motion to Reconsider Court Statistically Closing Case</i>
02/28/2012	Motion to Dismiss (8:00 AM) (Judicial Officer: Smith, Douglas E.) Events: 02/06/2012 Notice of Motion <i>Deft's Motion to Dismiss Plaintiff's Motion to Reconsider Court Statistically Closing Case</i>
02/28/2012	 All Pending Motions (8:00 AM) (Judicial Officer: Smith, Douglas E.) <i>Deft's Motion to Dismiss Plaintiff's Motion to Reconsider Court Statistically Closing</i>

DEPARTMENT 8
CASE SUMMARY
CASE NO. 07A537416

Case; Defendant's Motion for Enlargement of time to Respond to Plaintiff's Motion to Reconsider Court Statistically Closing Case

03/05/2012	 Notice of Motion Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Notice of Motion and Motion to Lift Stay</i>
03/09/2012	 Order Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Order RE Hearing Held January 28, 2012</i>
03/12/2012	 Notice of Entry of Order Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Notice of Entry of Order</i>
03/15/2012	 Motion Filed By: Other Defendant Holmes III, Robert <i>Motion and Order for Transportation of Inmate for Court Appearance or, in the Alternative for Appearance by Telephone or Video Conference</i>
03/15/2012	 Supplement Filed by: Other Defendant Holmes III, Robert <i>Second Supplement to Motion to Dismiss Plaintiff's Motion to Reconsider Court Statistically Closing Case</i>
03/26/2012	 Notice of Appeal (criminal) Party: Other Defendant Holmes III, Robert
03/27/2012	 Opposition to Motion Filed By: Other Defendant Holmes III, Robert <i>Opposition to Plaintiff's Motion to Lift Stay</i>
03/27/2012	 Case Appeal Statement
03/28/2012	 Response Filed by: Plaintiff Las Vegas Metropolitan Police Dept <i>Response to Opposition to Motion to Lift Stay</i>
03/30/2012	 Motion Filed By: Other Defendant Monroe, Daimon <i>Motion of Specific Facts and to Ask Court Consider Leaving Stay</i>
04/09/2012	 Motion (3:00 AM) (Judicial Officer: Smith, Douglas E.) <i>Plaintiff's Motion to Lift Stay</i>
04/16/2012	 Reply Filed by: Other Defendant Holmes III, Robert <i>Reply to Response to Opposition to Motion to Lift Stay</i>
04/27/2012	 Order Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Order Granting Motion to Lift Stay</i>
04/27/2012	 Notice of Entry of Order

DEPARTMENT 8
CASE SUMMARY
CASE NO. 07A537416

	Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Notice of Entry of Order</i>
05/01/2012	 Motion for Summary Judgment Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Notice of Motion and Motion for Summary Judgment</i>
05/01/2012	 Notice of Appeal Filed By: Other Defendant Holmes III, Robert
06/05/2012	Motion for Summary Judgment (8:00 AM) (Judicial Officer: Smith, Douglas E.) Events: 05/01/2012 Motion for Summary Judgment <i>Notice of Motion and Motion for Summary Judgment</i>

DATE	FINANCIAL INFORMATION	
	Conversion Extended Connection Type No Convert Value @ 07A537416	
	Total Charges	202.00
	Total Payments and Credits	202.00
	Balance Due as of 5/4/2012	0.00
	Plaintiff Las Vegas Metropolitan Police Dept	
	Total Charges	0.00
	Total Payments and Credits	0.00
	Balance Due as of 5/4/2012	0.00

ORIGINAL

CIVIL COVER SHEET

Clark County, Nevada

Case No.

(Assigned by Clerk's Office)

A 22746

VII

I. Party Information

Plaintiffs: **Las Vegas Metropolitan Police Department**

Defendants: **U.S. CURRENCY \$281,656.73**

Attorney: **RANDALL F. WEED
Chief Deputy District Attorney
Nevada Bar #000082**

Attorney:

II. Nature of Controversy (Please check applicable bold category and applicable subcategory, if appropriate)

☐ **Arbitration Requested**

Civil Cases

Real Property	Torts	
<input type="checkbox"/> Landlord/Tenant <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Title to Property <input type="checkbox"/> Foreclosure <input type="checkbox"/> Liens <input type="checkbox"/> Quiet Title <input type="checkbox"/> Specific Performance <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property <input type="checkbox"/> Partition <input type="checkbox"/> Planning/Zoning	<input type="checkbox"/> Negligence <input type="checkbox"/> Negligence - Auto <input type="checkbox"/> Negligence - Medical/Dental <input type="checkbox"/> Negligence - Premises Liability (Slip/Fall) <input type="checkbox"/> Negligence - Other	<input type="checkbox"/> Product Liability <input type="checkbox"/> Product Liability/Motor Vehicle <input type="checkbox"/> Other Torts/Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Torts/Defamation (Libel/Slander) <input type="checkbox"/> Interfere with Contract Rights <input type="checkbox"/> Employment Torts (Wrongful Termination) <input type="checkbox"/> Other Torts <input type="checkbox"/> Anti-trust <input type="checkbox"/> Fraud/Misrepresentation <input type="checkbox"/> Insurance <input type="checkbox"/> Legal Tort <input type="checkbox"/> Unfair Competition
Probate	Other Civil Filing Types	
<input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside Estates <input type="checkbox"/> Probate Trust/Conservatorship <input type="checkbox"/> Other Probate	<input type="checkbox"/> Construction Defect <input type="checkbox"/> Breach of Contract <input type="checkbox"/> Building & Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Other Contracts/Acct/Judgment <input type="checkbox"/> Collection of Actions <input type="checkbox"/> Employment Contract <input type="checkbox"/> Guarantee <input type="checkbox"/> Sale Contract <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Civil Petition for Judicial Review <input type="checkbox"/> Other Administrative Law <input type="checkbox"/> Department of Motor Vehicles <input type="checkbox"/> Employer's Insurance of Nevada	<input type="checkbox"/> Appeal from Lower Court (also check applicable civil case box) <input type="checkbox"/> Transfer from Justice Court <input type="checkbox"/> Justice Court Civil Appeal <input type="checkbox"/> Civil Writ <input type="checkbox"/> Other Special Proceeding <input type="checkbox"/> Other Civil Filing <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Conversion of Property <input type="checkbox"/> Damage to Property <input type="checkbox"/> Employment Security <input type="checkbox"/> Enforcement of Judgment <input type="checkbox"/> Foreign Judgment - Civil <input type="checkbox"/> Other Personal Property <input type="checkbox"/> Recovery of Property <input type="checkbox"/> Stockholder Suit <input checked="" type="checkbox"/> Other Civil Matters

III. Business Court Requested (Please check applicable category; for Clark or Washoe Counties only).

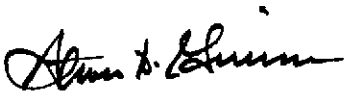
<input type="checkbox"/> NRS Chapters 78-88	<input type="checkbox"/> Investments (NRS 104B)	<input type="checkbox"/> Enhanced Case Mgmt/Business
<input type="checkbox"/> Commodities (NRS 90)	<input type="checkbox"/> Deceptive Trade Practices (NRS 598)	<input type="checkbox"/> Other Business Court Matters
<input type="checkbox"/> Securities (NRS 90)	<input type="checkbox"/> Trademarks (NRS 600A)	

8 March 07

Date

[Signature]

Signature of initiating party or representative


CLERK OF THE COURT

ORDR
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
THOMAS J. MOREO
Nevada Bar #002415
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

LAS VEGAS METROPOLITAN POLICE
DEPARTMENT,

Plaintiff,

-vs-

CASE NO: 07A537416
DEPT NO: VIII

U.S. CURRENCY \$281,656.73,
Defendant.

ORDER GRANTING MOTION TO LIFT STAY

THIS MATTER having come on for hearing on the 9th day of April, 2012, on
Plaintiff's Motion to Lift Stay; the Court having reviewed all documents and good cause
appearing;

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1 IT IS HEREBY ORDERED that Plaintiff's Motion to Lift Stay in Case No.
2 07A537416, is Granted.

3 DATED this 25 day of April, 2012.

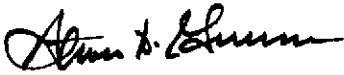
4
5 
6 DISTRICT JUDGE *ptl*

7 STEVEN B. WOLFSON
8 Clark County District Attorney
9 Nevada Bar #001565

10 BY


11 THOMAS J. MOREO
12 Chief Deputy District Attorney
13 Nevada Bar #002415
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28 LVMPD EVENT #060924-0418/jd


CLERK OF THE COURT

1 **NEOJ**
2 **STEVEN B. WOLFSON**
3 **Clark County District Attorney**
4 **Nevada Bar #001565**
5 **THOMAS J. MOREO**
6 **Chief Deputy District Attorney**
7 **Nevada Bar #002415**
8 **200 Lewis Avenue**
9 **Las Vegas, Nevada 89155-2212**
10 **(702) 671-2500**
11 **Attorney for Plaintiff**

DISTRICT COURT
CLARK COUNTY, NEVADA

12 **LAS VEGAS METROPOLITAN POLICE**
13 **DEPARTMENT,**

14 **Plaintiff,**

15 **-vs-**

16 **U.S. CURRENCY \$281,656.73,**
17 **Defendant.**

CASE NO: 07A537416

DEPT NO: VIII

NOTICE OF ENTRY OF ORDER

18 **TO: CYNTHIA L. DUSTIN, ESQ.**
19 **Attorney for BRYAN M. FERGASON**

20 **TO: ROBERT HOLMES, III**
21 **Claimant In Proper Person**

22 **TO: DAIMON MONROE**
23 **Claimant In Proper Person**


24 **TO: TONYA TREVARTHEN**
25 **Claimant In Proper Person**

26 **YOU WILL PLEASE TAKE NOTICE** that an Order Granting Motion to Lift Stay
27 **was entered on the 27th day of April, 2012, in the above-entitled action, a copy of which is**
28 **attached hereto.**

DATED this 27th day of April, 2012.

STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565

BY


THOMAS J. MOREO
Chief Deputy District Attorney
Nevada Bar #002415

1 **CERTIFICATE OF MAILING**

2 I hereby certify that service of the NOTICE OF ENTRY OF ORDER was made the
3 27th day of April, 2012, by depositing a copy in the U.S. Mail, postage prepaid, addressed to:

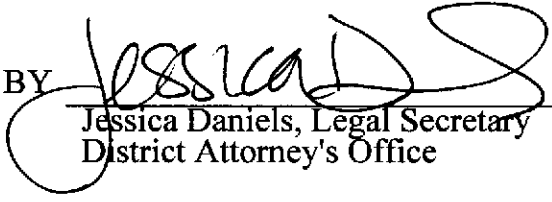
4 CYNTHIA L. DUSTIN, ESQ.
5 324 S. 3rd Street, #1
6 Las Vegas, NV 89101
Attorney for BRYAN M. FERGASON

7 ROBERT HOLMES, III (BAC #1034184)
8 Southern Desert Correctional Center
P.O. Box 208
Indian Springs, NV 89070-0208


9 DAIMON MONROE (BAC #38299)
10 High Desert State Prison
P.O. Box 650
11 Indian Springs, NV 89070-0650

12 TONYA TREVARTHEN
13 1504 Cutler
Las Vegas, Nevada, 89117
Claimant in Proper Person

14
15
16 BY


17 Jessica Daniels, Legal Secretary
18 District Attorney's Office
19
20
21
22
23
24
25
26
27

28 LVMPD EV#060924-0418/jd



CLERK OF THE COURT

ORDR
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
THOMAS J. MOREO
Nevada Bar #002415
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

LAS VEGAS METROPOLITAN POLICE
DEPARTMENT,

Plaintiff,

-vs-

CASE NO: 07A537416
DEPT NO: VIII

U.S. CURRENCY \$281,656.73,

Defendant.

ORDER GRANTING MOTION TO LIFT STAY

THIS MATTER having come on for hearing on the 9th day of April, 2012, on
Plaintiff's Motion to Lift Stay; the Court having reviewed all documents and good cause
appearing;

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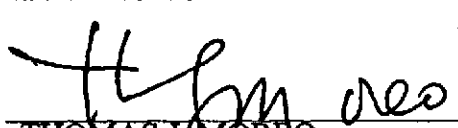
1 IT IS HEREBY ORDERED that Plaintiff's Motion to Lift Stay in Case No.
2 07A537416, is Granted.

3 DATED this 25 day of April, 2012.

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5 
6 DISTRICT JUDGE *pti*

7 STEVEN B. WOLFSON
8 Clark County District Attorney
9 Nevada Bar #001565

10 BY


11 THOMAS J. MOREO
12 Chief Deputy District Attorney
13 Nevada Bar #002415
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28 LVMPD EVENT #060924-0418/jd

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

May 16, 2007

07A537416 Las Vegas Metropolitan Police Dept
 vs
 U S Currency \$281,656.73

May 16, 2007

8:30 AM

Motion

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Weed, Randall F.

Attorney

JOURNAL ENTRIES

- Court noted that Claimants Monroe and Furgason have filed motions to stay these proceedings, which is mandated by statute. COURT ORDERED, motions GRANTED, PROCEEDINGS STAYED until such time Claimants' criminal case is tried or they enter pleas, Mr. Weed to prepare and submit appropriate order. COURT FURTHER ORDERED, th 5/21/07 and 5/30/07 dates VACATED.

07A537416

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

September 22, 2008

07A537416 Las Vegas Metropolitan Police Dept
vs
U S Currency \$281,656.73

September 22, 2008 3:00 AM Motion to Withdraw as Counsel

HEARD BY: Cadish, Elissa F.

COURTROOM: RJC Courtroom 15B

COURT CLERK:

RECORDER:

REPORTER:

PARTIES
PRESENT:

JOURNAL ENTRIES

- There being no opposition, COURT ORDERED, motion GRANTED; moving party to submit the order.

CLERK'S NOTE: The above minute order has been Distributed to: Sean P. Sullivan (Kelly & Sullivan LTD.)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

June 11, 2010

07A537416	Las Vegas Metropolitan Police Dept
	vs
	U S Currency \$281,656.73

June 11, 2010

8:33 AM

Motion

Deft. Robert Holmes III's Motion For Return of Illegally Seized Preoperty and Money

HEARD BY: Smith, Douglas E.

COURTROOM: RJC Courtroom 16D

COURT CLERK: Katherine Streuber

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Pursuant to EDCR 2.20, no points and authorities being filed and the motion not being served on interested parties, COURT ORDERED, motion DENIED.

CLERK'S NOTE: The above minute order has been distributed to: Robert Holmes III #1034184, c/o Southern Department Correctional Center, P.O. Box 208, Indian Springs, NV 89070. 06/11/10 kls

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

January 09, 2012

07A537416 Las Vegas Metropolitan Police Dept
vs
U S Currency \$281,656.73

January 09, 2012	3:00 AM	Motion to Reconsider	Plaintiff's Motion to Reconsider Court Statistically Closing Case
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HEARD BY: Smith, Douglas E.

COURTROOM: RJC Courtroom 16D

COURT CLERK: Katherine Streuber

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Having considered the moving papers, COURT ORDERED, motion GRANTED.

CLERK'S NOTE: The above minute order has been distributed to: Thomas J. Moreo, Chief Deputy District Attorney. 01/10/12 kls

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

February 06, 2012

07A537416	Las Vegas Metropolitan Police Dept
	vs
	U S Currency \$281,656.73

February 06, 2012	3:00 AM	Motion	Defendant's Motion for Enlargement of time to Respond to Plaintiff's Motion to Reconsider Court Statistically Closing Case
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HEARD BY: Smith, Douglas E.

COURTROOM: RJC Courtroom 16D

COURT CLERK: Katherine Streuber

RECORDER:

REPORTER:

PARTIES
PRESENT:

JOURNAL ENTRIES

- COURT ORDERED, matter CONTINUED to hearing calendar.

02-21-12 8:00 AM Defendant's Motion for Enlargement of time to Respond to Plaintiff's Motion to Reconsider Court Statistically Closing Case

CLERK'S NOTE: The above minute order has been distributed to: Robert Holmes III #1034184 c/o Southern Desert Correctional Center, P.O. Box 208, Indian Springs, NV 89018 and Thomas J. Moreo, Chief Deputy District Attorney - Civil Division. 02/08/12 kls

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

February 21, 2012

07A537416 Las Vegas Metropolitan Police Dept
vs
U S Currency \$281,656.73

February 21, 2012	8:00 AM	Motion	Defendant's Motion for Enlargement of time to Respond to Plaintiff's Motion to Reconsider Court Statistically Closing Case
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HEARD BY: Smith, Douglas E.

COURTROOM: RJC Courtroom 16D

COURT CLERK: Katherine Streuber

RECORDER: Jill Jacoby

REPORTER:

PARTIES
PRESENT:

JOURNAL ENTRIES

- There being no parties present, COURT ORDERED, matter CONTINUED. Law Clerk to notify parties.

02-28-12 8:00 AM DEFENDANT'S MOTION FOR ENLARGEMENT OF TIME TO RESPOND TO PLAINTIFF'S MOTION TO RECONSIDER COURT STATISTICALLY CLOSING CASE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

February 28, 2012

07A537416	Las Vegas Metropolitan Police Dept
	vs
	U S Currency \$281,656.73

February 28, 2012	8:00 AM	All Pending Motions	Deft's Motion to Dismiss Plaintiff's Motion to Reconsider Court Statistically Closing Case; Defendant's Motion for Enlargement of time to Respond to Plaintiff's Motion to Reconsider Court Statistically Closing Case
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HEARD BY: Smith, Douglas E.

COURTROOM: RJC Courtroom 16D

COURT CLERK: Katherine Streuber

RECORDER: Jill Jacoby

REPORTER:

PARTIES

PRESENT: Moreo, Thomas Joseph Attorney

JOURNAL ENTRIES

- Court advised case had been closed in error. Counsel gave a history of this case and Defendant Holmes. Counsel advised they are filing a Motion to Lift Stay and will be requesting a trial setting. Court stated its findings and ORDERED, Defendant's Motion for Enlargement of Time is OFF CALENDAR as Moot and Defendant's Motion to Dismiss, originally set for March 13, 2012 is DENIED. Mr. Moreo to prepare the order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

April 09, 2012

07A537416	Las Vegas Metropolitan Police Dept vs U S Currency \$281,656.73
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April 09, 2012

3:00 AM

Motion

Plaintiff's Motion to Lift Stay

HEARD BY: Smith, Douglas E.

COURTROOM: RJC Courtroom 16D

COURT CLERK: Katherine Streuber

RECORDER:

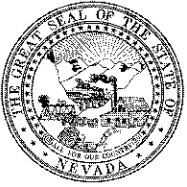
REPORTER:

PARTIES
PRESENT:

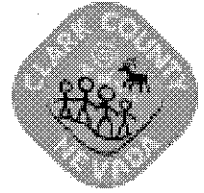
JOURNAL ENTRIES

- Having reviewed the moving papers, COURT ORDERED, motion GRANTED.

CLERK'S NOTE: The above minute order has been distributed to: Thomas J. Moreo Deputy District Attorney, Civil Division. 04/13/12 kls



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



ROBERT HOLMES, III #1034184
P.O. BOX 208
INDIAN SPRINGS, NV 89070

DATE: May 4, 2012
CASE: A537416

RE CASE: LAS VEGAS METROPOLITAN POLICE DEPT. vs. U.S. CURRENCY \$281,656.73

NOTICE OF APPEAL FILED: May 1, 2012

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

PLEASE NOTE: DOCUMENTS NOT TRANSMITTED HAVE BEEN MARKED:

- ☒ \$250 – Supreme Court Filing Fee
 - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- ☒ \$24 – District Court Filing Fee (Make Check Payable to the District Court)
- ☒ \$500 – Cost Bond on Appeal (Make Check Payable to the District Court)
 - NRAP 7: Bond For Costs On Appeal in Civil Cases
- ☐ 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; DISTRICT COURT
DOCKET ENTRIES; CIVIL COVER SHEET; ORDER GRANTING MOTION TO LIFT STAY;
NOTICE OF ENTRY OF ORDER; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

LAS VEGAS METROPOLITAN POLICE
DEPARTMENT,

Plaintiff(s),

vs.

U.S. CURRENCY \$281,656.73,


Defendant(s).

Case No: A537416
Dept No: VIII

now on file and of record in this office.

IN WITNESS WHEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 4 day of May 2012.

Steven D. Grierson, Clerk of the Court


Sarah Bartholomew, Deputy Clerk