

IN THE SUPREME COURT OF THE STATE OF NEVADA

INDICATE FULL CAPTION:

CHRISTOPHER E. PIGEON,

Appellant,

vs.

STATE OF NEVADA,

Respondent.

No. 67083

Electronically Filed
Dec 29 2014 04:02 p.m.

Tracie K. Lindeman

**DOCKETING STATEMENT
CRIMINAL APPEALS**

(Including appeals from pretrial and post-conviction rulings and other requests for post-conviction relief)

GENERAL INFORMATION

1. Judicial District Eighth County Clark
Judge Douglas E. Smith District Ct Case No. C-290261

2. If the defendant was given a sentence,
(a) what is the sentence?

Life without possibility of parole under large habitual

(b) has the sentence been stayed pending appeal?

No.

(c) was defendant admitted to bail pending appeal?

No.

3. Was counsel in the district court appointed ☐ or retained ☐ ?

Defendant represented himself in pro se.

4. Attorney filing this docketing statement:

Attorney Sandra L. Stewart Telephone 702-363-4656

Firm: SANDRA L. STEWART, Attorney

Address: 140 Rancho Maria Street
Las Vegas, NV 89148

Client(s) Christopher Pigeon

5. Is appellate counsel appointed ☒ or retained ☐ ?

If this is a joint statement by multiple appellants, add the names and addresses of other counsel on an additional sheet accompanied by a certification that they concur in the filing of this statement.

6. Attorney(s) representing respondent(s):

Attorney Steven B. Wolfson, Esq. Telephone 702-671-2700
Firm: Clark County District Attorney
Address: 200 East Lewis Avenue
Las Vegas, NV 89155

Client(s) State of Nevada

Attorney _____ Telephone _____
Firm: _____
Address: _____

Client(s) _____

(List additional counsel on separate sheet if necessary)

7. Nature of disposition below:

- | | |
|---|--|
| <input type="checkbox"/> Judgment after bench trial | <input type="checkbox"/> Grant of pretrial habeas |
| <input checked="" type="checkbox"/> Judgment after jury verdict | <input type="checkbox"/> Grant of motion to suppress evidence |
| <input type="checkbox"/> Judgment upon guilty plea | <input type="checkbox"/> Post-conviction habeas (NRS ch. 34) |
| <input type="checkbox"/> Grant of pretrial motion to dismiss | <input type="checkbox"/> grant <input type="checkbox"/> denial |
| <input type="checkbox"/> Parole/Probation revocation | <input type="checkbox"/> Other disposition (specify) |
| <input type="checkbox"/> Motion for new trial | |
| <input type="checkbox"/> grant <input type="checkbox"/> denial | |
| <input type="checkbox"/> Motion to withdraw guilty plea | |
| <input type="checkbox"/> grant <input type="checkbox"/> denial | |

8. Does this appeal raise issues concerning any of the following:

☐ death sentence
☒ life sentence

☐ juvenile offender
☐ pretrial proceedings

9. Expedited appeals: The court may decide to expedite the appellate process in this matter. Are you in favor of proceeding in such manner?

Yes ☐ No ☒

10. Pending and prior proceedings in this court. List the case name and docket number of all appeals or original proceedings presently or previously pending before this court which are related to this appeal (e.g, separate appeals by co-defendants, appeal after post-conviction proceedings):

None known.

11. Pending and prior proceedings in other courts. List the case name, number and court of all pending and prior proceedings in other courts that are related to this appeal (e.g., habeas corpus proceedings in state or federal court, bifurcated proceedings against co-defendants):

None known.

12. Nature of action. Briefly describe the nature of the action and the result below:

Defendant failed to register as a sex offender as required by prior convictions. He was also found guilty of attempted kidnapping of a child under 16, stalking her, and masturbating in front of her in a public place. He was found guilty of (1) attempted first degree kidnapping, (2) aggravated stalking, (3) luring children with the intent to engage in sexual conduct, (4) burglary, (5) open or gross lewdness, (6) unlawful contact with a child, and (7) prohibited acts by a sex offender. He was sentenced under the large habitual statute to life in prison without the possibility of parole.

13. **Issues on appeal.** State concisely the principal issue(s) in this appeal:

1. Improper amendment of indictment;
2. Verdict not supported by the evidence;
3. Improper habitual finding;
4. Improper jury instructions;
5. Improper competency finding;
6. Improper Faretta finding;
7. Speedy trial issue;

Other issues of which counsel may currently be unaware as revealed by transcripts and file documents which have not yet been received and/or reviewed.

14. **Constitutional issues.** If the State is not a party and if this appeal challenges the constitutionality of a statute or municipal ordinance, have you notified the clerk of this court and the attorney general in accordance with NRAP 44 and NRS 30.130?

N/A ☒ Yes ☐ No ☐

If not, explain

15. **Issues of first-impression or of public interest.** Does this appeal present a substantial legal issue of first-impression in this jurisdiction or one affecting an important public interest?

First-impression: Yes ☐ No ☒
Public interest: Yes ☐ No ☒

16. **Length of trial.** If this action proceeded to trial or evidentiary hearing in the district court, how many days did the trial or evidentiary hearing last?

2 days

17. **Oral argument.** Would you object to submission of this appeal for disposition without oral argument?

Yes ☐ No ☒

TIMELINESS OF NOTICE OF APPEAL

18. Date district court announced decision, sentence or order appealed from 12-10-14

19. Date of entry of written judgment or order appeal from 12-23-14

(a) If no written judgment or order was filed in the district court, explain the basis for seeking appellate review:

20. If this appeal is from an order granting or denying a petition for a writ of habeas corpus, indicate the date written notice of entry of judgment or order was served by the district court

(a) Was service by delivery ☐ or by mail ☐.

21. If the time for filing the notice of appeal was tolled by a post judgment motion,

(a) Specify the type of motion, and the date of filing of the motion:

Arrest judgment _____	Date filed _____
New trial _____	Date filed _____
(newly discovered evidence)	
New trial _____	Date filed _____
(other grounds)	

(b) Date of entry of written order resolving motion _____

22. Date notice of appeal filed 12-15-14

23. Specify statute or rule governing the time limit for filing the notice of appeal, e.g., NRAP 4(b), NRS 34.560, NRS 34.575, NRS 177.015(2), or other NRAP 4(b)

SUBSTANTIVE APPEALABILITY

24. Specify statute, rule or other authority that grants this court jurisdiction to review from:

NRS 177.015(1)(b) _____	NRS 34.560 _____
NRS 177.015(1)(c) _____	NRS 34.575(1) _____
NRS 177.015(2) _____	NRS 34.575(2) _____
NRS 177.015(3) <u>XX</u> _____	Other (specify) _____
NRS 177.055 _____	

VERIFICATION

I certify that the information provided in this docketing statement is true and complete to the best of my knowledge, information and belief.

Christopher Pigeon

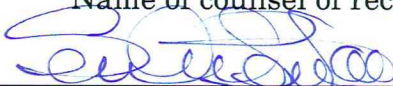
Name of appellant

December 29, 2011

Date

Sandra L. Stewart

Name of counsel of record



Signature of counsel of record

CERTIFICATE OF SERVICE

I certify that on the 29th day of Dec, 20 14, I served a copy of this completed docketing statement upon all counsel of record; and the defendant:

☒ by ~~personally serving it upon him/her or~~ e-filing.

☒ by mailing it by first class mail with sufficient postage prepaid to the following address(es): CHRISTOPHER PIGEON, INMATE NO. 1694872
CCDC, 330 SOUTH CASINO CENTER BLVD., LAS VEGAS, NV 89191

Dated this 29th day of Dec, 2014.



Signature Sandra L. Stewart