Electronically Filed
05/15/2014 11:24:39 AM

CLERK OF THE COURT

Electronically Filed
May 20 2014 09:32 a.m.
Tracie K. Lindeman
Clerk of Supreme Court

Case No. 89C092174

Dept. No. VI

IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF CLARK

* * * * *

THE STATE OF NEVADA,

Plaintiff,

-vs-

ROY D. MORAGA,

Defendant.

NOTICE OF APPEAL

NOTICE IS GIVEN that Defendant, Roy D. Moraga, in pro se, hereby appeals to the Nevada Supreme Court the Order denying defendant's Motion for Correction of Illegal Sentence filed/entered on or about the 6th day of March, 2014, in the above-entitled Court.

Dated this 8th day of MAY, 2014.

Roy D. Moraga
ROY D. MORAGA #31584
Lovelock Correctional Center
1200 Prison Road
Lovelock, Nevada 89419

Defendant In Pro Se

RECEIVED
MAY 15 2014
CLERK OF THE COURT

LCC LL FORM 26.064

CERTIFICATE OF SERVICE

I do certify that I mailed a true and correct copy of the foregoing NOTICE OF APPEAL to the below address(es) on this 8th day of MAY, 2014, by placing same in the U.S. Mail via prison law library staff:

Roy D. Moraga
Roy D. MORAGA #31584
Lovelock Correctional Center
1200 Prison Road
Lovelock, Nevada 89419

Defendant In Pro Se

AFFIRMATION PURSUANT TO NRS 239B.030

The undersigned does hereby affirm that the preceding NOTICE OF APPEAL filed in District Court Case No. 89C092124 does not contain the social security number of any person.

Dated this 8th day of MAY, 2014.

Roy D. Moraga
Roy D. MORAGA

Defendant In Pro Se

Roy D. Moraga #31584
Lovelock Correctional Center
1200 Prison Road
Lovelock, Nevada 89419

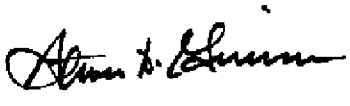
RENO NV 895
12 MAY 2014 PM 2 L

INMATE LEGAL
MAIL CONFIDENTIAL

Clerk of the court
200 Lewis Ave., 3rd Floor
Las Vegas, Nevada 89155

LIBRARY
MAY - 9 2014

Electronically Filed
05/16/2014 08:10:07 AM



CLERK OF THE COURT

ASTA

DISTRICT COURT
CLARK COUNTY, NEVADA

STATE OF NEVADA,

Plaintiff(s),

vs.

ROY D. MORAGA,

Defendant(s),

Case No: 89C092174
Dept No: VI

CASE APPEAL STATEMENT

1. Appellant(s): Roy D. Moraga
2. Judge: Elissa Cadish
3. Appellant(s): Roy D. Moraga

Counsel:
Roy D. Moraga #31584
1200 Prison Road
Lovelock, NV 89419

4. Respondent: The State of Nevada

Counsel:
Steven B. Wolfson, District Attorney
200 Lewis Ave.
Las Vegas, NV 89101
(702) 671-2700

5. Respondent's Attorney Licensed in Nevada: Yes
6. Appellant Represented by Appointed Counsel In District Court: Yes

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

8. Appellant Granted Leave to Proceed in Forma Pauperis: N/A

9. Date Commenced in District Court: December 28, 1989

10. Brief Description of the Nature of the Action: Criminal

    Type of Judgment or Order Being Appealed: Misc. Order

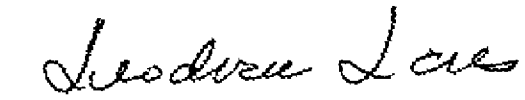
11. Previous Appeal: Yes

    Supreme Court Docket Number(s): 21488, 22901, 29321, 32542, 33099, 42828, 44685, 49049, 61734, 64639, 64931

12. Child Custody or Visitation: N/A

Dated This 16 day of May 2014.

Steven D. Grierson, Clerk of the Court



Teodora Jones, Deputy Clerk
200 Lewis Ave
PO Box 551601
Las Vegas, Nevada 89155-1601
(702) 671-0512

DEPARTMENT 6

CASE SUMMARY

CASE NO. 89C092174

The State of Nevada vs Roy D Moraga

§	Location:	**Department 6**
§	Judicial Officer:	**Cadish, Elissa F.**
§	Filed on:	**12/28/1989**
§	Case Number History:	
§	Cross-Reference Case Number:	**C092174**
§	Defendant's Scope ID #:	**0938554**
§	Lower Court Case Number:	**89F07220**
§	Supreme Court No.:	**61734**
§		**64639**
		64931

CASE INFORMATION

Offense		Deg	Date
1.	BURGLARY.	F	01/01/1900
2.	BURGLARY.	F	01/01/1900
3.	SEXUAL ASSAULT	F	01/01/1900
4.	SEXUAL ASSAULT	F	01/01/1900
4.	HABITUAL CRIMINAL	F	01/01/1900

Case Type: **Felony/Gross Misdemeanor**

Case Flags: **Appealed to Supreme Court**
Custody Status - Nevada Department of Corrections

Related Cases
89F07220X (Bind Over Related Case)

Statistical Closures

05/06/2007	USJR Reporting Statistical Closure
03/04/2007	USJR Reporting Statistical Closure
09/26/2004	USJR Reporting Statistical Closure
07/14/2004	USJR Reporting Statistical Closure
12/02/1999	USJR Reporting Statistical Closure
02/19/1996	USJR Reporting Statistical Closure
09/15/1993	USJR Reporting Statistical Closure
01/01/1992	USJR Reporting Statistical Closure
09/12/1991	USJR Reporting Statistical Closure
09/13/2007	USJR Reporting Statistical Closure
05/14/1998	USJR Reporting Statistical Closure
12/01/2005	USJR Reporting Statistical Closure
01/31/2005	USJR Reporting Statistical Closure
09/01/1998	USJR Reporting Statistical Closure

DATE — CASE ASSIGNMENT

Current Case Assignment

Case Number	89C092174
Court	Department 6
Date Assigned	12/28/2008
Judicial Officer	Cadish, Elissa F.

PARTY INFORMATION

		Lead Attorneys
Defendant	**Moraga, Roy D**	**Pro Se**
Plaintiff	**State of Nevada**	**Wolfson, Steven B** 702-671-2700(W)

DATE	EVENTS & ORDERS OF THE COURT	INDEX
12/28/1989	Criminal Bindover	

01/09/1990	Information
01/09/1990	Information *Amended Information by Interlineation February 15, 1990*
01/11/1990	**Initial Arraignment** (9:00 AM) Events: 12/28/1989 Criminal Bindover *INITIAL ARRAIGNMENT Heard By: Carl Christensen*
01/24/1990	Reporters Transcript *Transcript of Hearing Held on December 26, 1989*
02/05/1990	Motion *Motion and Notice of Motion to Endorse Names on Information*
02/12/1990	Reporters Transcript *Transcript of Hearing Held on January 11, 1990*
02/15/1990	Order *Order to Endorse Names on Information*
03/13/1990	Jury List
03/15/1990	Instructions to the Jury
03/15/1990	Verdict *Verdict Count I*
03/15/1990	Verdict *Verdict Count II*
03/15/1990	Verdict *Verdict Count III*
03/15/1990	Verdict *Verdict Count IV*
06/04/1990	Motion *Motion and Notice of Motion to Amend Information*
06/13/1990	**Sentencing** (9:00 AM) *SENTENCING Heard By: Michael Wendell*
06/13/1990	Amended Information
06/13/1990	Order *Order to Amend Information*
06/13/1990	Reporters Transcript *Transcript of Hearing Held on June 13, 1990 (Unfiled)*

06/27/1990	Designation of Record on Appeal *Designation of Contents of Record on Appeal*
06/27/1990	Notice of Appeal (criminal) *Notice of Appeal*
06/29/1990	Order
07/07/1990	Judgment of Conviction *Judgment of Conviction (Jury Trial)*
08/02/1990	Order
10/11/1990	Reporters Transcript *Transcript of Hearing Held on March 15, 1990*
10/11/1990	Reporters Transcript *Transcript of Hearing Held on March 13, 1990*
10/11/1990	Reporters Transcript *Transcript of Hearing Held on March 12, 1990*
01/09/1991	Petition for Release of Evidence
01/09/1991	Order *Order Releasing Evidence*
09/13/1991	Order for Production of Inmate
09/23/1991	**Motion** (9:00 AM) *REMAND FROM SUPREME COURT FOR RE-SENTENCING Court Clerk: DEBRA VINSON Reporter/Recorder: SHARLEEN NICHOLSON Heard By: LEHMAN, JACK*
09/26/1991	Motion *Motion to Transfer Sentencing Back to Department VIII*
10/03/1991	Motion for Leave to Proceed in Forma Pauperis
10/03/1991	Motion for Withdrawal *Notice of Motion Motion for Withdrawal of Attorney of Record and Transfer of Records*
10/03/1991	Affidavit in Support *Affidavit in Support of Motion for Withdrawal of Attorney of Record and Transfer of Records*
10/03/1991	Affidavit in Support *Affidavit in Support of of Request to Proceed in Forma Pauperis*
10/03/1991	Certificate *Financial Certificate*
10/04/1991	NV Supreme Court Clerks Certificate/Judgment -Remanded

Nevada Supreme Court Clerk's Certificate Judgment - Remand

10/09/1991 **Motion** (9:00 AM)
Events: 09/26/1991 Motion
MOTION TO TRANSFER SENTENCING BACK TO DEPT VIII Heard By: Jack Lehman

10/09/1991 **Petition** (9:00 AM)
Events: 10/03/1991 Motion for Leave to Proceed in Forma Pauperis
PROPER PERSON MOTION TO PROCEED IN FORMAPAUPERIS Heard By: Jack Lehman

10/09/1991 **Petition** (9:00 AM)
Events: 10/03/1991 Motion for Withdrawal
PROPER PERSON MOTION FOR WITHDRAWAL OF ATTORNEY OF RECORD AND TRANSFER OF Heard By: Jack Lehman

10/09/1991 **All Pending Motions** (9:00 AM)
ALL PENDING MOTIONS Court Clerk: DEBRA VINSON Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman

10/11/1991 **Motion** (9:00 AM)
REMAND FROM SUPREME COURT FOR RE-SENTENCING Court Clerk: DEBRA VINSON Reporter/Recorder: SHARLEEN NICHOLSON Heard By: LEHMAN, JACK

10/14/1991 **Motion** (9:00 AM)
REMAND FROM SUPREME COURT FOR RE-SENTENCING Court Clerk: DEBRA VINSON Reporter/Recorder: SHARLEEN NICHOLSON Heard By: LEHMAN, JACK

10/21/1991 **Motion** (9:00 AM)
REMAND FROM SUPREME COURT FOR RE-SENTENCING Court Clerk: DEBRA VINSON Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman

10/21/1991 **Disposition** (Judicial Officer: User, Conversion)
1. BURGLARY.
Guilty

10/21/1991 **Disposition** (Judicial Officer: User, Conversion)

10/21/1991 **Disposition** (Judicial Officer: User, Conversion)
2. BURGLARY.
Guilty

10/21/1991 **Disposition** (Judicial Officer: User, Conversion)

10/21/1991 **Disposition** (Judicial Officer: User, Conversion)
3. SEXUAL ASSAULT
Guilty

10/21/1991 **Disposition** (Judicial Officer: User, Conversion)

10/21/1991 **Disposition** (Judicial Officer: User, Conversion)
4. SEXUAL ASSAULT
Guilty

10/21/1991 **Disposition** (Judicial Officer: User, Conversion)

10/21/1991 **Disposition** (Judicial Officer: User, Conversion)
4. HABITUAL CRIMINAL
Guilty

10/21/1991 **Sentence** (Judicial Officer: User, Conversion)
1. BURGLARY.

Adult Adjudication
Converted Disposition:
Sentence# 0001: LIFE WITHOUT POSSIBILITY OF PAROLE
Converted Disposition:
Sentence# 0002: ADMINISTRATION FEE
Amount: $20.00
Converted Disposition:
Sentence# 0003: SENTENCE SET ASIDE
Converted Disposition:
Sentence# 0004:
Minimum 10 Years to Maximum 10 Years
Placement: NSP
Converted Disposition:
Sentence# 0005: CREDIT FOR TIME SERVED
Converted Disposition:
Sentence# 0006: ADMINISTRATION FEE
Amount: $25.00
Converted Disposition:
Sentence# 0007: SENTENCE AMENDED
Converted Disposition:
Sentence# 0008: CREDIT FOR TIME SERVED
Minimum 180 Days to Maximum 180 Days

10/21/1991 **Sentence** (Judicial Officer: User, Conversion)
2. BURGLARY.
Adult Adjudication
Converted Disposition:
Sentence# 0001:
Minimum 10 Years to Maximum 10 Years
Placement: NSP
Cons/Conc: Consecutive
w/Charge Item: 0001
and Sentence#: 0004

10/21/1991 **Sentence** (Judicial Officer: User, Conversion)
3. SEXUAL ASSAULT
Adult Adjudication
Converted Disposition:
Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE
Cons/Conc: Consecutive
w/Charge Item: 0002
and Sentence#: 0001

10/21/1991 **Sentence** (Judicial Officer: User, Conversion)
4. SEXUAL ASSAULT
Adult Adjudication
Converted Disposition:
Sentence# 0001: LIFE WITHOUT POSSIBILITY OF PAROLE
Cons/Conc: Consecutive
w/Charge Item: 0003
and Sentence#: 0001

10/23/1991 Order
Filed By: Defendant Moraga, Roy D
Order for Appointment of Counsel

10/30/1991 Notice of Appeal (criminal)
Notice of Appeal

11/13/1991 Amended Judgment of Conviction
Amended Judgment of Conviction (Jury Trial)

11/13/1991	Designation of Record on Appeal Filed By: Defendant Moraga, Roy D
01/02/1992	Motion *Motion to Appoint Counsel for Appeal*
01/15/1992	**Motion for Appointment of Attorney** (9:00 AM) Events: 01/02/1992 Motion *MOTION FOR APPOINT COUNSEL FOR APPEAL Court Clerk: DEBRA VINSON Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman*
01/27/1992	Hearing *Criminal Setting Slip*
01/29/1992	**Motion for Confirmation of Counsel** (9:00 AM) Events: 01/27/1992 Hearing *CONFIRMATION OF COUNSEL (BAILUS M) (CRM STNG SLP) Court Clerk: DEBRA VINSON Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman*
02/10/1992	Order *Order Appointing Counsel*
02/13/1992	Designation of Record on Appeal Filed By: Defendant Moraga, Roy D
02/20/1992	Order *Order Re: Preparation of Transcripts*
02/20/1992	Ex Parte *Ex Parte Application for Preparation of Transcripts*
02/20/1992	Order *Order Re: Preparation of Transcripts*
02/20/1992	Order *Order Re: Preparation of Transcripts*
02/20/1992	Order *Order Re: Preparation of Transcripts*
02/20/1992	Order *Order Re: Preparation of Transcripts*
02/20/1992	Order *Order Re: Preparation of Transcripts*
02/26/1992	Receipt of Copy Filed by: Defendant Moraga, Roy D
02/26/1992	Receipt of Copy Filed by: Defendant Moraga, Roy D
02/28/1992	Receipt of Copy

03/02/1992 Receipt of Copy

03/02/1992 Receipt of Copy

03/04/1992 Reporters Transcript
Transcript of Hearing Held on September 23, 1991

03/04/1992 Reporters Transcript
Transcript of Hearing Held on October 11, 1991

03/04/1992 Reporters Transcript
Transcript of Hearing Held on October 21, 1991

03/04/1992 Reporters Transcript
Transcript of Hearing Held on October 14, 1991

03/04/1992 Reporters Transcript
Transcript of Hearing Held on February 15, 1990

03/04/1992 Reporters Transcript
Transcript of Hearing Held on October 9, 1991

03/27/1992 Reporters Transcript
Transcript of Hearing Held on March 12, 1990

04/14/1992 Reporters Transcript
Transcript of Hearing Held on March 9, 1990

04/14/1992 Reporters Transcript
Transcript of Hearing Held on March 7, 1990

05/26/1992 Request
Filed by: Defendant Moraga, Roy D
Request for Records

07/21/1992 Petition
Motion for Returning Seized Property

07/31/1992 Answer
Answer in Opposition to Motion for Returning Seized Property

08/03/1992 **Petition** (9:00 AM)
Events: 07/21/1992 Petition
PRO PER MOTION FOR RETURNING SEIZED PROPERTY Court Clerk: DEBRA VINSON Reporter/Recorder: SHIRLEY PARRAGUIRRE Heard By: Addeliar Guy, III

08/17/1992 Order

08/26/1993 Motion
Motion for Leave to Proceed in Forma Pauperis; Affidavit in Support of Request to Proceed in Forma Pauperis; Motion for Amended Judgment of Conviction to Include Jail Time Credits

and Affidavit of Petition

08/27/1993 Receipt of Copy
Filed by: Defendant Moraga, Roy D

09/08/1993 **Motion** (9:00 AM)
Events: 08/26/1993 Motion
MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS Court Clerk: DEBRA VINSON Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman

09/15/1993 **Status Check** (9:00 AM)
STATUS CHECK RE: CREDIT FOR TIME SERVED Court Clerk: DEBRA VINSON Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman

09/29/1993 Amended Judgment of Conviction
Second Amended Judgment of Conviction (Jury Trial)

10/30/1995 NV Supreme Court Clerks Certificate/Judgment - Dismissed
Nevada Supreme Court Clerk's Certificate Judgment - Dismissed

02/20/1996 Affidavit
Affidavit of Defendant

02/20/1996 Points and Authorities
Supplemental Brief and Points and Authorities in Support of Petition for Writ of Habeas Corpus

02/20/1996 Ex Parte Motion
Ex Parte Motion for Fees for Expert Services

02/20/1996 Motion for Leave to Proceed in Forma Pauperis

02/20/1996 Motion
Motion and Notice of Motion to Compel, Production of Seman and Blood

02/20/1996 Petition for Writ of Habeas Corpus
Petition for Writ of Habeas Corpus (Post-Conviction)

02/20/1996 Affidavit in Support
Filed By: Defendant Moraga, Roy D
Affidavit in Support of Motion to Proceed in Forma Pauperis

03/05/1996 Motion for Leave to Proceed in Forma Pauperis

03/05/1996 Affidavit in Support
Affidavit in Support of Motion for Withdrawal of Attorney of Record and Transfer of Records

03/05/1996 Notice
Filed By: Defendant Moraga, Roy D
Notice of Motion Motion for Withdrawal of Attorney of Record and Transfer of Records

03/06/1996 **Motion** (9:00 AM)
Events: 02/20/1996 Ex Parte Motion
DEFT'S PRO PER MOTION FOR FEES FOR EXPERT SERVICE Heard By: Jack Lehman

03/06/1996 **Petition to Proceed in Forma Pauperis** (9:00 AM)
Events: 02/20/1996 Motion for Leave to Proceed in Forma Pauperis
DEFT'S PRO PER MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS Heard By: Jack Lehman

03/06/1996 **Motion to Compel** (9:00 AM)
Events: 02/20/1996 Motion
DEFT'S PRO PER MOTION TO COMPEL PRODUCTION OF SEMAN/BLOOD Heard By: Jack Lehman

03/06/1996 **Petition for Writ of Habeas Corpus** (9:00 AM)
Events: 02/20/1996 Petition for Writ of Habeas Corpus
DEFT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS Heard By: Jack Lehman

03/06/1996 **All Pending Motions** (9:00 AM)
ALL PENDING MOTIONS (3/06/96) Relief Clerk: LARRY SNYDER/LS Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman

03/11/1996 Motion for Leave to Proceed in Forma Pauperis

03/11/1996 Motion
Motion for Returning Seized Property

03/11/1996 Affidavit
Affidavit of Petitioner

03/11/1996 Affidavit in Support
Filed By: Defendant Moraga, Roy D
Affidavit in Support of Motion to Proceed in Forma Pauperis

03/18/1996 *CANCELED* **Motion to Withdraw as Counsel** (9:00 AM)
Vacated

03/18/1996 *CANCELED* **Petition to Proceed in Forma Pauperis** (9:00 AM)
Events: 03/05/1996 Motion for Leave to Proceed in Forma Pauperis
Vacated

04/01/1996 Opposition
State's Opposition to Defendant's Motion to Compel Production of Seman and Blood, Petition for Writ of Habeas Corpus (Post-Conviction) and Motion to Proceed in Forma Pauperis

04/09/1996 Motion
Motion to Withdraw as Counsel

04/09/1996 Receipt of Copy
Filed by: Defendant Moraga, Roy D
Receipt of Copy and Certificate of Mailing

04/11/1996 Request
Filed by: Defendant Moraga, Roy D
Motion for Extension of Time to File Supplemental Points and Authorities

04/15/1996 Receipt of Copy
Filed by: Defendant Moraga, Roy D
Receipt of Copy of Motion for Extension of Time to File Supplemental Points and Authorities

04/17/1996 **Motion** (9:00 AM)
DEFT'S PRO PER MOTION FOR FEES FOR EXPERT SERVICE Heard By: Jack Lehman

04/17/1996 **Petition to Proceed in Forma Pauperis** (9:00 AM)
DEFT'S PRO PER MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS Heard By: Jack Lehman

04/17/1996 **Motion to Compel** (9:00 AM)
DEFT'S PRO PER MOTION TO COMPEL PRODUCTION OF SEMAN/BLOOD Heard By: Jack Lehman

04/17/1996 **Petition for Writ of Habeas Corpus** (9:00 AM)
DEFT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS Court Clerk: NANCY NOBLE Reporter/Recorder: HELENE KARP Heard By: Jack Lehman

04/17/1996 **Hearing** (9:00 AM)
HEARING: SUPPLEMENTAL PLEADINGS Heard By: Jack Lehman

04/17/1996 **Petition to Proceed in Forma Pauperis** (9:00 AM)
Events: 03/11/1996 Motion for Leave to Proceed in Forma Pauperis
DEFT'S PRO PER MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS Heard By: Jack Lehman

04/17/1996 **Motion** (9:00 AM)
Events: 03/11/1996 Motion
DEFT'S PRO PER MOTION FOR RETURNING SEIZED PROPERTY Heard By: Jack Lehman

04/17/1996 **Motion to Withdraw as Counsel** (9:00 AM)
Events: 04/09/1996 Motion
MARK BAILUS' MOTION TO WITHDRAW AS COUNSEL Heard By: Jack Lehman

04/17/1996 **Motion** (9:00 AM)
DEFT'S MOTION FOR EXTENSION OF TIME Heard By: Jack Lehman

04/17/1996 **All Pending Motions** (9:00 AM)
ALL PENDING MOTIONS (4/17/96) Court Clerk: NANCY NOBLE Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman

04/17/1996 Order
Filed By: Defendant Moraga, Roy D
Order to Withdraw as Attorney of Record

04/17/1996 Notice of Entry of Order
Filed By: Defendant Moraga, Roy D

05/20/1996 Substitution of Attorney
Filed by: Defendant Moraga, Roy D
Substitution of Attorneys

05/24/1996 **Petition for Writ of Habeas Corpus** (9:00 AM)
DEFT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS Court Clerk: NANCY NOBLE Reporter/Recorder: HELENE KARP Heard By: Sally Loehrer

06/13/1996 Points and Authorities
Filed by: Defendant Moraga, Roy D
Supplemental Points and Authorities in Support of Petition for Writ of Habeas Corpus

06/27/1996 Supplement
State's Supplemental Opposition to Petition for Writ of Habeas Corpus (Post-Conviction)

07/15/1996 **Hearing** (9:00 AM)
ARGUMENT AND DECISION Court Clerk: CINDY LORY Reporter/Recorder: SHARLEEN NICHOLSON Heard By: LEHMAN, JACK

07/16/1996 Reply
Filed by: Defendant Moraga, Roy D
Supplemental Reply and Opposition for Writ of Habeas Corpus

07/19/1996 **Hearing** (9:00 AM)
ARGUMENT AND DECISION Court Clerk: CINDY LORY Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman

08/02/1996 Motion
Motion to Withdraw as Counsel

08/05/1996 Receipt of Copy
Filed by: Defendant Moraga, Roy D
Receipt of Copy of Motion to Withdraw as Counsel

08/05/1996 Certificate of Mailing
Filed By: Defendant Moraga, Roy D
Certificate of Mailing of Motion to Withdraw as Counsel

08/12/1996 **Motion to Withdraw as Counsel** (9:00 AM)
Events: 08/02/1996 Motion
DAVID SCHECK'S MOTION TO WITHDRAW AS COUNSEL Court Clerk: MELISSA DAVIS Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman

08/21/1996 **Motion for Appointment** (9:00 AM)
APPOINTMENT OF COUNSEL

08/21/1996 **Status Check** (9:00 AM)
STATUS CHECK: FINDINGS OF FACTS AND CONCLUSION Heard By: Jack Lehman

08/21/1996 **All Pending Motions** (9:00 AM)
ALL PENDING MOTIONS (8/21/96) Court Clerk: NANCY NOBLE Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman

08/26/1996 **Petition to Proceed in Forma Pauperis** (9:00 AM)
DEFTS PRO PER MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS Heard By: Jack Lehman

08/26/1996 **Status Check** (9:00 AM)
STATUS CHECK: FINDINGS OF FACTS AND CONCLUSION Heard By: Jack Lehman

08/26/1996 **Motion for Confirmation of Counsel** (9:00 AM)
CONFIRMATION OF COUNSEL (JACKSON) Heard By: Jack Lehman

08/26/1996 **All Pending Motions** (9:00 AM)
ALL PENDING MOTIONS (08-26-96) Court Clerk: CINDY LORY Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman

08/27/1996 Order
Order for Transcripts

08/28/1996	**Status Check** (9:00 AM) *STATUS CHECK: FINDINGS OF FACTS AND CONCLUSION Heard By: Jack Lehman*
08/28/1996	**Motion for Confirmation of Counsel** (9:00 AM) *CONFIRMATION OF COUNSEL (JACKSON) Heard By: Jack Lehman*
08/28/1996	**All Pending Motions** (9:00 AM) *ALL PENDING MOTIONS (08-28-96) Court Clerk: CINDY LORY Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman*
09/06/1996	Findings of Fact, Conclusions of Law and Order
09/20/1996	Notice of Entry of Order
09/27/1996	Notice of Appeal (criminal) Party: Defendant Moraga, Roy D *Notice of Appeal*
10/07/1996	Designation of Record on Appeal Filed By: Defendant Moraga, Roy D
10/28/1996	Notice of Entry of Order
10/29/1996	Case Appeal Statement Filed By: Defendant Moraga, Roy D
01/13/1997	Reporters Transcript *Transcript of Hearing Held on March 6, 1996*
01/13/1997	Reporters Transcript *Transcript of Hearing Held on August 21, 1996*
01/13/1997	Reporters Transcript *Transcript of Hearing Held on April 17, 1996*
01/13/1997	Reporters Transcript *Transcript of Hearing Held on July 15, 1996*
01/13/1997	Reporters Transcript *Transcript of Hearing Held on August 12, 1996*
01/13/1997	Reporters Transcript *Transcript of Hearing Held on July 19, 1996*
01/17/1997	Certificate of Mailing Filed By: Defendant Moraga, Roy D
04/30/1998	Motion *Motion to Modify or in the Alternative Correct Illegal Sentence*
04/30/1998	Affidavit Filed By: Defendant Moraga, Roy D *Affidavit of Roy D. Moraga*

05/08/1998 Opposition
State's Opposition to Defendant's Motion to Modify or in the Alternative Correct Illegal Sentence

05/11/1998 **Motion to Modify Sentence** (9:00 AM)
Events: 04/30/1998 Motion
DEFT'S PRO PER MOTION TO MODIFY OR CORRECT ILLEGAL SENTENCE Court Clerk: DOROTHY KELLY Relief Clerk: NORMA CHATY/NC Reporter/Recorder: MARILYN WAGGONER Heard By: Don Chairez

05/28/1998 Order Denying
Order Denying Defendant's Pro Per Motion to Modify or in Alternative Correct Illegal Sentence

05/29/1998 Notice of Entry of Order

06/01/1998 Motion
Motion for Enlargement of Time

06/13/1998 Notice of Appeal (criminal)
Party: Defendant Moraga, Roy D
Notice of Appeal

06/13/1998 Designation of Record on Appeal
Filed By: Defendant Moraga, Roy D

06/15/1998 **Motion** (9:00 AM)
Events: 06/01/1998 Motion
DEFT'S PRO PER MOTION FOR ENLARGEMENT OF TIME Heard By: Don Chairez

06/15/1998 Case Appeal Statement

06/17/1998 **Motion** (9:00 AM)
DEFT'S PRO PER MOTION FOR ENLARGEMENT OF TIME Court Clerk: DOROTHY KELLY Relief Clerk: CYNTHIA NAVARRETTE-LORY/CNL Reporter/Recorder: SHAWN OTT Heard By: Mark Gibbons

06/30/1998 Order Denying
Order Denying Defendant's Motion for Enlargement of Time

07/07/1998 Notice of Entry of Order

08/06/1998 Motion to Strike

08/17/1998 Response
State's Response to Defendant's Motion to Strike

08/18/1998 **Motion to Strike** (9:00 AM)
Events: 08/06/1998 Motion to Strike
DEFT'S PRO PER MOTION TO STRIKE Court Clerk: RITA LOPEZ Reporter/Recorder: YVONNE VALENTIN Heard By: Lee Gates

08/27/1998 Order Denying
Order Denying Defendant's Pro Per Motion to Strike

09/01/1998 **Status Check** (9:00 AM)
STATUS CHECK: ORDER Court Clerk: RITA LOPEZ Reporter/Recorder: YVONNE VALENTIN Heard By: Lee Gates

09/22/1998 Notice of Appeal (criminal)
Party: Defendant Moraga, Roy D
Notice of Appeal

09/22/1998 Designation of Record on Appeal
Filed By: Defendant Moraga, Roy D

09/28/1998 Case Appeal Statement

04/30/1999 NV Supreme Court Clerks Certificate/Judgment - Dismissed
Nevada Supreme Court Clerk's Certificate Judgment - Dismissed

06/01/1999 NV Supreme Court Clerks Certificate/Judgment - Dismissed
Nevada Supreme Court Clerk's Certificate Judgment - Dismissed

06/01/1999 NV Supreme Court Clerks Certificate/Judgment - Dismissed
Nevada Supreme Court Clerk's Certificate Judgment - Dismissed

02/25/2002 Motion for Leave to Proceed in Forma Pauperis

02/25/2002 Motion
Motion to Preserve Evidence and Order

02/25/2002 Certificate
Filed By: Defendant Moraga, Roy D
Certificate of Inmate's Institutional Account

02/26/2002 Notice of Hearing
Notice of Hearing - Criminal

03/11/2002 *CANCELED* **Petition to Proceed in Forma Pauperis** (9:00 AM)
Events: 02/25/2002 Motion for Leave to Proceed in Forma Pauperis
Vacated

03/11/2002 *CANCELED* **Motion** (9:00 AM)
Events: 02/25/2002 Motion
Vacated

10/31/2002 Motion
Motion to Vacate and/or Amend Judgment

11/13/2002 **Motion to Vacate** (9:00 AM)
Events: 10/31/2002 Motion
DEFT'S PRO PER MTN TO VACATE AMEND JUDGMNT/40 Court Clerk: Sharon Coffman Reporter/Recorder: Sonja Riley-Bennett Heard By: Lee Gates

11/18/2002 **Motion for Confirmation of Counsel** (9:00 AM)
CONFIRMATION OF COUNSEL (HINDS) Court Clerk: Sharon Coffman Reporter/Recorder: Sonja Riley-Bennett Heard By: Lee Gates

11/21/2002 Order
Filed By: Defendant Moraga, Roy D
Order for Appointment of Counsel for Post-Conviction Relief

11/27/2002 Opposition
State's Opposition to Defendant's Motion to Vacate and/or Amend Judgment

12/02/2002 **Status Check** (9:00 AM)
STATUS CHECK: PETITION Court Clerk: Sharon Coffman Heard By: Gates, Lee A

12/18/2002 **Status Check** (9:00 AM)
STATUS CHECK: PETITION Relief Clerk: April Watkins Reporter/Recorder: Sonia Riley-Bennett Heard By: Gates, Lee A

12/23/2002 **Status Check** (9:00 AM)
STATUS CHECK: PETITION Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley-Bennett Heard By: Gates, Lee A

01/08/2003 **Status Check** (9:00 AM)
STATUS CHECK: PETITION Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley-Bennett Heard By: Gates, Lee A

02/03/2003 **Status Check** (9:00 AM)
STATUS CHECK: PETITION Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley-Bennett Heard By: Gates, Lee A

02/05/2003 **Status Check** (9:00 AM)
STATUS CHECK: PETITION Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley-Bennett Heard By: Lee Gates

06/11/2003 Stipulation and Order
Filed by: Defendant Moraga, Roy D

07/23/2003 *CANCELED* **Hearing** (9:00 AM)
Vacated

12/16/2003 Motion
Motion for Release of DNA Evidence Under Nevada Open Records Act

12/17/2003 Receipt of Copy
Filed by: Defendant Moraga, Roy D

12/26/2003 Opposition
State's Opposition to Defendant's Motion for Release of DNA Evidence Under Nevada Open Records Act

12/29/2003 **Motion** (9:00 AM)
Events: 12/16/2003 Motion
DEFT'S MTN FOR RELEASE OF DNA EVID UNDERNV OPEN RECORDS ACT/44 Court Clerk: Sharon Coffman Reporter/Recorder: Shawna Craig Heard By: Gates, Lee A

01/05/2004 **Motion** (9:00 AM)
DEFT'S MTN FOR RELEASE OF DNA EVID UNDERNV OPEN RECORDS ACT/44 Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates

01/05/2004 Reply
Filed by: Defendant Moraga, Roy D
Reply to State's Opposition to Defendant's Motion for Release of DNA Evidence Under Nevada

Open Records Act

01/07/2004 Order
Order Denying Defendant's Motion for Release of DNA Evidence Under Nevada Open Records Act

02/09/2004 Request
Filed by: Defendant Moraga, Roy D
Ex Parte Motion for Excess Fees

02/11/2004 Order
Filed By: Defendant Moraga, Roy D
Order for Payment of Excess Fees

02/17/2004 Notice of Appeal (criminal)
Notice of Appeal

02/17/2004 Brief
Filed By: Defendant Moraga, Roy D
Supplemental Brief to States Opposition to Defendant's Motion for Release of DNA Evidence Under Nevada Open Records Act

02/18/2004 Case Appeal Statement

05/04/2004 Reporters Transcript
Transcript of Hearing Held on November 13, 2002

05/04/2004 Reporters Transcript
Transcript of Hearing Held on January 5, 2004

05/14/2004 Reporters Transcript
Transcript of Hearing Held on May 11, 1998

09/27/2004 Writ of Mandamus
Extraordinary Writ of Mandamus

09/27/2004 Affidavit
Affidavit of Roy D. Moraga

09/27/2004 Supplement
Filed by: Defendant Moraga, Roy D
Supplemental Act

10/13/2004 **Motion** (9:00 AM)
Events: 09/27/2004 Writ of Mandamus
DEFT'S PRO PER MTN FOR EXTRAORDINARY WRIT/45 Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates

10/18/2004 Motion
Motion and Order for Failure to Prosecute and Reinstate Motion to Vacate and/or Amend Judgment

10/19/2004 NV Supreme Court Clerks Certificate/Judgment - Affirmed
Nevada Supreme Court Clerk's Certificate Judgment - Affirmed

11/01/2004	**Motion** (9:00 AM) Events: 10/18/2004 Motion *DEFT'S PRO PER MTN FOR ORDER FOR FAILURETO PROSECUTE/REINSTATE MTN TO VACATE/47 Court Clerk: Sharon Coffman Relief Clerk: Michelle Jones/mj Reporter/Recorder: Sonia Riley Heard By: Gates, Lee A*
12/15/2004	Response Filed by: Defendant Moraga, Roy D *State's Response to Extraordinary Writ of Mandamus*
01/05/2005	Reply Filed by: Defendant Moraga, Roy D *Reply to State's Response to Extraordinary Writ of Mandamus and Motion to Dismiss*
01/31/2005	**Hearing** (9:00 AM) *ARGUMENT: DEFT MTN FOR EXTRAORDINARY WRIT Heard By: Lee Gates*
01/31/2005	**Motion** (9:00 AM) *DEFT'S PRO PER MTN FOR ORDER FOR FAILURETO PROSECUTE/REINSTATE MTN TO VACATE/47 Heard By: Lee Gates*
01/31/2005	**All Pending Motions** (9:00 AM) *ALL PENDING MOTIONS (1-31-05) Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates*
02/10/2005	Case Appeal Statement
02/10/2005	Notice of Appeal (criminal) *Notice of Appeal*
02/10/2005	Designation of Record on Appeal Filed By: Defendant Moraga, Roy D
03/30/2005	Order Filed By: Defendant Moraga, Roy D
04/08/2005	Notice of Entry of Order Filed By: Defendant Moraga, Roy D
05/02/2005	NV Supreme Court Clerks Certificate/Judgment - Dismissed *Nevada Supreme Court Clerk's Certificate Judgment - Dismissed*
01/10/2006	Motion *Motion for Leave to Proceed in Forma Pauperis and for Appointment of Counsel*
01/10/2006	Petition for Writ of Habeas Corpus Filed by: Defendant Moraga, Roy D *Petition for Writ of Habeas Corpus (Post-Conviction) (NRS 34.720, et seq.)*
01/10/2006	Certificate Filed By: Defendant Moraga, Roy D *Financial Certificate*
01/10/2006	Affidavit in Support

Filed By: Defendant Moraga, Roy D
Affidavit in Support of Motion for Leave to Proceed in Forma Pauperis and for Appointment of Counsel

01/10/2006 Affidavit
Filed By: Defendant Moraga, Roy D
Affidavit of Petitioner

01/12/2006 Order for Petition for Writ of Habeas Corpus

01/19/2006 Opposition
State's Opposition to Motion for Appointment of Counsel

01/23/2006 **Petition to Proceed in Forma Pauperis** (9:00 AM)
Events: 01/10/2006 Motion
DEFT'S PRO PER MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS AND FOR /49 Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates

01/27/2006 Order
Order Granting Defendant's Pro Per Motion for Leave to Proceed in Forma Pauperis and Order Denying Defendant's Pro Per Motion for Appointment of Counsel

02/22/2006 Motion
Motion and Order to Transport and Produce Inmate for Hearing

02/22/2006 Notice of Change of Address
Filed By: Defendant Moraga, Roy D

02/27/2006 Opposition
State's Opposition to Defendant's Motion for Transport

02/27/2006 Response
State's Response and Motion to Dismiss Petition for Writ of Habeas Corpus (Post-Conviction)

03/22/2006 **Motion** (9:00 AM)
Events: 02/22/2006 Motion
DEFT'S PRO PER MTN AND ORDER TO TRANSPORT AND PRODUCE INMATE FOR /51 Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates

03/29/2006 **Petition for Writ of Habeas Corpus** (9:00 AM)
Events: 01/12/2006 Order for Petition for Writ of Habeas Corpus
DEFT'S PTN FOR WRIT OF HABEAS CORPUS /50

04/19/2006 **Status Check** (9:00 AM)
STATUS CHECK: PETITION HEARING / ORDER TO TRANSPORT Court Clerk: Sharon Coffman/sc Relief Clerk: Phyllis Irby Reporter/Recorder: Jackie Nelson Heard By: Bonaventure, Joseph T

04/21/2006 Order for Production of Inmate
Order for Production of Inmate Roy D Moraga, BAC # 31584

04/26/2006 **Petition for Writ of Habeas Corpus** (9:00 AM)
DEFT'S PTN FOR WRIT OF HABEAS CORPUS /50

05/01/2006 **Status Check** (9:00 AM)
STATUS CHECK: PETITION HEARING / ORDER TO TRANSPORT Court Clerk: Sharon Coffman/sc Relief Clerk: Phyllis Irby Reporter/Recorder: Sonia Riley Heard By: Gates, Lee A

05/05/2006 Order for Production of Inmate
Order for Production of Inmate Roy D. Moraga, BAC # 31584

05/24/2006 Reply
Filed by: Defendant Moraga, Roy D
Reply to State's Response and Opposition to Motion to Dismiss Petition for Writ of Habeas Corpus (Post-Conviction)

05/31/2006 **Status Check** (9:00 AM)
STATUS CHECK: PETITION HEARING / ORDER TO TRANSPORT Court Clerk: Sharon Coffman/sc Relief Clerk: Phyllis Irby Reporter/Recorder: Sonia Riley Heard By: Lee Gates

06/05/2006 Order for Production of Inmate
Order for Production of Inmate Roy D. Moraga, BAC # 31584

06/26/2006 **Hearing** (9:00 AM)
ARGUMENT: PETITION FOR WRIT OF HABEAS CORPUS Court Clerk: Sharon Coffman/sc Relief Clerk: Phyllis Irby Reporter/Recorder: Sonia Riley Heard By: Lee Gates

07/06/2006 **Minute Order** (9:00 AM)
MINUTE ORDER RE: PETITION FOR WRIT OF HABEAS CORPUS Court Clerk: Connie Gleason Relief Clerk: Phyllis Irby/pi Heard By: Lee Gates

02/08/2007 Finding of Fact and Conclusions of Law

02/13/2007 Notice of Entry of Decision and Order

03/02/2007 Notice of Appeal (criminal)
Party: Defendant Moraga, Roy D
Notice of Appeal

03/02/2007 Case Appeal Statement
Filed By: Defendant Moraga, Roy D

03/05/2007 Case Appeal Statement

03/05/2007 Motion
Motion for Appointment of Counsel on Appeal

03/12/2007 Reporters Transcript
Transcript of Hearing Held on January 23, 2006

03/12/2007 Reporters Transcript
Transcript of Hearing Held on June 26, 2006

03/16/2007 Opposition
State's Opposition to Defendant's Motion for Appointment of Counsel

03/19/2007 **Motion** (9:00 AM)
Events: 03/05/2007 Motion
DEFT'S PRO PER MTN FOR APPOINTMENT OF COUNSEL ON APPEAL/55 Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates

03/23/2007	Order *Order Denying Defendant's Motion for Appointment of Counsel*
09/13/2007	NV Supreme Court Clerks Certificate/Judgment - Affirmed *Nevada Supreme Court Clerk's Certificate Judgment - Affirmed*
04/29/2011	Order
09/19/2011	Notice of Change of Address
11/04/2011	Supplemental Brief *Supplemental Brief In Support of the Petition for Writ of Habeas Corpus and Illegal Sentence Pursuant to NRS 176.555*
02/15/2012	Motion *Motion for Judicial Action on Petition*
02/15/2012	Ex Parte Motion *Ex Parte Motion for Appointment of Counsel*
02/15/2012	Affidavit *Affidavit of Petitioner*
03/14/2012	Notice of Motion
03/23/2012	Response *Response to Defendant's Motion for Judicial Action and Opposition to Defendant's Motion to Appoint Counsel*
04/09/2012	Motion *Motion for Enlargement of Time (First Request)*
04/17/2012	Opposition to Motion *State's Opposition to Defendant Motion for Enlargement of Time*
04/17/2012	Opposition to Motion *State's Opposition to Defendant Motion for Enlargement of Time*
04/25/2012	**Status Check** (8:30 AM) (Judicial Officer: Cadish, Elissa F.) *Further Proceedings (Deft's Pro per Mtn for Judicial Action on Petition, Exparte Mtn for Appointment of Counsel filed in A640265)*
05/16/2012	Response Filed by: Plaintiff State of Nevada *State's Response and Motion to Dismiss Defendant's Petition for Writ of Habeas Corpus (Post-Conviction)*
07/16/2012	**Hearing** (8:30 AM) (Judicial Officer: Cadish, Elissa F.) *HEARING: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS*
07/16/2012	**Motion** (8:30 AM) (Judicial Officer: Cadish, Elissa F.) *DEFT'S EXPARTE MOTION FOR APPOINTMENT OF COUNSEL*

07/16/2012 **All Pending Motions** (8:30 AM) (Judicial Officer: Cadish, Elissa F.)

08/06/2012 Motion
Filed By: Defendant Moraga, Roy D
Motion for Reconsideration

08/09/2012 Opposition to Motion
Filed By: Plaintiff State of Nevada
State's Opposition to Defendant's Motion to Reconsider

08/13/2012 Findings of Fact, Conclusions of Law and Order
Filed By: Plaintiff State of Nevada

08/21/2012 Notice of Entry
Filed By: Plaintiff State of Nevada
Notice of Entry of Findings of Fact, Conclusions of Law and Order

08/27/2012 **Motion** (8:30 AM) (Judicial Officer: Cadish, Elissa F.)
Events: 08/06/2012 Motion
Motion for Reconsideration

08/28/2012 Reply to Opposition
Filed by: Defendant Moraga, Roy D
Reply to State's Opposition to Petitioner's Motion for Reconsideration

08/28/2012 Request
Filed by: Defendant Moraga, Roy D
Request to File Exhibit 1

09/17/2012 Notice of Appeal (criminal)
Party: Defendant Moraga, Roy D
Notice of Appeal

09/18/2012 Case Appeal Statement
Filed By: Defendant Moraga, Roy D

10/05/2012 Order Denying
Filed By: Plaintiff State of Nevada
Order Denying Defendant's Motion to Reconsider

08/14/2013 Petition for Writ of Habeas Corpus
Filed by: Defendant Moraga, Roy D
Petition for Writ of Habeas Corpus (Post-Conviction Relief - NRS 34.735 Petition: Form)

08/14/2013 Memorandum of Points and Authorities
Filed By: Defendant Moraga, Roy D
Memorandum of Points and Authorities Petition for Writ of Habeas Corpus Post-Conviction

08/14/2013 Motion for Appointment of Attorney
Filed By: Defendant Moraga, Roy D
Motion for Appointment of Counsel

08/14/2013 Application to Proceed in Forma Pauperis

Filed By: Defendant Moraga, Roy D

08/26/2013 Order for Petition for Writ of Habeas Corpus

09/19/2013 Response
Filed by: Plaintiff State of Nevada
State's Response and Motion to Dismiss Defendant's Petition for Writ of Habeas Corpus (Post-Conviction) and Opposition to Defendant's Motion for Appointment of Counsel

09/27/2013 Notice of Change of Hearing

10/21/2013 **Petition for Writ of Habeas Corpus** (8:30 AM) (Judicial Officer: Cadish, Elissa F.)
Events: 08/26/2013 Order for Petition for Writ of Habeas Corpus

10/30/2013 NV Supreme Court Clerks Certificate/Judgment - Affirmed
Nevada Supreme Court Clerk's Certificate Judgment - Affirmed; Rehearing Denied

12/04/2013 Findings of Fact, Conclusions of Law and Order
Filed By: Plaintiff State of Nevada

12/09/2013 Notice of Entry
Filed By: Plaintiff State of Nevada
Notice of Entry of Findings of Fact, Conclusions of Law and Order

12/16/2013 Notice of Appeal (criminal)
Notice of Appeal

12/17/2013 Case Appeal Statement
Filed By: Defendant Moraga, Roy D

01/08/2014 Petition
Filed by: Defendant Moraga, Roy D
Postconviction Petition Requesting a Genetic Marker Analysis of Evidence Within the Possession or Custody of the State of Nevada (NRS 176.0918)

01/08/2014 Declaration
Filed By: Defendant Moraga, Roy D
Declaration of Roy D. Moraga

01/08/2014 Application to Proceed in Forma Pauperis
Filed By: Defendant Moraga, Roy D

01/08/2014 Certificate
Filed By: Defendant Moraga, Roy D
Certificate of Inmate's Institutional Account

01/08/2014 Motion for Appointment of Attorney
Filed By: Defendant Moraga, Roy D
Motion for Appointment of Counsel

01/17/2014 **Minute Order** (3:00 AM) (Judicial Officer: Cadish, Elissa F.)
Minute Order Re: Post-Conviction Petition requesting genetic marker testing pursuant to NRS 176.0918.

01/17/2014 Application to Proceed in Forma Pauperis
Filed By: Defendant Moraga, Roy D

01/21/2014 Certificate
Filed By: Defendant Moraga, Roy D
Certificate of Inmate's Institutional Account

01/21/2014 Motion
Filed By: Defendant Moraga, Roy D
Motion for Correction of Illegal Sentence

01/21/2014 Motion
Filed By: Defendant Moraga, Roy D
Motion for Appointment of Counsel

01/31/2014 Notice of Appeal (criminal)
Party: Defendant Moraga, Roy D
Notice of Appeal

02/03/2014 Case Appeal Statement
Filed By: Defendant Moraga, Roy D

02/07/2014 Opposition to Motion
Filed By: Plaintiff State of Nevada
State's Opposition to Defendant's Motion for Correction of Illegal Sentence and Defendant's Motion for Appointment of Counsel

02/12/2014 **Motion to Correct Sentence** (8:30 AM) (Judicial Officer: Cadish, Elissa F.)
Defendant's Motion for Correction of Illegal Sentence

02/12/2014 **Motion for Appointment of Attorney** (8:30 AM) (Judicial Officer: Cadish, Elissa F.)
Defendant's Motion for Appointment of Counsel

02/12/2014 **All Pending Motions** (8:30 AM) (Judicial Officer: Cadish, Elissa F.)

03/12/2014 Order Denying
Filed By: Plaintiff State of Nevada
Order Denying Defendant's Motions of February 12, 2014

03/19/2014 Motion
Filed By: Defendant Moraga, Roy D
Motion for Returning Seized Property

04/07/2014 Opposition
Filed By: Plaintiff State of Nevada
State's Opposition to Defendant's Motion for Returning Seized Property

04/09/2014 **Motion** (8:30 AM) (Judicial Officer: Cadish, Elissa F.)
Motion for Returning Seized Property

04/15/2014 Order Denying
Filed By: Plaintiff State of Nevada
Order Denying Defendant's Post-Conviction Petition Requesting Genetic Marker Testing

	Pursuant to NRS 176.0918	
04/17/2014	Order Denying Filed By: Plaintiff State of Nevada *Order Denying Defendant's Motion for Return of Seized Property*	
04/22/2014	Notice of Entry of Order Filed By: Plaintiff State of Nevada	
05/12/2014	NV Supreme Court Clerks Certificate/Judgment - Affirmed *Nevada Supreme Court Clerk's Certificate Judgment - Affirmed*	
05/15/2014	Notice of Appeal (criminal) Party: Defendant Moraga, Roy D *Notice of Appeal*	
05/16/2014	Case Appeal Statement Filed By: Defendant Moraga, Roy D *Case Appeal Statement*	

DATE	FINANCIAL INFORMATION	
	Defendant Moraga, Roy D	
	Total Charges	8.00
	Total Payments and Credits	8.00
	Balance Due as of 5/16/2014	**0.00**

ORIGINAL

Electronically Filed
03/12/2014 08:34:54 AM

CLERK OF THE COURT

ORDR
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
JAMES R. SWEETIN
Chief Deputy District Attorney
Nevada Bar #005144
200 Lewis Avenue
Las Vegas, NV 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA, Plaintiff, -vs- ROY D. MORAGA, #0938554 Defendant.	Case No.	**89C092174**
	Dept No.	**VI**

ORDER DENYING DEFENDANT'S MOTIONS OF FEBRUARY 12, 2014

DATE OF HEARING: FEBRUARY 12, 2014
TIME OF HEARING: 8:30 A.M.

THIS MATTER having come on for hearing before the above entitled Court on the 12TH day of February, 2014, the Defendant not being present, IN PROPER PERSON, the Plaintiff being represented by STEVEN B. WOLFSON, District Attorney, through TYLER SMITH, Deputy District Attorney, and the Court having heard the arguments of counsel and good cause appearing therefor,

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02-19-14P02:32 RCVD

IT IS HEREBY ORDERED that the DEFENDANT'S MOTION FOR CORRECTION OF ILLEGAL SENTENCE, shall be, and is, DENIED; further

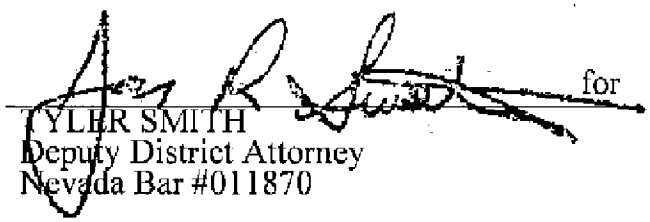
IT IS HEREBY ORDERED that the DEFENDANT'S MOTION FOR APPOINTMENT OF COUNSEL shall be, and is, DENIED.

DATED this 6 day of ~~February~~ March, 2014.

DISTRICT JUDGE

WSH

STEVEN B. WOLFSON
DISTRICT ATTORNEY
Nevada Bar #001565



for

TYLER SMITH
Deputy District Attorney
Nevada Bar #011870

hjc/SVU

THE SEALED PORTION
OF THESE MINUTES
WILL FOLLOW VIA
U.S. MAIL.

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor **COURT MINUTES** **April 25, 2012**

89C092174 The State of Nevada vs Roy D Moraga

April 25, 2012 **8:30 AM** **Status Check**

HEARD BY: Cadish, Elissa F. **COURTROOM:** RJC Courtroom 15B

COURT CLERK: Keith Reed

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES PRESENT: Ferreira, Amy L. Attorney
State of Nevada Plaintiff

JOURNAL ENTRIES

- Court stated findings noting after the change of venue the Deft's case was calendared in Department V on a civil calendar in error, and was then recalendared in Department VI and ORDERED, Deft's Pro Per Motion for Judicial action GRANTED; matter set for hearing regarding the Deft's Petition For Writ Of Habeas Corpus; state's response to be filed by June 13th; Deft's Motion For Appointment Of Counsel CONTINUED.

NDC

7-16-12 HEARING: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS...DEFT'S EXPARTE MOTION FOR APPOINTMENT OF COUNSEL

CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584, Love Lock Correctional Center, 1200 Prison Road, Love Lock NV. 89419

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor **COURT MINUTES** **July 16, 2012**

89C092174 The State of Nevada vs Roy D Moraga

July 16, 2012 **8:30 AM** **All Pending Motions**

HEARD BY: Cadish, Elissa F. **COURTROOM:** RJC Courtroom 15B

COURT CLERK: Keith Reed

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES PRESENT: Rinetti, Dena I. Attorney
State of Nevada Plaintiff

JOURNAL ENTRIES

- HEARING: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS...DEFT'S EXPARTE MOTION FOR APPOINTMENT OF COUNSEL

In the absence of the Deft., Court advised there will not be any argument. Court stated findings and ORDERED, Deft's Petition For Writ of Habeas Corpus and Exparte Motion For Appointment of counsel DENIED.

NDC

CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584, Ely State Prison, POB 1989, Ely Nv., 89301

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor **COURT MINUTES** **August 27, 2012**

89C092174 The State of Nevada vs Roy D Moraga

August 27, 2012 **8:30 AM** **Motion**

HEARD BY: Cadish, Elissa F. **COURTROOM:** RJC Courtroom 15B

COURT CLERK: Keith Reed

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES PRESENT: Rinetti, Dena I. Attorney
State of Nevada Plaintiff

JOURNAL ENTRIES

- In the absence of the Deft., Court noted there will not be any argument. Court stated findings noting the Deft. is seeking reconsideration of the ruling of July 16th due to his absence and ORDERED, Deft's Pro Se Motion For Reconsideration DENIED; there was no argument in the Deft's absence, and no basis for reconsideration.

NDC

CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584. Love Lock Correctional Center, 1200 Prison Road, Love Lock Nv. 89419

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor **COURT MINUTES** **October 21, 2013**

89C092174 The State of Nevada vs Roy D Moraga

October 21, 2013 **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 PRESENT: State of Nevada Plaintiff
Wiborg, Erika L. Attorney

JOURNAL ENTRIES

- In the absence of the Deft., Court stated there will not be any argument. Court stated findings noting the petition is untimely, successive, no good cause has been shown for the procedural defaults, there is no showing in evidence of actual innocence, the sentence is not illegal and ORDERED, Deft's Pro Se Petition For Writ of Habeas Corpus DENIED. FURTHER ORDERED, due to the ruling of the Court, Defendant's request for counsel is DENIED; State to prepare the order.

NDC

CLERK'S NOTE: The above minute order has been distributed to: Roy Moraga #31584, Love Lock Correctional Center, 1200 Prison Road, Love Lock Nv. 89419

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor **COURT MINUTES** **January 17, 2014**

89C092174 The State of Nevada vs Roy D Moraga

January 17, 2014 **3:00 AM** **Minute Order**

HEARD BY: Cadish, Elissa F. **COURTROOM:** RJC Courtroom 15B

COURT CLERK: Keith Reed

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Petitioner submitted a Post-Conviction Petition requesting genetic marker testing pursuant to NRS 176.0918. Defendant does not meet the requirements of NRS 176.0918(3)(b) because there does not exist a reasonable possibility that Petitioner would not have been convicted if exculpatory results had been obtained. Additionally, Petitioner previously raised the issue of DNA testing by filing a Motion for Release of DNA Evidence Under Nevada Open Records Act on December 16, 2003. On January 5, 2004, the court DENIED the motion on the merits because the Petitioner admitted during trial that he had consensual sex with the victim. As this issue has previously been decided on the merits, instant Petition is barred by the law of the case.

NDC

CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584, Love Lock Correctional Center, 1200 Prison Road, Love Lock Nv. 89419

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor **COURT MINUTES** **February 12, 2014**

89C092174 The State of Nevada vs Roy D Moraga

February 12, 2014 **8:30 AM** **All Pending Motions**

HEARD BY: Cadish, Elissa F. **COURTROOM:** RJC Courtroom 15B

COURT CLERK: Keith Reed; ; Carole D'Aloia

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES PRESENT: Smith, Tyler D., ESQ Attorney
State of Nevada Plaintiff

JOURNAL ENTRIES

- DEFENDANT'S PRO PER MOTION FOR CORRECTION OF ILLEGAL SENTENCE...DEFENDANT'S PRO SE MOTION FOR APPOINTMENT OF COUNSEL

Court noted the absence of the Defendant as he is currently in the Nevada Department of Corrections (NDC) and was not transported. Court advised it will not hear argument but will rule based on the pleadings filed. Court advised that the sentence imposed is legal, Court previously denied this motion, Defendant appealed to the Nevada Supreme Court, which upheld this Court's decision and, ORDERED, Defendant's Pro Per Motion for Correction of Illegal Sentence and Defendant s Pro Se Motion for Appointment of Counsel DENIED; State to prepare and submit appropriate Order.

NDC

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor **COURT MINUTES** **April 09, 2014**

89C092174 The State of Nevada vs Roy D Moraga

April 09, 2014 **8:30 AM** **Motion**

HEARD BY: Cadish, Elissa F. **COURTROOM:** RJC Courtroom 15B

COURT CLERK: Keith Reed

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES PRESENT: Beverly, Leah C — Attorney
State of Nevada — Plaintiff

JOURNAL ENTRIES

- In the absence of the Defendant the Court stated there will not be any argument and a ruling will be issued based upon the papers. Court stated findings and ORDERED, Defendant's Pro Se Motion For Returning Seized Property DENIED as the items impounded as evidence are not appropriate for release under the applicable statutes; State to prepare the order.

NDC

CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584, Love Lock Correctional Center, 1200 Prison Rd., Love Lock Nv. 89419

PLAINTIFF'S EXHIBITS

CASE NO: [illegible]

	OFFERED	ADMITTED
Photo	✓ 3/3/	✓
Photo	✓ "	✓
Photo	✓ "	✓
Large Evidence Bag	✓ "	✓
Evidence Envelopes	✓ "	✓
Bonita with Dog	✓ "	✓
Lemon	✓ "	✓
Large Evidence Bag	✓ "	✓
Photo Boy Slide (Lemon)	✓ "	✓
Jacket	✓ "	✓
Undershirts (Boyer)	✓ "	✓
Shirt (Tee)	✓ "	✓
Elastic Stretch Leg Bands	✓ "	✓
Shirt w/red trim + Printing (Tee)	✓ "	✓
Small Manila Envelope	✓ "	✓
Vial (Blood)	✓ "	✓
Vial (Blood)	✓ "	✓
Vial (Blood)	✓ "	✓
Small White Envelope (Deft's Head Hair)	✓ "	✓
" " (Deft's Pubic Hair Stand)	✓ "	✓
" "	✓ "	✓
" " (Deft's Saliva Sample)	✓ "	✓
Fingerprint Chart	✓ "	✓
Photo Shirt (Boyer) (Photo)	✓ "	✓

PLAINTIFF'S EXHIBITS

CASE NO. [illegible]

	OFFERED		ADMITTED
Small Manila Envelope	✓	3-17-90	✓
Fingerprint Card	✓	"	✓
Fingerprint Card	✓	"	✓
Fingerprint Card	✓	"	✓
Fingerprint Card (Deft.)	✓	"	✓
Fingerprint Card (Deft.)	✓	"	✓
Fingerprint Card	✓	"	✓
Evidence Envelope	✓	"	✓
Pubic Hair Sample (Vaunt)	✓	"	✓
Head Hair "	✓	"	✓
Combed Pubic Hair "	✓	"	✓
Saliva Sample "	✓	"	✓
Fingernails "	✓	"	✓
Vaginal Swab "	✓	"	✓
Mouth Swab "	✓	"	✓
Blood Card "	✓	"	✓
Blood Card "	✓	"	✓
Blood Card "	✓	"	✓
Evidence Envelope	✓	"	✓
Receipt for Key	✓	"	✓
Key	✓	"	✓
Evidence Envelope	✓		✓
Watch	✓	"	✓

EXHIBITS

CASE NO. 2012-P-1724

	OFFERED	ADMITTED
Copy Information for Aggravated Burglary Case #95049	✓	✓
Information, Case # CR 1318 95	✓	✓
Indictment, Case # 12891	✓	✓

[redacted] EXHIBITS CASE NO. [illegible]

	OFFERED	ADMITTED
Information for Aggravated Assault	✓ 6-30	✓
Information 1-24-83	✓ "	✓
Indictment Plea Agreement &	✓ "	✓
Sentence of Probation	✓ "	✓

EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE

NOTICE OF DEFICIENCY

ON APPEAL TO NEVADA SUPREME COURT

ROY D. MORAGA #31584
1200 PRISON ROAD
LOVELOCK, NV 89419

DATE: May 16, 2014
CASE: C092174

RE CASE: STATE OF NEVADA vs. ROY D. MORAGA

NOTICE OF APPEAL FILED: May 15, 2014

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

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

☐ Case Appeal Statement
- NRAP 3 (a)(1), Form 2

☐ Order

☒ Notice of Entry of Order

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

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

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

Certification of Copy

State of Nevada
County of Clark } **SS:**

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

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; ORDER DENYING DEFENDANT'S MOTIONS OF FEBRUARY 12, 2014; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

STATE OF NEVADA, Plaintiff(s), vs. ROY D. MORAGA, Defendant(s).	Case No: C092174 Dept No: VI

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 16 day of May 2014.

Steven D. Grierson, Clerk of the Court

Teodora Jones

Teodora Jones, Deputy Clerk