

1 CODE CAS

2 Law Offices of Richard F. Cornell

3 150 Ridge Street, Second Floor

4 Reno, NV 89501

5 Nevada Bar 1553

6 (775)329-1141

7 Attorney for Petitioner

No. 67640

8 EIGHTH JUDICIAL DISTRICT COURT FOR THE STATE OF NEVADA

9 AND FOR THE COUNTY OF CLARK

10 LUIS HIDALGO, III,)

11 Petitioner,)

12 v.)

13 ISIDRO BACA, WARDEN,)

14 NORTHERN NEVADA)

15 CORRECTIONAL CENTER;)

16 AND)

17 J. GREG COX, DIRECTOR OF)

18 THE NEVADA DEPARTMENT)

19 OF CORRECTIONS,)

20 Respondents.)

CASE NO. C212667/C241394

DEPT NO. XXI

FILED

JUN 03 2015

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

21 CASE APPEAL STATEMENT

22 1. Name of Appellant filing this case appeal statement:

23 Petitioner, Luis Hidalgo III.

24 2. Identify the judge issuing the decision, judgment, or order appealed

1 from:

2 The Honorable Valerie Adair.

3
4 3. Identify each appellant and the name and address of counsel for each
5 appellant:

6
7 Luis A. Hidalgo III, Richard F. Cornell, Esq., 150 Ridge Street, Second
8 Floor, Reno, Nevada 89501.

9
10 4. Identify each respondent and the name and address of appellate counsel,
11 if known for each respondent:

12 The State of Nevada on relation of the Warden and the Department of
13 Corrections, Marc DiGiacomo, Chief Criminal Deputy, Clark County District
14 Attorney's Office, 200 Lewis Ave. Las Vegas, Nevada 89155-2212.

15
16 5. Indicate whether any attorney identified above in response to questions 3
17 and 4 is not licensed to practice law in Nevada . . . :

18
19 N/A.

20
21 6. Indicate whether appellant was represented by appointed or retained
22 counsel in the district court:

23 Retained.

24
25 7. Indicate whether appellant is represented by appointed or retained
26 counsel on appeal:

1 Retained.

2 8. Indicate whether appellant was granted leave to proceed in *forma*
3
4 *properus*, and the date of entry of the district court order granting such leave:

5 No.

6 9. Indicate the date the proceedings commenced in the district court:

7
8 Petition for Writ of *Habeas Corpus* (Post-Conviction) filed either January 2,
9
10 2014 or January 22, 2014.

11 10. Provide a brief description of the nature of the action and result in the
12 district court, including the type of judgment or order being appealed and the relief
13 granted by the district court:
14

15 Appellant filed Petition for Writ of *Habeas Corpus* (Post-Conviction).
16 After evidentiary hearing, the court below denied said Petition.
17

18 11. Indicate whether the case has previously been the subject of an appeal
19 or original writ proceeding in the supreme court and, if so, the caption and
20 supreme court docket number of the prior proceeding:
21

22 ///

23 ///

24 ///


25 ///

1 Yes. Order of Affirmance entered in case no. 54272 on June 21, 2012 in
2 this Appellant's direct appeal.
3

4 DATED this 24 day of March, 2015.

5 Respectfully submitted,
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7 LAW OFFICES OF RICHARD F. CORNELL
8 150 Ridge Street, Second Floor
9 Reno, NV 89501

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11 Richard F. Cornell
12 State Bar #1553
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LAW OFFICES OF RICHARD F. CORNELL, and that on this date I caused to be , deposited for mailing in the United States Mail a true and correct copy of the foregoing document, addressed to:

DATED this 24th day of March, 2015.

Marianne Tom-Kadlic
Marianne Tom-Kadlic
Legal Assistant to Richard F. Cornell