



IN THE SUPREME COURT OF THE STATE OF NEVADA

INDICATE FULL CAPTION:

Electronically Filed
Aug 04 2016 03:28 p.m.
Tracie K. Lindeman
Clerk of Supreme Court

GREG WILLIAMS,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

No. 70868

DOCKETING STATEMENT

CRIMINAL APPEALS

(Including pretrial and post-conviction
habeas corpus and petitions for post-
conviction relief)

GENERAL INFORMATION

- Judicial District Eighth County Clark
Judge Douglas E. Smith District Ct. No. C294607
- If the defendant was given a sentence,
(a) what is the sentence? Cts. 1, 2, 3, 5, 7 & 9 - Lewdness With a Child Under the Age of 14 (Category A Felony) and Cts. 4, 6 & 8 - Sexual Assault With a Minor Under Fourteen Years of Age (Category A Felony) and sentenced to \$25 Admin. Fee; \$250 Indigent Defense Civil Assessment fee; restitution of \$3,976.80; \$150 DNA analysis fee; \$3 DNA collection fee; Ct. 1 - 120 months to Life in prison; Ct. 2 - 120 months to Life in prison; Ct. 2 to run concurrent with Ct. 1; Ct. 3 - 120 months to Life in prison; Ct. 3 to run concurrent with Cts. 1 and 2; Ct. 4 - 420 months to Life in prison; Ct. 4 to run consecutive to Cts. 1, 2, and 3; Ct. 6 - 420 months to Life in prison; Ct. 6 to run consecutive to Cts. 1, 2, 3, and 4; Ct. 8 - 420 months to Life in prison; Ct. 8 to run consecutive to Cts. 1, 2, 3, 4 and 6; 1,010 days CTS. Cts. 5, 7 and 9 dismissed. Aggregate total sentence is Life with a minimum of one thousand three hundred eight (1,380) months. Special sentence of Lifetime Supervision is imposed to commence upon release from any term of imprisonment, probation or parole. In addition, before the Defendant is eligible for parole, a panel consisting of the Administrator of the Mental Health and Development Services of the Dept. of Human Resources or his designee, and a Nevada State licensed psychologist or psychiatrist must certify that the Defendant does not represent a high risk to re-offend based on current accepted standards of assessment. Additionally, the Defendant is ordered to register as a sex offender in accordance with NRS 179D.460 within 48 hours after any release from custody.

(b) has the sentence been stayed pending appeal? No.

(c) was defendant admitted to bail pending appeal? No.

- Was counsel in district court appointed XX or retained _____?

- Attorney filing this docketing statement:

Attorney Audrey M Conway Telephone 455-4576

Firm Clark County Public Defender's Office

Address 309 S. Third St., #226

Las Vegas, Nevada 89155

Client Greg Williams

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.

- Is appellate counsel appointed X or retained _____?

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

Attorney STEVEN B. WOLFSON Telephone 455-4741
Firm Clark County District Attorney's Office
Address 200 S. Third St.
Las Vegas, Nevada 89155
Client(s) The 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 guilt plea	<input type="checkbox"/> Post-conviction relief (NRS ch. 177)
<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"/> Post-conviction habeas (NRS ch. 34)
<input type="checkbox"/> Motion for new trial	<input type="checkbox"/> grant <input type="checkbox"/> denial
<input type="checkbox"/> grant <input type="checkbox"/> denial	<input type="checkbox"/> Other disposition (specify) _____
<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:**

<input type="checkbox"/> death sentence	<input type="checkbox"/> juvenile offender
<input checked="" type="checkbox"/> life sentence	<input type="checkbox"/> 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 XX

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)N/A

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

12. **Nature of action:** Briefly describe the nature of the action and the result below: Appellate counsel did not serve as trial counsel; has not completed a thorough review of the lower court proceedings; and is therefore unable to concisely state the nature of the action at the present time. Appellate counsel did not serve as trial counsel; has not completed a thorough review of the lower court proceedings; and is therefore unable to concisely state the nature of the action at the present time.

13. **Issues on appeal.** State specifically all issue(s) in this appeal: Appellate counsel did not serve as trial counsel; has not completed a thorough review of the lower court proceedings; and is therefore unable to concisely state the principal issues on appeal at the present time.

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 with NRAP 44 and NRS 30.130?

N/A _____ Yes _____ No _____ Unknown at this time.
If not, explain.

15. **Assignment to the Court of Appeals or retention in the Supreme Court.** Briefly set forth whether the matter is presumptively retained by the Supreme Court or assigned to the Court of Appeals under NRAP 17 and cite the subparagraph(s) of the Rule under which the matter falls. If appellant believes that the Supreme Court should retain the case despite its presumptive assignment to the Court of Appeals, identify the specific issue(s) or circumstance(s) that warrant retaining the case, and include an explanation of their importance or significance: Subsection (b) of Rule 17 provides that certain cases shall "presumptively" be heard and decided by the court of appeals. NOT INCLUDED in the cases to be "presumptively" assigned to the court of appeals are appeals of convictions for judgments resulting from jury trials where the defendant was convicted of a Category A or Category B felony. The Nevada Revised Statutes define the categories that apply to all felonies. NRS 193.130. All criminal convictions where the death penalty or a life sentence is imposed are Category A felonies. In this case, the Judgment of Conviction, filed June 23, 2016, convicted Gregory Williams of six Category A felonies; he received six life sentences for convictions for Lewdness With a child Under the Age of 14 and Sexual Assault With a Minor Under Fourteen Years of Age. These convictions occurred due to a jury verdict. Because NO PROVISION of the Nevada Rules of Appellate Procedure hint that a Category A felony resulting from a jury trial should be assigned to the Court of Appeals, and the provision "presumptively" assigning certain cases to the court of appeals expressly excludes cases involving Category A felonies resulting from jury trials, the Appellant respectfully suggests that the Supreme Court should retain this case for resolution.

16. **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 XX
Public interest: Yes _____ No XX

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

4 days.

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

Yes XX No _____

TIMELINESS OF NOTICE OF APPEAL

19. Date district court announced decision, sentence or order appealed from 06/13/16

20. Date of entry of written judgment or order appealed from 06/23/16

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

21. 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 N/A

22. (a) Was service by delivery or by mail _____ (specify).
If the time for filing the notice of appeal was tolled by a post-judgment motion:

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

23. (b) Date of entry of written order resolving motion _____
Date notice of appeal filed 07/15/16

24. Specify statute or rule governing the time limit for filing the notice of appeal, e.g., NRS 34.710, NRS 34.815, NRS 177.015(2), or other N/A

SUBSTANTIVE APPEALABILITY

25. Specify statute, rule or other authority which grants this court jurisdiction to review the judgment or order appealed from:

NRS 177.015(1)(b)	_____	NRS 34.710(3)	_____
NRS 177.015(2)	_____	NRS 34.710(4)	_____
NRS 177.055	_____	NRS 34.815	_____
NRS 177.385	_____	NRS 177.015(3)	_____

VERIFICATION

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

Greg Williams	_____	Audrey M Conway	_____
Name of appellant		Name of counsel or record	

August 4, 2016

/s/ Audrey M. Conway
Signature of counsel of record

CERTIFICATE OF SERVICE

I certify that on the 4th day of August, 2016, I served a copy of this completed docketing statement upon all counsel of record:

- ☐ by personally serving it upon him/her District Attorney Appellate; or
☒ by mailing it by first class mail with sufficient postage prepaid to the following address(es):

STEVEN B. WOLFSON
Clark County District Attorney
Attn: Appellate Division
200 Lewis Avenue, 3rd Floor
Las Vegas, NV 89155

Dated this 4th day of August, 2016.

/s/ Erica Peplowski
Signature