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2 **IN THE SUPREME COURT OF THE STATE OF NEVADA**
3

4 THE STATE OF NEVADA)

5)
6 Plaintiff,)

7 vs.)

8 CHRISTOPHER KELLER,)

9 Defendant.)
10)

Case No. 73871

District Court Case No. 16-312717

Electronically Filed
Oct 03 2017 02:21 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

DOCKETING STATEMENT
CRIMINAL APPEALS

11 **GENERAL INFORMATION**
12

13 Appellants must complete this docketing statement in compliance with
14 NRAP 14(a). The purpose of the docketing statement is to assist the Supreme
15 Court in screening jurisdiction, identifying issues on appeal, assessing
16 presumptive assignment to the Court of Appeals under NRAP 17, scheduling
17 cases for oral argument, classifying cases for expedited treatment and
18 assignment to the Court of Appeals, and compiling statistical information.
19
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22 **WARNING**

23 This statement must be completed fully, accurately and on time. NRAP
24 14(c). The Supreme Court may impose sanctions on counsel or appellant if it
25 appears that the information provided is incomplete or inaccurate. Id. Failure to
26 fill out the statement completely or to file it in a timely manner constitutes
27 grounds for the imposition of sanctions.
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2 1. Judicial District Clark County

3
4 Judge The Honorable District Court Judge William "Bill" Kephart, Department
5 XIX.

6 2. If the defendant was given a sentence,

7
8 (a) what is the sentence

9 Count one: trafficking in a controlled substance: Life with parole after 10 years

10
11 Count two: trafficking in a controlled substance: Life with parole after 10 years,
12 concurrent to Count one.

13 Count three: Possession of a controlled substance, marijuana: 12 – 48 months,
14
15 concurrent to Counts 1 and 2

16 Count four: Possession of a controlled substance with intent to sell: 12-48
17
18 months, concurrent with Count 3.

19 Count five: Possession with a controlled substance with intent to sell: 12-48
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21 months, concurrent with Count 4.

22 Count six: Possession of a controlled substance with intent to sell, 12 – 48
23
24 months, concurrent with Count 5.

25 Count seven: Possession of a controlled substance with intent to sell, 12 – 48
26
27 months, concurrent with Count 6.

28 Count eight: Possession of a firearm by a prohibited person, sentenced under
the large habitual criminal statute to ten to life, consecutive to Counts 1 and 2;

Count nine: Possession of a firearm by a prohibited person, sentenced under the large habitual criminal statute to ten to life, concurrent with Count eight.

Aggregate sentence is life with parole eligibility after 20 years.

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

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

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

4. Attorney filling this docketing statement:

Attorney: Kenneth G. Frizzell, III, Telephone: (702) 366-1230

Firm: The Law Offices of Kenneth G. Frizzell, III

Address:

619 South Sixth Street
Las Vegas, Nevada 89101

Client: Christopher Keller

5. Is appellate counsel appointed or retained? Appointed.

6. Attorneys representing respondents:

Attorney: Steven B. Wolfson Telephone: 702-671-2700

Firm: Clark County District Attorney

Address:

200 Lewis Ave.
Las Vegas, NV 89101

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2 Clients: The State of Nevada

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4 7. Nature of disposition below:

5 Judgment after jury verdict

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

8 N/A

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

11
12 10. Pending and prior proceedings in this court. List the case name and docket
13 number of all appeals or original proceedings presently or previously pending
14 before this court which are related to this appeal (e.g. separate appeals by co-
15 defendants, appeal after post-conviction proceedings):

16 None.

17
18
19 11. Pending and prior proceedings in other courts. List the case name, number
20 and court of all pending and prior proceedings in other courts that are related to
21 this appeal (e.g. habeas corpus proceedings in state or federal court, bifurcated
22 proceedings against co-defendants):

23 None.

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

26 Defendant was convicted of trafficking drugs and possession of a firearm by a
27 prohibited person following a jury trial.
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2 13. Issues on appeal:

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4 a. Did the District Court err in not suppressing certain evidence taken after a
5 questionable vehicle stop; the probable cause of which was "avoiding" a police
6 officer.
7

8 14. Constitutional Issues: If the State is not a party and if this appeal challenges
9 the constitutionality of a statute or municipal ordinance, have you notified the
10 clerk of this court and the attorney general in accordance with NRAP 44 and
11 NRS 30.130?
12

13 N/A
14

15 15. Assignment to the Court of Appeals or retention in the Supreme Court.
16 Briefly set forth whether the matter is presumptively retained by the Supreme
17 Court or assigned to the Court of Appeals under NRAP 17, and cite the
18 subparagraph(s) of the Rule under which the matter falls. If appellant believes
19 that the Supreme Court should retain the case despite its presumptive
20 assignment to the Court of Appeals, identify the specific issue(s) or
21 circumstance(s) that warrant retaining the case, and include an explanation of
22 their importance or significance:
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25 Appellant has no objection to this matter being assigned to the Court of
26 Appeals.
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2 16. Issues of first impression or of public interest. Does this appeal present a
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4 substantial legal issue of first impression in this jurisdiction or one affecting an
5 important public interest?

6 First impression? No.

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8 Public interest? No.

9 17. Length of trial: If this action proceeded to trial or evidentiary hearing in the
10 district court, how many did the trial or evidentiary hearing last?

11
12 Five (5) day jury trial

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

15
16 No.

17 19. Date district court announced decision, sentence or order appealed from:
18 8/10/2017.

19
20 20. Date of entry of written judgment or order appealed from: 8/10/2017

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

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26 a) was service by delivery or by mail?

27 NA

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2
3 22. If the time for filing the notice of appeal was tolled by a post judgment
4 motion,

5 (a) Specify the type of motion, and the date of filing of the motion: NA
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7 23. Date notice of appeal filed: 08/25/2017.

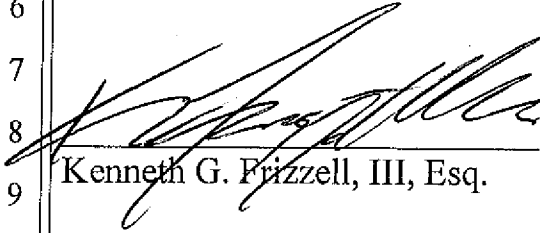
8 24. Specify statute or rule governing the time limit for tiling the notice of
9 appeal, e.g. NRAP 4(b), NRS 34.560, NRS 34.575, NRS 177.015(2) or other
10 NRAP 4(b)(1).
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12 25. Specify statute, rule or other authority that grants this court jurisdiction to
13 review from:

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15 NRS 177.015(3)
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3 **VERIFICATION**

4 I certify that the information provided in this docketing statement is true
5 and complete to the best of my knowledge, information and belief.
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7
8 
9 Kenneth G. Frizzell, III, Esq.

9-28-17
Date

10
11 **CERTIFICATE OF SERVICE**

12 I certify that on the 28th day of September, 2017 I served a copy of this
13 completed docketing statement upon all Counsel of Record by U.S. Mail:
14

15 Clark County District Attorney
16 200 Lewis Ave.
17 Las Vegas, NV 89155
18 Fax: 702-382-5815

19 
An employee of Kenneth G. Frizzell, III, Esq.