

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

Electronically Filed
May 08 2015 03:50 p.m.
Tracie K. Lindeman
Clerk of Supreme Court

CHARLES JOSEPH MAKI

Petitioner,
vs.

THE STATE OF NEVADA,
Respondent.

Sup. Ct. Case No. 67717
Case No. CR94-0345
Dept. 8

RECORD ON APPEAL

VOLUME 1 OF 8

APPEAL INDEX

CASE HISTORY

CERTIFICATE OF CLERK AND TRANSMITTAL

APPELLANT

Charles J Maki #42820
Warm Springs Correctional Center
P O Box 7007
Carson City, Nevada 89702

RESPONDENT

Washoe County District Attorney's
Office
Terrance McCarthy, Esq.
P O Box 11130
Reno, Nevada 89502-3083

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SECOND JUDICIAL DISTRICT COURT
COUNTY OF WASHOE

Case History - CR97-0345

DEPT. DCJ

HON. . CRIMINAL DRUG COURT JUDGE

Report Date & Time

5/8/2015

10:45:00AM

Case ID:	CR97-0345	Case Description:	STATE VS. MICHAEL WAYNE COLLAZO (DC) **SEALED**	Case Type:	**CRIMINAL SEALED**	Initial Filing Date:	2/18/1997
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Parties

PLTF	STATE OF NEVADA - STATE
DA	John Wesley Helzer, Esq. - 1929
DEFT	MICHAEL WAYNE COLLAZO - @10625

Charges

Charge No.	Charge Code	Charge Date	Charge Description
1	F1130	2/18/1997	INF USING AND/OR BEING UNDER THE INFLUENCE OF A CONTROLLED SUBSTANCE

Plea Information

Charge No.	Plea Code	Plea Date	Plea Description
1	F1130	1/2/2003	WITHDRAWN

Release Information

Custody Status

Hearings

Department	Event Description	Sched. Date & Time	Disposed Date
1 DCJ	SC-PHASE 6 REVIEW	1/6/2000 09:30:00	1/6/2000
Event Extra Text:		Disposition: D293 1/6/2000	

Department	Event Description	Sched. Date & Time	Disposed Date
2 DCJ	SC-PHASE 6 REVIEW	2/3/2000 09:30:00	2/3/2000
Event Extra Text:		Disposition: D293 2/3/2000	

Department	Event Description	Sched. Date & Time	Disposed Date
3 DCJ	SC-PHASE 6 REVIEW	3/2/2000 09:30:00	3/2/2000
Event Extra Text:		Disposition: D293 3/2/2000	

Case Description: STATE VS. MICHAEL WAYNE COLLAZO (DC) **SEALED**						
Case ID:	CR97-0345		Case Type:	**CRIMINAL SEALED**		Initial Filing Date: 2/18/1997
4	Department	Event Description	Sched. Date & Time		Disposed Date	
	DCJ	SC-PHASE 6 REVIEW	3/30/2000	09:30:00	3/30/2000	
	Event Extra Text:		Disposition: D293 3/30/2000			
5	Department	Event Description	Sched. Date & Time		Disposed Date	
	DCJ	SC-PHASE 6 REVIEW	4/13/2000	09:30:00	4/13/2000	
	Event Extra Text:		Disposition: D293 4/13/2000			
6	Department	Event Description	Sched. Date & Time		Disposed Date	
	DCJ	SC-PHASE 6 REVIEW	5/11/2000	09:30:00	5/11/2000	
	Event Extra Text:		Disposition: D293 5/11/2000 DEFENDANT NOT PRESENT			
7	Department	Event Description	Sched. Date & Time		Disposed Date	
	DCJ	SC-PHASE 6 REVIEW	5/25/2000	09:30:00	5/25/2000	
	Event Extra Text:		Disposition: D280 5/25/2000			
8	Department	Event Description	Sched. Date & Time		Disposed Date	
	DCJ	SC-PHASE 6 REVIEW	6/8/2000	09:30:00	6/8/2000	
	Event Extra Text: **QUASH BW OF 5/25/00**		Disposition: D293 6/8/2000 BENCH WARRANT OF 5/25/00 QUASHED			
9	Department	Event Description	Sched. Date & Time		Disposed Date	
	DCJ	SC-REVIEW HEARING	7/6/2000	09:30:00	7/6/2000	
	Event Extra Text:		Disposition: D293 7/6/2000			
10	Department	Event Description	Sched. Date & Time		Disposed Date	
	DCJ	SC-PHASE 6 REVIEW	7/20/2000	09:30:00	7/20/2000	
	Event Extra Text:		Disposition: D280 7/20/2000			
11	Department	Event Description	Sched. Date & Time		Disposed Date	
	DCJ	SC-PHASE 6 REVIEW	7/27/2000	13:30:00	7/27/2000	
	Event Extra Text: **PROCESSED ON BE OF 7/20/00 - 5th BW**		Disposition: D293 7/27/2000 DEFT O.R'd FROM DRUG COURT.			

Case Description: STATE VS. MICHAEL WAYNE COLLAZO (DC) **SEALED**							
Case ID:	CR97-0345		Case Type:	**CRIMINAL SEALED**		Initial Filing Date: 2/18/1997	
12	Department		Event Description		Sched. Date & Time		Disposed Date
	DCJ	SC-PHASE 6 REVIEW		8/10/2000	09:30:00		8/10/2000
	Event Extra Text:				Disposition:		
					D293	8/10/2000	RESCHEDULED FOR NEXT HEARING AT 1:30.
13	Department		Event Description		Sched. Date & Time		Disposed Date
	DCJ	SC-PHASE 6 REVIEW		9/7/2000	13:30:00		9/7/2000
	Event Extra Text: **AT PREVIOUS HEARING; TIME				Disposition:		
	RESCHEDULED FROM 9:30 TO 1:30.				D293	9/7/2000	
14	Department		Event Description		Sched. Date & Time		Disposed Date
	DCJ	SC-PHASE 6 REVIEW		10/5/2000	13:30:00		10/5/2000
	Event Extra Text:				Disposition:		
					D293	10/5/2000	
15	Department		Event Description		Sched. Date & Time		Disposed Date
	DCJ	SC-PHASE 6 REVIEW		11/2/2000	13:30:00		11/2/2000
	Event Extra Text:				Disposition:		
					D293	11/2/2000	
16	Department		Event Description		Sched. Date & Time		Disposed Date
	DCJ	SC-PHASE 6 REVIEW		11/30/2000	13:30:00		11/30/2000
	Event Extra Text:				Disposition:		
					D293	11/30/2000	
17	Department		Event Description		Sched. Date & Time		Disposed Date
	DCJ	SC-PHASE 6 REVIEW		12/28/2000	13:30:00		12/28/2000
	Event Extra Text:				Disposition:		
					D293	12/28/2000	
18	Department		Event Description		Sched. Date & Time		Disposed Date
	DCJ	SC-PHASE 6 REVIEW		1/25/2001	13:30:00		1/25/2001
	Event Extra Text:				Disposition:		
					D293	1/25/2001	DEFT NOT PRESENT.
19	Department		Event Description		Sched. Date & Time		Disposed Date
	DCJ	SC-PHASE 6 REVIEW		2/8/2001	13:30:00		2/8/2001
	Event Extra Text: **DEFT NOT PRESENT ON 1/25/01**				Disposition:		
					D293	2/8/2001	

Case Description: STATE VS. MICHAEL WAYNE COLLAZO (DC) **SEALED**					
Case ID:	CR97-0345	Case Type:	**CRIMINAL SEALED**	Initial Filing Date:	2/18/1997
	Department	Event Description	Sched. Date & Time		Disposed Date
20	DCJ	SC-PHASE 6 REVIEW	3/8/2001	13:30:00	3/8/2001
	Event Extra Text:		Disposition:		
			D293 3/8/2001		
			DEFT NOT PRESENT.		
	Department	Event Description	Sched. Date & Time		Disposed Date
21	DCJ	SC-PHASE 6 REVIEW	3/22/2001	13:30:00	3/22/2001
	Event Extra Text: **DEFT NOT PRESENT ON 3/8/01**		Disposition:		
			D280 3/22/2001		
	Department	Event Description	Sched. Date & Time		Disposed Date
22	DCJ	SC-PHASE 6 REVIEW	4/12/2001	13:30:00	4/12/2001
	Event Extra Text: **PROCESSED ON 3/22/01 BW - 6TH BW**		Disposition:		
			D293 4/12/2001		
			DEFENDANT RELEASED ON O.R.		
	Department	Event Description	Sched. Date & Time		Disposed Date
23	DCJ	SC-PHASE 6 REVIEW	5/10/2001	13:30:00	5/10/2001
	Event Extra Text:		Disposition:		
			D280 5/10/2001		
	Department	Event Description	Sched. Date & Time		Disposed Date
24	DCJ	SC-PHASE 6 REVIEW	5/24/2001	13:30:00	5/24/2001
	Event Extra Text: QUASH 5/10/01 BW		Disposition:		
			D293 5/24/2001		
			BENCH WARRANT OF 5/10/01 QUASHED		
	Department	Event Description	Sched. Date & Time		Disposed Date
25	DCJ	SC-PHASE 6 REVIEW	6/7/2001	13:30:00	6/7/2001
	Event Extra Text:		Disposition:		
			D280 6/7/2001		
	Department	Event Description	Sched. Date & Time		Disposed Date
26	DCJ	SC-PHASE 6 REVIEW	2/28/2002	13:30:00	2/28/2002
	Event Extra Text: **PROCESSED ON 6/7/01 BENCH WARRANT**		Disposition:		
	8TH BENCH WARRANT		D293 2/28/2002		
			SENTENCED TO 25 DAYS WCJ FOR CONTEMPT OF COURT.		
			DEFENDANT TO BE O/R'D ON 6/7/01 BENCH WARRANT.		
	Department	Event Description	Sched. Date & Time		Disposed Date
27	DCJ	SC-REVIEW HEARING	4/25/2002	13:30:00	4/25/2002
	Event Extra Text:		Disposition:		
			D845 4/25/2002		
			SET IN ERROR. WRONG HEARING CODE.		

Case Description: STATE VS. MICHAEL WAYNE COLLAZO (DC) **SEALED**							
Case ID:	CR97-0345		Case Type:	**CRIMINAL SEALED**		Initial Filing Date:	2/18/1997
	Department	Event Description		Sched. Date & Time		Disposed Date	
28	DCJ	SC-PHASE 6 REVIEW		4/25/2002	13:30:00	4/25/2002	
	Event Extra Text:			Disposition:			
				D293	4/25/2002		
	Department	Event Description		Sched. Date & Time		Disposed Date	
29	DCJ	SC-PHASE 6 REVIEW		5/23/2002	13:30:00	5/23/2002	
	Event Extra Text:			Disposition:			
				D293	5/23/2002		
	Department	Event Description		Sched. Date & Time		Disposed Date	
30	DCJ	SC-PHASE 6 REVIEW		6/20/2002	13:30:00	6/20/2002	
	Event Extra Text:			Disposition:			
				D293	6/20/2002		
	Department	Event Description		Sched. Date & Time		Disposed Date	
31	DCJ	SC-PHASE 6 REVIEW		7/18/2002	13:30:00	7/18/2002	
	Event Extra Text:			Disposition:			
				D293	7/18/2002		
	Department	Event Description		Sched. Date & Time		Disposed Date	
32	DCJ	SC-PHASE 6 REVIEW		8/15/2002	13:30:00	8/15/2002	
	Event Extra Text:			Disposition:			
				D293	8/15/2002		
	Department	Event Description		Sched. Date & Time		Disposed Date	
33	DCJ	SC-PHASE 6 REVIEW		9/12/2002	13:30:00	9/12/2002	
	Event Extra Text:			Disposition:			
				D293	9/12/2002		
				DEFENDANT NOT PRESENT			
	Department	Event Description		Sched. Date & Time		Disposed Date	
34	DCJ	SC-PHASE 6 REVIEW		9/26/2002	13:30:00	9/26/2002	
	Event Extra Text: DEFENDANT NOT PRESENT ON 9/12/02			Disposition:			
				D293	9/26/2002		
	Department	Event Description		Sched. Date & Time		Disposed Date	
35	DCJ	SC-PHASE 6 REVIEW		10/24/2002	13:30:00	10/24/2002	
	Event Extra Text:			Disposition:			
				D293	10/24/2002		

Case Description: STATE VS. MICHAEL WAYNE COLLAZO (DC) **SEALED**				
Case ID:	CR97-0345	Case Type:	**CRIMINAL SEALED**	Initial Filing Date: 2/18/1997

Department	Event Description	Sched. Date & Time		Disposed Date
36 DCJ	SC-PHASE 6 REVIEW	11/21/2002	13:30:00	11/21/2002
Event Extra Text:		Disposition: D280 11/21/2002		

Department	Event Description	Sched. Date & Time		Disposed Date
37 DCJ	SC-PHASE 6 REVIEW	12/5/2002	13:30:00	12/5/2002
Event Extra Text:		Disposition: D325 12/5/2002 SENTENCED TO 10 WCJ FOR FTC		

Department	Event Description	Sched. Date & Time		Disposed Date
38 DCJ	SC-PHASE 6 REVIEW	1/2/2003	13:30:00	1/2/2003
Event Extra Text:		Disposition: D315 1/2/2003		

Agency Cross Reference

Code	Agency Description	Case Reference I.D.
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Actions				
Action Entry Date	Code	Code Description	Text	
11/8/1999	CMS	**See CMS Prior to 12/13/99		
5/25/2000	1305	SC-Bench Warrant Filed No Bail		
6/8/2000	1502	DC-Ord Quash DC Bench Warrant		
6/8/2000	1325	** Case Reopened		
6/19/2000	3720	Proof of Service	QUASHED WARRANT	
7/20/2000	1305	SC-Bench Warrant Filed No Bail		
7/27/2000	3892	Return of Service B/W		
7/27/2000	1325	** Case Reopened		
3/23/2001	1305	SC-Bench Warrant Filed No Bail		
4/9/2001	3720	Proof of Service	QUASHED	
5/10/2001	1305	SC-Bench Warrant Filed No Bail		
5/24/2001	1325	** Case Reopened		
5/24/2001	1502	DC-Ord Quash DC Bench Warrant		
5/31/2001	3892	Return of Service B/W	QUASHED WARRANT	
6/7/2001	1305	SC-Bench Warrant Filed No Bail		
2/26/2002	1325	** Case Reopened		
2/28/2002	3892	Return of Service B/W		
11/21/2002	1305	SC-Bench Warrant Filed No Bail		
12/5/2002	1502	DC-Ord Quash DC Bench Warrant		
12/5/2002	3370	Order ...	ORDER RELEASING DEFENDANT FROM CUSTODY	

Case Description: STATE VS. MICHAEL WAYNE COLLAZO (DC) **SEALED**			
Case ID:	CR97-0345	Case Type:	**CRIMINAL SEALED**
		Initial Filing Date:	2/18/1997
12/5/2002	1325	** Case Reopened	
12/11/2002	3892	Return of Service B/W	
1/2/2003	1307	DC-Stip/Ord W/D Plea/Dismissed	SEE CMS FOR DISPOSITION OF CHARGES
1/2/2003	1315	** Case Closed	
3/4/2003	4050	Stipulation ...	
3/4/2003	2440	Mtn/Pet Seal Records	
3/4/2003	3220	Ord Sealing Records	
5/8/2003	3895	Return on Ord Sealing Record	
5/16/2003	3895	Return on Ord Sealing Record	
5/30/2003	3895	Return on Ord Sealing Record	
6/3/2003	3895	Return on Ord Sealing Record	
7/30/2003	3895	Return on Ord Sealing Record	

SECOND JUDICIAL DISTRICT COURT
COUNTY OF WASHOE

Case History - CR94P0345

DEPT. D8

HON. LIDIA STIGLICH

Report Date & Time

5/8/2015

10:47:04AM

Case Description: POST: CHARLES JOSEPH MAKI (D8)

Case ID: CR94P0345 Case Type: POST CONVICTION Initial Filing Date: 5/9/1996

Parties

RESP E. (WARDEN) MCDANIEL - @420191
PETR CHARLES JOSEPH MAKI - @395030
DA Terrence P. McCarthy, Esq. - 2745
CAA Robert Story, Esq. - 1268

Charges

Charge No. Charge Code Charge Date Charge Description

Plea Information

Charge No. Plea Code Plea Date Plea Description

Release Information

Custody Status

Hearings

Department	Event Description	Sched. Date & Time	Disposed Date
1			
	Event Extra Text:	Disposition:	

Agency Cross Reference

Code Agency Description Case Reference I.D.

Actions

Action Entry Date	Code	Code Description	Text
1/1/1994	1315	** Case Closed	
5/9/1996	1030	Affidavit in Support...	
5/9/1996	2385	Mtn Proceed Forma Pauperis	
5/9/1996	1368	Certificate ...	FINANCIAL CERTIFICATE
5/9/1996	3565	Pet Post-Conviction Relief	PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION)
5/29/1996	3370	Order ...	
8/5/1996	3980	Stip and Order...	
8/20/1996	4105	Supplemental ...	SUPPLEMENTAL POINTS AND AUTHORITIES IN SUPPORT OF PETITION FOR WRIT OF HABEAS CORPU

Case Description: POST: CHARLES JOSEPH MAKI (D8)				
Case ID:	CR94P0345	Case Type:	POST CONVICTION	Initial Filing Date: 5/9/1996
8/23/1996	1130	Answer ...	ANSWER TO PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION)	
9/30/1996	1400	Claim...	* SEALED * INTERIM CLAIM FOR COMPENSATION AND REQUEST FOR ORDER GRANTING ATTORNEY'S	
10/8/1996	3370	Order ...		
11/25/1996	2490	Motion ...	MOTION TO WITHDRAW AS COUNSEL	
12/4/1996	2490	Motion ...	MOTION FOR THE APPOINTMENT OF COUNSEL	
12/5/1996	3860	Request for Submission		
12/11/1996	3860	Request for Submission		
1/16/1997	3370	Order ...		
1/29/1997	3370	Order ...		
5/20/1997	1250	Application for Setting		
6/3/1997	1260	Application Produce Prisoner		
6/3/1997	3340	Ord to Produce Prisoner		
7/15/1997	1260	Application Produce Prisoner		
7/16/1997	3340	Ord to Produce Prisoner		
7/24/1997	1750	Findings, Conclusions & Judg		
7/28/1997	2540	Notice of Entry of Ord		
8/4/1997	3370	Order ...	* SEALED * ORDER GRANTING ATTORNEY FEES	
8/18/1997	2515	Notice of Appeal Supreme Court		
8/18/1997	2515	Notice of Appeal Supreme Court		
8/19/1997	1365	Certificate of Transmittal		
8/19/1997	1350	Certificate of Clerk		
8/19/1997	1310	Case Appeal Statement		
8/26/1997	2515	Notice of Appeal Supreme Court		
2/10/1998	4185	Transcript		
6/17/1998	3370	Order ...	* SEALED *	
6/27/2000	1670	Ex-Parte Mtn...	* SEALED * EX PARTE MOTION FOR ORDER ALLOWING INTERIM PAYMENT OF ATTORNEY'S FEES AND	
7/14/2000	2777	Ord Approving ...	ORDER APPROVING FEES AND COSTS OF COURT-APPOINTED ATTORNEY	
11/9/2000	1350	Certificate of Clerk		
11/9/2000	4145	Supreme Court Remittitur		
11/9/2000	4134	Supreme Court Order Affirming		
12/3/2008	2490	Motion ...	MOTION FOR TRIAL COURT RECORDS: CHARLES MAKI	
12/3/2008	3860	Request for Submission	DOCUMENT TITLE: MOTION FOR TRIAL COURT RECORDS	
1/30/2009	2840	Ord Denying ...	ORDER DENYING MOTION FOR TRIAL COURT RECORDS	

1 **Code 1350**

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5
6 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**

7 **IN AND FOR THE COUNTY OF WASHOE**

8 **CHARLES JOSEPH MAKI ,**

9 **Petitioner,**

10 **vs.**

Case No. CR94-0345

11 **THE STATE OF NEVADA ,**

Dept. No. 8

12 **Respondent.**

13 _____/

14 **AMENDED**

15 **CERTIFICATE OF CLERK AND TRANSMITTAL – RECORD ON APPEAL**

16 I certify that I am an employee of the Second Judicial District Court of the State of Nevada,
17 County of Washoe; that on the 8th day of May, 2015, I electronically filed Volumes 1 through 7 of
18 the Record on Appeal in the above entitled matter to the Nevada Supreme Court and deposited
19 Volume 8 containing sealed documents addressed to the Nevada Supreme Court 201 S. Carson
20 Street, Suite 201, Carson City, Nevada 89701 in the Washoe County mailing system for postage
and mailing in the United States Postal Service in Reno, Nevada.

21 I further certify that the transmitted record is a true and correct copy of the original
22 pleadings on file with the Second Judicial District Court in accordance NRAP 11(2)(b).

23 Dated this 8th day of May, 2015.

24 JACQUELINE BRYANT
CLERK OF THE COURT

25 By /s/Annie Smith
26 Annie Smith
27 Deputy Clerk
28