

FILED

FEB 13 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY J. Hendrix
DEPUTY CLERK

IN THE EIGHT JUDICIAL

State of Nevada
Plaintiff

DISTRICT COURT OF THE STATE

OF NEVADA IN AND FOR

✓ Defendant
Arnold Anderson

THE COUNTY OF CLARK

Case# C-16-319021-1

Dept# X61

NOTICE TO EXPEDITE AWRIT

Rule (4)(F) Fast TRACK STATEMENT Rule 3(E)

The plaintiff ask this court to expedite a hearing
a trial date is set for June 20, 2017.

all checks 2-5-17

RECEIVED

FEB 08 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
DEPUTY CLERK

17-05024

DEPARTMENT 12
CASE SUMMARY
CASE NO. C-16-319021-1

State of Nevada
vs
Arnold Anderson

§	Location:	Department 12
§	Judicial Officer:	Leavitt, Michelle
§	Filed on:	10/26/2016
§	Cross-Reference Case	C319021
§	Number:	
§	Defendant's Scope ID #:	1202768
§	ITAG Booking Number:	1600110755
§	ITAG Case ID:	1814025
§	Lower Court Case # Root:	16F14731
§	Lower Court Case Number:	16F14731X
§	Metro Event Number:	1608233561

CASE INFORMATION

Offense	Deg	Date	Case Type:	Felony/Gross Misdemeanor
Jurisdiction: District Court				
1. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON PCN: 0025643586 ACN: 1608233561 Arrest: 09/05/2016 MET - Metro	F	08/23/2016	Case Flags:	Bail Set \$1,000,000/\$1,000,000 total bail
2. ROBBERY WITH USE OF A DEADLY WEAPON	F	08/23/2016		Custody Status - In Custody
3. BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM	F	08/23/2016		Charge Description Updated JC Custody Status at Time of B/O OCT 31 2016 10:00AM: IN CUSTODY

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number	C-16-319021-1
Court	Department 12
Date Assigned	10/26/2016
Judicial Officer	Leavitt, Michelle

PARTY INFORMATION

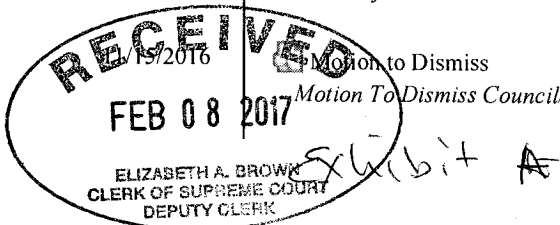
Defendant	Anderson, Arnold K	<i>Lead Attorneys</i> Frizzell III, Kenneth G. <i>Retained</i> 702-366-1230(W)
Plaintiff	State of Nevada	Wolfson, Steven B 702-671-2700(W)

DATE

EVENTS & ORDERS OF THE COURT

INDEX

10/26/2016	Criminal Bindover Packet Las Vegas Justice Court
10/27/2016	Information Information
10/31/2016	Initial Arraignment (10:00 AM) (Judicial Officer: Henry, Jennifer)
11/15/2016	Notice of Motion Notice of Motion



DEPARTMENT 12
CASE SUMMARY
CASE NO. C-16-319021-1

11/16/2016	 Motion <i>Motion to Reduce Bail</i>
→ 11/19/2016	 Reporters Transcript <i>Reporter's Transcript of Proceedings Preliminary Hearing October 26, 2016</i>
11/28/2016	 Motion to Vacate <i>Motion to Vacate - Motion (12-6-16) To Dismiss Attorney Of Record And Represent Myself</i>
12/01/2016	 Motion to Reduce (8:30 AM) (Judicial Officer: Leavitt, Michelle) <i>Defendant's Motion to Reduce Bail</i>
12/06/2016	 Motion (8:30 AM) (Judicial Officer: Leavitt, Michelle) <i>Defendant's Motion to Dismiss Counsel/Represent Myself</i>
12/06/2016	 Notice of Witnesses and/or Expert Witnesses <i>State's Notice of Witnesses and/or Expert Witnesses</i>
12/13/2016	Calendar Call (8:30 AM) (Judicial Officer: Leavitt, Michelle)
12/20/2016	CANCELED Motion (8:30 AM) (Judicial Officer: Leavitt, Michelle) <i>Vacated - per Judge</i> <i>Defendant's Pro Per Motion to Vacate - Motion (12-6-16) To Dismiss Attorney Of Record And Represent Myself</i>
12/20/2016	Jury Trial (1:30 PM) (Judicial Officer: Leavitt, Michelle)

IN THE EIGHT JUDICIAL
DISTRICT COURT OF THE STATE
OF NEVADA IN AND FOR THE
COUNTY OF CLARK

STATE of Nevada
Plaintiff
V
Defendant
ARNOLD ANDERSON

CASE #

Dept #

DEFENDANT ARNOLD ANDERSON'S PETITION OF WRIT OF HABEAS CORPUS
COMES NOW, the defendant ARNOLD ANDERSON IN PRO-SE
hereby files this petition for writ of habeas corpus. This
petition is based on all the papers and pleadings
herein on file.

Petition For Writ OF Habeas Corpus.

The petition of ARNOLD ANDERSON submitted by ARNOLD ANDERSON
respectfully shows.

1. Petitioner is held unlawfully and is filing writ based on NRS 343.60
2. The petitioner is restrained of his liberty via custodial
detention within the clark county detention center in Las Vegas Nevada.
3. That the restraint of said petitioner is UNLAWFUL in that he
has been held to answer bogus charges based on NO evidence to
support each charge.
4. Petitioner commenced this action on his own proper person
5. That this is the first petition for writ of habeas corpus
filed on behalf of petitioner in this particular issue.
6. Petitioner's trial date has been manipulated by Kenneth Frizzell
understands. if petition is not decided

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DEPUTY CLERK

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3
4 by the trial date he will have to extend his trial date.
5 This petition is based on grounds with points
6 and authorities attached hereto with grounds for
7 relief.

8 7. The Nevada supreme court has competent jurisdiction
9 to decide this petition.

10 Declaration OF Petitioner ARNOLD Anderson

11 1. The petitioner is held against his will UNLAWFULLY. No arrest
12 warrant shown and illegally seized ON September 5, 2016.

13 2. Petitioner decided not to send this writ to Regional Justice
14 Center in fear that it would be sabotaged and thrown away.

15 3. These Facts are true

16 4. That I am the petitioner ARNOLD Anderson

17 5. The petition is true and correct

18 6. Petitioner ARNOLD Anderson is authorized as a defendant
19 pursuant to NRS. 34.360 to test the legality of his arrest
20 it is UNLAWFUL. IN Proper Person

21 7. I declare under penalty of perjury pursuant to
22 the Nevada statute that the foregoing is true and correct
23 to the best of my knowledge.

24 Dated February 6, 2017

25 Arnold Anderson
26
27
28

procedural Background

ARNOLD ANDERSON is IN custody for charges of Attempt murder NRS. 200.010 NRS. 200.030 LYING IN Wait torture poison Victim allege he received a phone call and alleged he was shot in stomach with out any medical evidence. The allegations do not meet criteria for Nevada statute, Poison torture, Robbery with the use of a deadly weapon NRS. 200.380 to take by force or fear with firearm - victim testified at preliminary hearing ON October 26, 2016 that he allegedly gave someone 10 dollars for gas voluntarily with out any mention of a fire arm. This do not equal robbery with a gun. No force or fear or weapon. Battery with use of a deadly weapon causing bodily harm NRS. 200.481 Victim testified at preliminary hearing ON October 26, 2016 he was allegedly shot in stomach and provided NO medical record to support that claim.

ARNOLD ANDERSON is charged with crimes that do not meet the criteria of the Nevada revised statute, and to appear for a trial with out any evidence to support each element of each charge petitioner will Not receive a fair trial, how can one be improperly charged, and go to trial with charges that do not meet the elements of the Nevada statute? Petitioner ask this court to grant this writ and dismiss all charges. The NEVADA SUPREME COURT has the absolute power to do so.

STATEment of Facts

The crime allegedly took place August 23, 2016
ARNOLD Anderson was not arrested until
September 5, 2016 when an officer stopped my
vehicle absent probable cause and held
me hostage for 3 1/2 hours outside my vehicle
asking me to wait for some detective who
questioned me about a shooting. Then officer
did not allow me to leave. Officers seized
me without an arrest warrant seized
my vehicle absent probable cause to seize or
search. Officer searched car then got warrant. This arrest is unlawful
which offends the fourth amendment USC.

Points And Authorities

IN order to make an arrest officer must know
a crime was committed No crime was committed
September 5, 2016 Officer Kalenzuela Kidnaped Arnold
Anderson without an arrest warrant illegally
seized me and searched vehicle 4th amendment USC
unlawful car stop. No arrest warrant NRS. 34.610
Officer did not provide warrant ON September 5, 2016
unlawful detention NRS. 171.123 officers violated
the (60 minute rule) stop took 3 1/2 hours. De facto arrest
violation of petitioners due process rights
14th amendment United States Constitution. This
arrest is unlawful and illegal. Petitioner is entitled to release.

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2
3
4 ^{NO} hearing to indicate ANY injuries as far as the
5 record can reflect this alleged victim can
6 possibly have made up this whole story.
7 Ex parte Oxley 38 Nev 379, 149 P. 992 that case
8 involved one witness testifying no one could
9 validate or corroborate his story motive or
10 intentions.

11 UNLAWFUL CAR STOP

12
13 On September 5, 2016 at 1:20 am officer hafen # 15073 & Duke # 13934
14 quoted in the police report observed camaro stopped it placed
15 ~~Arnold~~ Anderson in cuffs absent ANY traffic violations
16 and no mention of Probable cause, or any unusual behavior
17 of passenger absent criminal activity, (there was none.)
18 No probable cause to stop Arnold Anderson's vehicle. The
19 driver was ordered out the car flashing lights helicopter,
20 in air and multiple police cars. This stop violates the
21 4th amendment investigative car stop. These officers abused
22 their discretion State v Rincon 122 Nev 1170 also see
23 Bayard v State 119 Nev 241 officers had no
24 probable cause to stop vehicle State v Beckman
25 305 P.3d 912. That case was dismissed police can't
26 stop motorist on a hunch or whim absent
27 probable cause. also the Nevada constitution article
28 I § 18 illegal search and seizure we are protected by the USC.

1
2
3
4 71 P3d.498 Under the Nevada constitution
5 individuals have a right to be free from
6 unlawful car stops.
7

8 Illegal Search

9

10 On September 5, 2016 officer Valenzuela & Hatten
11 Duke searched my car then asked for a search
12 warrant and seized my vehicle without probable
13 cause. Arnold Anderson was placed in cuffs
14 no crime was committed. Officers had
15 no knowledge of any contents to be
16 seized in my vehicle Ventresca v US 380
17 US 102 13 Led 2d 684 Frederks v Delaware 438 US 154 57 led 667
18

19 This behavior violates the right to be secure
20 in my own vehicle Gates v US sct 1983
21

22 Gates v Illinois US sct 1983 is a right
23 to privacy how do a citizen have a right
24 to privacy if officers at random
25 illegally seize you or search your property
26 without probable cause to do so?
27
28

UNLAWFUL DETENTION

ONCE the vehicle was stopped on September 5, 2016 at 1:20 a.m. 5:00 AM
Arnold Anderson was cuffed placed in a police car + his
violates due process the time exceeded 3 hours violates
NRS. 171.123 (4) this exceeded the 60 minute detention
Officer notes arrest at or about 2:50 am officer
Notes 4:57 Arnold Anderson is questioned after he
was told to wait for some officer to speak to him
this exceeds the time of traffic stop see
Beckman v State 305 P3d 912 officers stopped his
vehicle then made him wait absent probable cause
see officers report exhibit NA

ILLEGALLY SEIZED

ON September 5, 2016 Arnold Anderson was illegally
seized placed in handcuffs held hostage in
police car without a warrant to be seized
per NRS 34-610 per NRS 171.108 or under the
4th Amendment of the United States Constitution
NO arrest warrant exhibit A case summary
Under the 4th amendment a officer must know
or have knowledge a crime is being committed
NO crime was committed September 5, 2016 officers
cant go beyond scope of car stop Bayard v state 119 Nev 241

UNLAWFUL ARREST

ON September 5, 2016 when ARNOLD ANDERSON'S vehicle was stopped Officer Valenzuela said I'm being arrested for a alleged crime that took place August 23, 2016 without an arrest warrant of ANY suspect see case summary A NO warrant for arrest per NRS. 171.108 or NRS. 34.610 which is an order in writing by a magistrate in the name of the state of Nevada (US V. KENSLEY US GCT 1983)

Officers can not arrest someone after an alleged crime is committed without the issuance of a arrest warrant issued by a magistrate NRS. 34.610 if done this violates the CONSTITUTIONAL rights of the individuals due process and this ILLEGALLY UNLAWFUL arrest that violates statutory rights and federally protected rights guaranteed by the UNITED STATES CONSTITUTION, and the Nevada CONSTITUTION. which is a matter of law,

CONCLUSION

Arnold Anderson asserts he is a victim of a miscarriage of justice and being held hostage of an unlawful arrest. NO arrest warrant was issued for ANY suspect which make this arrest void, and illegal to seize some one which violates the 4th amendment right of illegal search and seizure violation of due process, NO warrant issued for a suspect. unlawful detention officers held ARNOLD Anderson in police car for over 3 1/2 hours with out probable cause to get a search warrant the car stop exceeded 60 minutes violates NRS 171.123(4) the car stop was unlawful, the arrest is unlawful the search unlawful. ARNOLD Anderson ask this court to dismiss charges and release him from custody.

NRS. 34.610 No arrest warrant issued
unlawful detention NRS. 171.123 (4)
unlawful arrest 4th amendment.
illegal search and seizure

ON October 26, 2016 a person was charged for these same crimes ARNOLD & Jae Anderson date of birth August 3, 1999 a juvenile as a suspect this is double Jeopardy.

Certificate of Mailing

ON February 6, 2017 I ARNOLD ANDERSON mailed
a copy of writ to the following address.

District Attorney
200 Lawrence
Las Vegas NV
89101

Dated February 6, 2017
Arnold Anderson

proper person