

Barron Hamm 1052272

In proper person

P.O. Box 650 HD.Spr.

Indian Springs, Nevada 89018

FILED

SEP 08 2017

~~Elizabeth A. Brown~~
Clerk of Court

Electronically Filed
Sep 29 2017 10:09 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

Eighth District

Clark County Nevada

State of Nevada

Case No. 256384

Plaintiff

DEPT No. 1

v.

Barron Hamm 1052272

Defendant

Notice of appeal

Notice is hereby given that the Defendant, Barron Hamm,

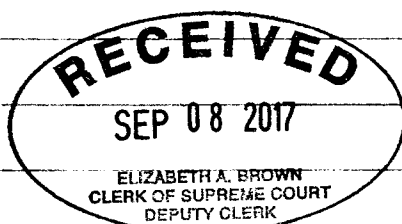
By and through himself in proper person does now appeal
to the Supreme court of the state of Nevada, the decision of
the District court. Denying his petition for writ of habeas
corpus.

Date this date august 29, 2017

Respectfully submitted

Barron Hamm # 1052272

In proper person



RECEIVED
APPEALS

SEP 25 2017

CLERK OF THE COURT

09C256384
NOASC
Notice of Appeal (criminal)
4685440



4000
350
3650

Certificate of service By mailing

I Barron Hamm, here certify, Pursuant to NRC P 5(b) that on this 29,
day of August, 2017 I mailed a true and correct copy of the foregoing
Notice of appeal petition for writ of Habeas corpus.

By depositing it in the High Desert state prison Legal Library, First-class
Postage Fully Prepaid addressed as follows

Clerks of the ~~State~~ Courts

200 Lewis Ave.

Las Vegas Nevada 89155

District attorney

200 Lewis Ave 3rd Floor

Las Vegas Nevada 89155

Dated this 29, day of August ~~2017~~ 2017

Barron Hamm [#] 270 7761

Barron Hamm [#] 105 2277

In proper person

Post Office box 650 (HDSP)

Indian Springs Nevada 89015

Barton Hamm 1052277
PO Box 650 (H.D.S.P.)
Indian Springs Nevada 89070

Hasler
09/05/2017
FIRST CLASS MAIL
PSRT
US POSTAGE \$000.45



ZIP 89101
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Supreme Court of Nevada
Office of the
201.5 Carson Street
201 Suite 201

8970154780 0003
Barton Hamm 1052277

HIGH DESERT STATE

AUG 31 2017

UNIT 6A/B

1 ASTA

2
3
4
5
6 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**
7 **STATE OF NEVADA IN AND FOR**
8 **THE COUNTY OF CLARK**

9 STATE OF NEVADA,

10 Plaintiff(s),

11 vs.

12 BARRON HAMM,

13 Defendant(s),

Case No: 09C256384

Dept No: I

14
15
16 **CASE APPEAL STATEMENT**

17
18 1. Appellant(s): Barron Hamm

19 2. Judge: Kenneth Cory

20 3. Appellant(s): Barron Hamm

21 Counsel:

22 Barron Hamm #1052277
23 P.O. Box 1989
24 Ely, NV 89301

25 4. Respondent: The State of Nevada

26 Counsel:

27 Steven B. Wolfson, District Attorney
28 200 Lewis Ave.
Las Vegas, NV 89101

(702) 671-2700

5. Appellant(s)'s Attorney Licensed in Nevada: N/A
Permission Granted: N/A

Respondent(s)'s Attorney Licensed in Nevada: Yes
Permission Granted: N/A

6. Appellant Represented by Appointed Counsel In District Court: Yes

7. Appellant Represented by Appointed Counsel On Appeal: N/A

8. Appellant Granted Leave to Proceed in Forma Pauperis: N/A

9. Date Commenced in District Court: July 22, 2009

10. Brief Description of the Nature of the Action: Criminal

Type of Judgment or Order Being Appealed: Writ of Habeas Corpus

11. Previous Appeal: Yes

Supreme Court Docket Number(s): 56559, 62688, 63467, 68661

12. Child Custody or Visitation: N/A

Dated This 26 day of September 2017.

Steven D. Grierson, Clerk of the Court

/s/ Amanda Hampton

Amanda Hampton, Deputy Clerk
200 Lewis Ave
PO Box 551601
Las Vegas, Nevada 89155-1601
(702) 671-0512

cc: Barron Hamm

DEPARTMENT 1
CASE SUMMARY
CASE No. 09C256384

The State of Nevada vs Barron Hamm

§	Location:	Department 1
§	Judicial Officer:	Cory, Kenneth
§	Filed on:	07/22/2009
§	Case Number History:	
§	Cross-Reference Case	C256384
§	Number:	
§	ITAG Booking Number:	900025456
§	ITAG Case ID:	1047597
§	Lower Court Case # Root:	09F09275
§	Lower Court Case Number:	09F09275X
§	Supreme Court No.:	56559
§		62688
§		68661

CASE INFORMATION

Offense	Deg	Date	Case Type:	Felony/Gross Misdemeanor
1. SECOND DEGREE MURDER WITH USE OF A DEADLY WEAPON	F	01/01/1900	Case Flags:	Appealed to Supreme Court
Filed As: BURGLARY.	F	7/22/2009		Custody Status - Nevada
2. ASSAULT WITH A DEADLY WEAPON (5024)	F	01/01/1900		Department of Corrections
3. MURDER.	F	01/01/1900		
3. DEGREES OF MURDER	F	01/01/1900		
3. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.	F	01/01/1900		
4. A PERSON SHALL NOT CARRY CONCEALED UPON HIS PERSON ANY PISTOL, REVOLVER,	F	01/01/1900		

Statistical Closures

02/12/2013 Other Manner of Disposition - Criminal
07/11/2012 Jury Trial - Conviction - Criminal

Warrants

Bench Warrant - Hamm, Barron (Judicial Officer: Bell, Linda Marie)
07/24/2009 Quashed
07/22/2009 Issued
Fine: \$0
Bond: \$0

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number	09C256384
Court	Department 1
Date Assigned	01/02/2017
Judicial Officer	Cory, Kenneth

PARTY INFORMATION

Lead Attorneys

Defendant Hamm, Barron

Pro Se

Plaintiff State of Nevada

Wolfson, Steven B
702-671-2700(W)















DATE

EVENTS & ORDERS OF THE COURT








INDEX

07/22/2009	Grand Jury Indictment (11:30 AM) GRAND JURY INDICTMENT Relief Clerk: Shelly Landwehr/sl Reporter/Recorder: Cheryl Carpenter Heard By: Linda Bell
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DEPARTMENT 1
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CASE No. 09C256384

07/22/2009	 Indictment
07/22/2009	 Warrant <i>Indictment Warrant</i>
07/23/2009	 Indictment Warrant Return
07/27/2009	Bench Warrant Return (9:00 AM) Events: 07/23/2009 Indictment Warrant Return <i>BENCH WARRANT RETURN Court Clerk: Linda Skinner Reporter/Recorder: Cheryl Gardner Heard By: Donald Mosley</i>
07/27/2009	 Media Request and Order <i>Media Request and Order for Camera Access to Court Proceedings</i>
07/27/2009	 Notification of Media Request
07/29/2009	CANCELED Initial Arraignment (9:00 AM) <i>Vacated</i>
08/03/2009	 Reporters Transcript <i>Transcript of Hearing Held on July 14, 2009</i>
08/03/2009	 Reporters Transcript <i>Transcript of Hearing Held on July 21, 2009</i>
08/06/2009	 Receipt for Grand Jury Transcript <i>Receipt for Grand Jury Transcript(s)</i>
08/24/2009	 Petition for Writ of Habeas Corpus
08/31/2009	 Return to Writ of Habeas Corpus
08/31/2009	 Order
09/01/2009	 Writ of Habeas Corpus
09/08/2009	Petition for Writ of Habeas Corpus (9:00 AM) Events: 08/24/2009 Petition for Writ of Habeas Corpus <i>PTN FOR WRIT OF HABEAS CORPUS Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley</i>
09/08/2009	 Motion to Dismiss Counsel <i>"Motion to Dismiss Counsel"</i>
09/14/2009	 Order Denying <i>Order Denying Defendant's Petition for Writ of Habeas Corpus</i>
09/21/2009	Motion to Dismiss (9:00 AM) Events: 09/08/2009 Motion to Dismiss Counsel <i>DEFT'S PRO PER MTN TO DISMISS COUNSEL/09 Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Linda Bell</i>









DEPARTMENT 1
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CASE No. 09C256384

11/03/2009	 Notice of Expert Witnesses <i>Notice of Expert Witnesses [NRS 174.234(2)]</i>
12/11/2009	 Motion to Dismiss Counsel <i>Motion to Dismiss Counsel and Appointment of Alternative Counsel</i>
01/06/2010	Motion to Dismiss (9:00 AM) Events: 12/11/2009 Motion to Dismiss Counsel <i>DEFT' PRO PER MTN TO DISMISS COUNSEL ANDAPPOINTMENT OF ALTERNATIVE COUNSEL/10 Relief Clerk: Carol Donahoo Reporter/Recorder: Renee Vincent Heard By: Bell, Linda</i>
01/13/2010	Status Check (9:00 AM) <i>STATUS CHECK: DISCOVERY</i>
01/13/2010	Motion to Dismiss (9:00 AM) <i>DEFT' PRO PER MTN TO DISMISS COUNSEL ANDAPPOINTMENT OF ALTERNATIVE COUNSEL/10</i>
01/13/2010	All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS (1/13/10) Relief Clerk: Susan Jovanovich /sj Reporter/Recorder: Cheryl Carpenter Heard By: Linda Bell</i>
02/09/2010	 Notice of Expert Witnesses <i>Notice of Expert Witnesses [NRS 174.234(2)]</i>
03/08/2010	 Notice of Witnesses <i>Notice of Witnesses [NRS 174.234(1)(a)]</i>
03/09/2010	Calendar Call (9:00 AM) <i>CALENDAR CALL Heard By: Linda Bell</i>
03/10/2010	Calendar Call (9:00 AM) <i>CALENDAR CALL Court Clerk: Tina Hurd Reporter/Recorder: Cheryl Carpenter Heard By: Linda Bell</i>
03/10/2010	 Notice of Witnesses <i>Supplemental Notice of Witnesses [NRS 174.234(1)(a)]</i>
03/12/2010	Status Check (8:45 AM) <i>STATUS CHECK: TRIAL READINESS Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Linda Bell</i>
03/12/2010	 Guilty Plea Agreement
03/12/2010	 Amended Indictment
03/12/2010	Disposition (Judicial Officer: Bell, Linda Marie) 3. MURDER. Charges Amended/Dropped PCN: Sequence: 3. DEGREES OF MURDER Charges Amended/Dropped PCN: Sequence: 3. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.















DEPARTMENT 1
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	<div>Charges Amended/Dropped PCN: Sequence:</div> <div>4. A PERSON SHALL NOT CARRY CONCEALED UPON HIS PERSON ANY PISTOL, REVOLVER, Charges Amended/Dropped PCN: Sequence:</div>
03/12/2010	<div>Plea (Judicial Officer: Bell, Linda Marie) 1. MURDER IN THE SECOND DEGREE WDW Guilty PCN: Sequence: 2. ASSAULT WITH A DEADLY WEAPON (5024) Guilty PCN: Sequence: 3. MURDER. Charges Amended/Dropped PCN: Sequence: 3. DEGREES OF MURDER Charges Amended/Dropped PCN: Sequence: 3. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Charges Amended/Dropped PCN: Sequence: 4. A PERSON SHALL NOT CARRY CONCEALED UPON HIS PERSON ANY PISTOL, REVOLVER, Charges Amended/Dropped PCN: Sequence:</div>
03/15/2010	<div>CANCELED Jury Trial (9:00 AM) <i>Vacated</i></div>
03/15/2010	<div>CANCELED Jury Trial (9:30 AM) <i>Vacated</i></div>
03/23/2010	<div> Media Request and Order <i>Media Request and Order for Camera Access to Court Proceedings</i></div>
03/23/2010	<div> Notification of Media Request</div>
05/07/2010	<div> PSI <i>Pre-Sentence Investigation Report (Unfiled) Confidential</i></div>
05/13/2010	<div>Disposition (Judicial Officer: Bell, Linda Marie) 1. SECOND DEGREE MURDER WITH USE OF A DEADLY WEAPON Guilty PCN: Sequence: 2. ASSAULT WITH A DEADLY WEAPON (5024) Guilty PCN: Sequence:</div>

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05/13/2010	Sentence (Judicial Officer: Bell, Linda Marie) 1. SECOND DEGREE MURDER WITH USE OF A DEADLY WEAPON Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Life with the possibility of parole after: 10 Years Consecutive Enhancement: Use of deadly weapon, Minimum: 96 Months, Maximum: 240 Months
05/13/2010	Sentence (Judicial Officer: Bell, Linda Marie) 2. ASSAULT WITH A DEADLY WEAPON (5024) Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Minimum: 24 Months, Maximum: 72 Months Consecutive: Charge 1 Credit for Time Served: 375 Days Other Fees 1. , \$36,796.27 - To the Fleming Family 2. , \$6,000.00 - to Victims of Violent Crimes Comment: \$25.ADM, \$150.DNAF
05/14/2010	Sentencing (8:45 AM) <i>SENTENCING Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Linda Bell</i>
05/20/2010	 Judgment of Conviction <i>Judgment of Conviction (Plea of Guilty)</i>
07/21/2010	 Motion to Withdraw As Counsel Filed By: Defendant Hamm, Barron <i>Motion to Withdrawal as Attorney of Record</i>
07/26/2010	 Motion for Withdrawal Filed By: Defendant Hamm, Barron <i>Motion to Withdraw Counsel</i>
08/04/2010	 Motion to Withdraw as Counsel (8:45 AM) (Judicial Officer: Bell, Linda Marie) <i>Def't's Motion to Withdraw Attorney of Record</i>
08/05/2010	 Notice of Appeal (criminal) Party: Defendant Hamm, Barron <i>Notice of Appeal</i>
08/09/2010	 Case Appeal Statement Filed By: Plaintiff State of Nevada
08/11/2010	CANCELED Motion to Withdraw as Counsel (8:45 AM) (Judicial Officer: Bell, Linda Marie) <i>Vacated - Moot</i> <i>VJ 8-4-10</i>
08/12/2010	 Request Filed by: Defendant Hamm, Barron <i>Request of Status of Motions</i>
08/18/2010	 Ex Parte Motion Filed By: Defendant Hamm, Barron <i>"Ex Parte Motion for Appointment of Counsel and Request for Evidentiary Hearing"</i>













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CASE SUMMARY
CASE No. 09C256384

08/27/2010	 Opposition to Motion Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant's Ex Parte Motion for Appointment of Counsel and Request for Evidentiary Hearing</i>
09/01/2010	 Motion for Appointment (8:45 AM) (Judicial Officer: Bell, Linda Marie) <i>Defendant's Pro Per's Motion for Appointment of Counsel and Request for Evidentiary Hearing</i>
09/28/2010	 Decision <i>Decision and Order</i>
10/14/2010	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>Nevada Supreme Court Clerk's Certificate Judgment - Dismissed</i>
07/29/2011	 Motion for Order Filed By: Defendant Hamm, Barron <i>Motion for Order Granting Request for Sentencing Transcripts</i>
08/10/2011	 Motion for Order (8:45 AM) (Judicial Officer: Bell, Linda Marie) 08/10/2011, 09/14/2011 Events: 07/29/2011 Motion for Order <i>Def't's Pro Per Motion for an Order Granting Request for Sentencing Transcripts</i>
08/15/2011	 Opposition to Motion <i>State's Opposition to Defendant's Motion for an Order Granting Request for Sentencing Transcripts</i>
11/10/2011	 Order
02/13/2012	 Motion to Withdraw Plea Filed By: Defendant Hamm, Barron <i>Motion to Withdrawal Plea</i>
02/22/2012	 Opposition to Motion <i>State's Opposition to Defendant's Motion to Withdraw Guilty Plea</i>
02/24/2012	 Motion to Withdraw Plea (8:45 AM) (Judicial Officer: Bell, Linda Marie) Events: 02/13/2012 Motion to Withdraw Plea <i>Pro Se Motion to Withdrawal Plea</i>
05/07/2012	 Order Filed By: Plaintiff State of Nevada
07/11/2012	 Criminal Order to Statistically Close Case Filed By: Plaintiff State of Nevada
08/06/2012	Case Reassigned to Department 9 <i>Case reassigned from Judge Bell</i>
10/31/2012	 Petition for Writ of Habeas Corpus Filed by: Defendant Hamm, Barron <i>Petition for Writ of Habeas Corpus (Postconviction)</i>

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CASE NO. 09C256384

10/31/2012	 Motion for Appointment of Attorney Filed By: Defendant Hamm, Barron <i>Motion for Appointment of Counsel (Habeas Corpus)</i>
11/02/2012	 Order for Petition for Writ of Habeas Corpus
11/14/2012	 Response Filed by: Plaintiff State of Nevada <i>State's Response and Motion to Dismiss Defendant's Pro Per Petition for Writ of Habeas Corpus (Post Conviction) and Motion to Appoint Counsel</i>
11/16/2012	 Motion for Clarification Filed By: Defendant Hamm, Barron
11/26/2012	 Request Filed by: Defendant Hamm, Barron <i>Request for Motion to be Immediately Heard by Court</i>
11/27/2012	 Response Filed by: Plaintiff State of Nevada <i>State's Response to Defendant's Motion for Clarification</i>
11/30/2012	 Response Filed by: Defendant Hamm, Barron <i>Defendant's Response Why Petition for Writ of Habeas Corpus (Post Conviction) and Motion to Appoint Counsel Should Issue.</i>
11/30/2012	 Motion Filed By: Defendant Hamm, Barron <i>Motion and Order for Transportation of Inmate for Court Appearance or, in the Alternative, for Appearance by Telephone or Video Conference</i>
11/30/2012	 Response Filed by: Plaintiff State of Nevada <i>State's Response to Defendant's Pro Per Request for Motion to be Immediately Heard by Court</i>
12/10/2012	 Motion for Clarification (9:00 AM) (Judicial Officer: Togliatti, Jennifer) 12/10/2012, 01/10/2013 <i>Motion For Clarification</i>
12/11/2012	 Opposition to Motion Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant's Pro Per Motion for Transportation of Inmate for Court Appearance, or in the Alternative, for Appearance by Telephone or Video Conference</i>
12/19/2012	 Motion (9:00 AM) (Judicial Officer: Barker, David) <i>Request For Motion To Be Immediately Heard By Court</i>
12/19/2012	 Response <i>Defendant's Response and Objection to State's Opposition to Defendant's Pro Per Motion for Transportation of Inmate for Court.</i>
12/24/2012	 Motion (9:00 AM) (Judicial Officer: Togliatti, Jennifer) 12/24/2012, 01/10/2013















DEPARTMENT 1
CASE SUMMARY
CASE No. 09C256384

	<i>Motion And Order For Transportation Of Inmate For Court Appearance Or, In The Alternative, For Appearance By Telephone Or Video Conference</i>
01/10/2013	Petition for Writ of Habeas Corpus (9:00 AM) (Judicial Officer: Togliatti, Jennifer) Events: 11/02/2012 Order for Petition for Writ of Habeas Corpus
01/10/2013	 All Pending Motions (9:00 AM) (Judicial Officer: Togliatti, Jennifer)
01/17/2013	 Order Denying Motion Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Pro Per Request for Motion to be Immediately Heard by Court</i>
01/22/2013	Case Reassigned to Department 11 <i>Case reassigned from Judge Jennifer Togliatti Dept 9</i>
01/29/2013	 Order Denying Motion Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Pro Per Motion for Transportation of Inmate for Court Appearance, or in the Alternative, for Appearance by Telephone or Video Conference; Order Denying Defendant's Pro Per Motion for Clarification</i>
01/29/2013	 Findings of Fact, Conclusions of Law and Order Filed By: Plaintiff State of Nevada
02/04/2013	 Notice of Entry Filed By: Defendant Hamm, Barron <i>Notice of Entry of Findings of Fact, Conclusions of law and Order</i>
02/12/2013	 Criminal Order to Statistically Close Case
02/22/2013	 Notice of Appeal (criminal) Party: Defendant Hamm, Barron <i>Notice of Appeal</i>
02/25/2013	 Motion to Reconsider Filed By: Defendant Hamm, Barron <i>Motion for Reconsideration; and for Appointment of Counsel for "Direct Appeal"</i>
02/26/2013	 Case Appeal Statement Filed By: Defendant Hamm, Barron
03/15/2013	 Opposition to Motion Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant's Pro Per Motion for Reconsideration & Appointment of Counsel</i>
03/18/2013	 Motion to Reconsider (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Motion for Reconsideration; and for Appointment of Counsel for "Direct Appeal"</i>
04/19/2013	 Order Denying Motion Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Pro Per Motion for Reconsideration; and for Appointment of Counsel for "Direct Appeal"</i>

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10/22/2013	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>Nevada Supreme Court Clerk's Certificate Judgment - Affirmed</i>
04/10/2014	 Motion to Withdraw Plea Filed By: Defendant Hamm, Barron
04/10/2014	 Notice of Motion Filed By: Defendant Hamm, Barron
05/01/2014	 Opposition to Motion Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant's Pro Per Motion to Withdraw Plea</i>
05/05/2014	 Motion to Withdraw Plea (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Defendant's Pro Per Motion to Withdraw Plea</i>
05/16/2014	 Order Denying Motion <i>Order Denying Defendant's Pro Per Motion to Withdraw Plea</i>
10/03/2014	 Motion Filed By: Defendant Hamm, Barron <i>Motion for and Order Granting Request for Sentencing Transcripts</i>
10/08/2014	 Opposition to Motion <i>State's Opposition to Defendant's Pro Per Motion for and (SIC) Order Granting Request for Sentencing (SIC) Transcripts</i>
10/27/2014	 Motion for Order (9:00 AM) (Judicial Officer: Togliatti, Jennifer) <i>Defendant's Pro Per Motion for and Order Granting Request for Sentencing Transcripts</i>
11/04/2014	 Order Denying Motion Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Pro Per Motion for and Order Granting Request for Sentencing Transcripts</i>
03/06/2015	 Motion Filed By: Defendant Hamm, Barron <i>Motion Requesting of the Sentencing Court to Issue Its Order Granting the Petitioner a Copy of His Plea Canvassing and Sentencing Transcripts Pursuant to NRS 7.40 et seq. and 7.055</i>
03/30/2015	 Motion (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Defendant's Pro Per Motion Requesting of the Sentencing Court to Issue its Order Granting the Petitioner a Copy of his Plea Canvassing and Sentencing Transcripts Pursuant to NRS 7.40 et seq and 7.055</i>
04/15/2015	 Order Granting Motion Filed By: Plaintiff State of Nevada <i>Order Granting Defendant's Pro Per Motion Requesting of the Sentencing Court to Issue Its Order Granting the Petitioner a Copy of His Plea Canvassing and Sentencing Transcripts Pursuant to NRS 7.40 et seq and 7.055</i>
06/23/2015	 Motion to Vacate Sentence Filed by: Defendant Hamm, Barron

DEPARTMENT 1
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07/10/2015	 Recorders Transcript of Hearing <i>Transcript of Hearing Held on May 14, 2010</i>
07/10/2015	 Opposition to Motion Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant's Pro Per Motion to Vacate Sentence</i>
07/15/2015	 Motion to Vacate Sentence (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Defendant's Pro Per Motion to Vacate Sentence</i>
07/24/2015	 Order Denying Motion Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Pro Per Motion to Vacate Sentence</i>
08/19/2015	 Notice of Appeal (criminal) Party: Defendant Hamm, Barron <i>Notice of Appeal</i>
08/20/2015	 Case Appeal Statement Filed By: Defendant Hamm, Barron
03/18/2016	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>Nevada Supreme Court Clerk's Certificate Judgment - Affirmed</i>
01/02/2017	Case Reassigned to Department 1 <i>Case reassigned from Judge Elizabeth Gonzalez Dept 11</i>
05/17/2017	 Petition for Writ of Habeas Corpus <i>Petition for Writ of Habeas Corpus (Postconviction)</i>
06/06/2017	 Order for Petition for Writ of Habeas Corpus
07/11/2017	 Response <i>State's Response to Defendant's Petition for Writ of Habeas Corpus</i>
07/24/2017	 Petition for Writ of Habeas Corpus (9:00 AM) (Judicial Officer: Cory, Kenneth) Events: 06/06/2017 Order for Petition for Writ of Habeas Corpus <i>Defendant's Petition for Writ of Habeas Corpus</i>
08/16/2017	 Finding of Fact and Conclusions of Law Filed By: Plaintiff State of Nevada <i>Findings of Fact, Conclusions of Law, and Order</i>
08/22/2017	 Notice of Entry <i>Notice of Entry of Findings of Fact, Conclusions of Law and Order</i>
09/08/2017	 Notice of Appeal (criminal) <i>Notice of Appeal</i>

DATE	FINANCIAL INFORMATION
Defendant Hamm, Barron	
Total Charges	175.00

DEPARTMENT 1
CASE SUMMARY
CASE No. 09C256384

Total Payments and Credits
Balance Due as of 9/26/2017

0.00
175.00



FCL
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #1565
CHARLES THOMAN
Deputy District Attorney
Nevada Bar #12649
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,
Plaintiff,

-vs-

BARRON HAMM,
#2707761

Defendant.

CASE NO: 09C256384

DEPT NO: I

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

DATE OF HEARING: JULY 24, 2017.
TIME OF HEARING: 9:00 A.M.

THIS CAUSE having come on for hearing before the Honorable KENNETH CORY, District Judge, on the 24th day of July, 2017, the Petitioner not being present, PROCEEDING IN PROPER PERSON, the Respondent being represented by STEVEN B. WOLFSON, Clark County District Attorney, by and through NOREEN DEMONTE, Chief Deputy District Attorney, and the Court having considered the matter, including briefs, transcripts, and documents on file herein, now therefore, the Court makes the following findings of fact and conclusions of law:

FINDINGS OF FACT, CONCLUSIONS OF LAW

On July 22, 2009, the State charged BARRON HAMM (hereinafter "Defendant") by way of indictment with: COUNT 1 – Burglary While in Possession of a Firearm (Felony – NRS 205.060); COUNT 2 – Assault with a Deadly Weapon (Felony – NRS 200.471); COUNT

1 3 – Murder with Use of a Deadly Weapon (Felony – NRS 200.010, 200.030, 193.165); and
2 COUNT 4 – Carrying Concealed Firearm or Other Deadly Weapon (Felony – NRS
3 202.350(1)(d)(3)).

4 On March 12, 2010, after negotiations, the State charged Defendant by way of
5 Amended Indictment with: COUNT 1 – Second Degree Murder with Use of a Deadly Weapon
6 (Category A Felony – NRS 200.010, 200.030, 193.165) and COUNT 2 – Assault with a Deadly
7 Weapon (Category B Felony – NRS 200.471). That day, Defendant entered into a Guilty Plea
8 Agreement (GPA) with the State wherein he pleaded guilty to both counts as charged in the
9 Amended Indictment. The State retained the right to argue on the charge of Second Degree
10 Murder. Both parties stipulated to a sentence of eight (8) to twenty (20) years for the deadly
11 weapon enhancement, and to a sentence of twenty-four (24) to seventy-two (72) months for
12 the charge of Assault with Use of a Deadly Weapon, and agreed to run that sentence
13 consecutive to COUNT 1. The plea agreement was conditional on the district court agreeing
14 to and following through with the stipulated portion of the sentence.

15 On May 14, 2010, Defendant appeared in court with counsel, was adjudged guilty, and
16 was sentenced on COUNT 1 to a MAXIMUM term of LIFE with a MINIMUM parole
17 eligibility of TEN (10) YEARS in the Nevada Department of Corrections (NDC) plus a
18 CONSECUTIVE term of a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS with
19 a MINIMUM parole eligibility of NINETY-SIX (96) MONTHS for use of a deadly weapon,
20 and on COUNT 2 to a MAXIMUM term of SEVENTY-TWO (72) MONTHS with a
21 MINIMUM parole eligibility of TWENTY-FOUR (24) MONTHS in the NDC,
22 CONSECUTIVE to COUNT 1. THREE HUNDRED SEVENTY-FIVE (375) DAYS credit
23 for time served. Defendant was also ordered to PAY \$36,796.27 RESTITUTION to the family
24 of the victim and \$6,000.00 RESTITUTION to Victims of Violent Crimes. Judgment Of
25 Conviction was filed on May 20, 2010.

26 On August 5, 2010, Defendant filed an untimely Notice Of Appeal from his Judgment
27 Of Conviction. On September 10, 2010, the Supreme Court of Nevada dismissed Defendant's
28 appeal for want of jurisdiction. Remittitur issued on October 6, 2010.

1 On February 13, 2012, Defendant filed a Motion To Withdraw Guilty Plea, which the
2 State opposed on February 22, 2012. The district court denied Defendant's motion on
3 February 24, 2012, and the order of denial was filed on May 7, 2012.

4 On October 31, 2012, Defendant filed a Petition For Writ Of Habeas Corpus (Post-
5 Conviction). The State filed its response and motion to dismiss Defendant's petition as time-
6 barred with no good cause shown for the delay on November 14, 2012. On January 10, 2013,
7 the district court denied Defendant's petition, entering its Findings Of Fact, Conclusions Of
8 Law, And Order on January 29, 2013, and its notice of entry on February 4, 2013. Defendant
9 filed a notice of appeal on February 22, 2013. On September 19, 2013, the Supreme Court
10 affirmed the district court's denial of Defendant's petition, with remittitur issuing on October
11 17, 2013.

12 On June 23, 2015, Defendant filed a Motion to Vacate Sentence. The State responded
13 on July 10, 2015. This Court denied the Motion on July 15, 2015. On August 19, 2015,
14 Defendant appealed. The Nevada Supreme Court affirmed this Court's denial of Defendant's
15 Motion to Vacate Sentence on February 17, 2016. Remittitur issued March 14, 2016.

16 On May 17, 2017, Defendant filed the instant Petition for Writ of Habeas Corpus
17 ("Second Petition"). The State Responded on July 11, 2017. On July 24, 2017, this Court
18 DENIED the petition for the following reasons:

19 **DEFENDANT'S PETITION IS PROCEDURALLY BARRED PURSUANT TO NRS**
20 **34.726**

21 Defendant's Second Petition is time barred with no good cause shown for delay.
22 Pursuant to NRS 34.726(1):

23 Unless there is good cause shown for delay, a petition that
24 challenges the validity of a judgment or sentence must be filed
25 within 1 year of the entry of the judgment of conviction or, if an
26 appeal has been taken from the judgment, within 1 year after the
27 Supreme Court issues its remittitur. For the purposes of this
28 subsection, good cause for delay exists if the petitioner
demonstrates to the satisfaction of the court:
(a) That the delay is not the fault of the petitioner; and
(b) That dismissal of the petition as untimely will unduly prejudice
the petitioner.

1 The Supreme Court of Nevada has held that NRS 34.726 should be construed by its
2 plain meaning. Pellegrini v. State, 117 Nev. 860, 873-74, 34 P.3d 519, 528 (2001). As per the
3 language of the statute, the one-year time bar proscribed by NRS 34.726 begins to run from
4 the date the judgment of conviction is filed or a remittitur from a timely direct appeal is filed.
5 Dickerson v. State, 114 Nev. 1084, 1087, 967 P.2d 1132, 1133-34 (1998).

6 The one-year time limit for preparing petitions for post-conviction relief under NRS
7 34.726 is strictly applied. In Gonzales v. State, 118 Nev. 590, 596, 53 P.3d 901, 904 (2002),
8 the Nevada Supreme Court rejected a habeas petition that was filed two days late despite
9 evidence presented by the defendant that he purchased postage through the prison and mailed
10 the Notice within the one-year time limit.

11 Furthermore, the Nevada Supreme Court has held that the district court has a *duty* to
12 consider whether a defendant's post-conviction petition claims are procedurally barred. State
13 v. Eighth Judicial Dist. Court (Riker), 121 Nev. 225, 231, 112 P.3d 1070, 1074 (2005). The
14 Riker Court found that “[a]pplication of the statutory procedural default rules to post-
15 conviction habeas petitions is mandatory,” noting:

16 Habeas corpus petitions that are filed many years after conviction
17 are an unreasonable burden on the criminal justice system. The
18 necessity for a workable system dictates that there must exist a
time when a criminal conviction is final.

19 Id. Additionally, the Court noted that procedural bars “cannot be ignored [by the district court]
20 when properly raised by the State.” Id. at 233, 112 P.3d at 1075. The Nevada Supreme Court
21 has granted no discretion to the district courts regarding whether to apply the statutory
22 procedural bars; the rules *must* be applied.

23 A showing of good cause and prejudice may overcome procedural bars. “To establish
24 good cause, appellants *must* show that an impediment external to the defense prevented their
25 compliance with the applicable procedural rule. A qualifying impediment might be shown
26 where the factual or legal basis for a claim was not reasonably available at the time of default.”
27 Clem v. State, 119 Nev. 615, 621, 81 P.3d 521, 525 (2003) (emphasis added). The Court
28 continued, “appellants cannot attempt to manufacture good cause[.]” Id. at 621, 81 P.3d at 526.

1 In order to establish prejudice, the defendant must show “not merely that the errors of [the
2 proceedings] created possibility of prejudice, but that they worked to his actual and substantial
3 disadvantage, in affecting the state proceedings with error of constitutional dimensions.”
4 Hogan v. Warden, 109 Nev. 952, 960, 860 P.2d 710, 716 (1993) (quoting United States v.
5 Fraday, 456 U.S. 152, 170, 102 S. Ct. 1584, 1596 (1982)). To find good cause there must be a
6 “substantial reason; one that affords a legal excuse.” Hathaway v. State, 119 Nev. 248, 252,
7 71 P.3d 503, 506 (2003) (quoting Colley v. State, 105 Nev. 235, 236, 773 P.2d 1229, 1230
8 (1989)). Clearly, any delay in the filing of the petition must not be the fault of the petitioner.
9 NRS 34.726(1)(a). In the instant case, a Judgment of Conviction was entered on May 20, 2010.
10 Remittitur from Defendant’s first appeal issued on October 6, 2010. Therefore, Defendant had
11 until October 6, 2011 to file a Petition for Writ of Habeas Corpus. Because Defendant’s instant
12 Petition for Writ of Habeas Corpus is presented well outside the one year time bar, the Petition
13 must be dismissed. Additionally, Defendant offers no argument, and can offer no argument,
14 demonstrating why the issues raised could not have been raised previously. Additionally,
15 Defendant cites no law, and offers no argument, as to why the time-bar should not be applied
16 or whether he was prejudiced. Claims unsupported by legal citations will not be considered by
17 this Court. See NRAP 28(a)(9)(A), (j); Edwards v. Emperor’s Garden Rest., 122 Nev. 317,
18 330 n.38, 130 P.3d 1280, 1288 n.38 (2006); Dept. of Motor Vehicles and Public Safety v.
19 Rowland, 107 Nev. 475, 479, 814 P.2d 80, 83 (1991) (unsupported arguments are summarily
20 rejected); Randall v. Salvation Army, 100 Nev. 466, 470-71, 686 P.2d 241, 244 (1984) (court
21 may decline consideration of issues lacking citation to relevant legal authority).

22 Because the Petition is untimely, and because Defendant can demonstrate neither good
23 cause nor prejudice, Defendant’s Second Petition is denied.

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DATED this 11 day of August, 2017.

RD Kenneth D. Berry
DISTRICT JUDGE

BY

ada Bar #1565

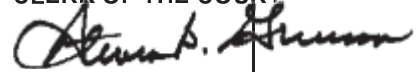

CHARLES THOMAN

for

I hereby certify that service of the above and foregoing was made this 3rd day of August, 2017, by depositing a copy in the U.S. Mail, postage pre-paid, addressed to:

BY: [Signature]
Secretary for the District Attorney's Office

CT/JN/jg/GANG



NEO

**DISTRICT COURT
CLARK COUNTY, NEVADA**

BARRON HAMM,

Petitioner,

vs.

THE STATE OF NEVADA,

Respondent,

Case No: 09C256384

Dept No: I

**NOTICE OF ENTRY OF FINDINGS OF FACT,
CONCLUSIONS OF LAW AND ORDER**

PLEASE TAKE NOTICE that on August 16, 2017, the court entered a decision or order in this matter, a true and correct copy of which is attached to this notice.

You may appeal to the Supreme Court from the decision or order of this court. If you wish to appeal, you must file a notice of appeal with the clerk of this court within thirty-three (33) days after the date this notice is mailed to you. This notice was mailed on August 22, 2017.

STEVEN D. GRIERSON, CLERK OF THE COURT

/s/ Amanda Hampton

Amanda Hampton, Deputy Clerk

CERTIFICATE OF E-SERVICE / MAILING

I hereby certify that on this 22 day of August 2017, I served a copy of this Notice of Entry on the following:

☒ By e-mail:
Clark County District Attorney's Office
Attorney General's Office – Appellate Division-

☒ The United States mail addressed as follows:
Barron Hamm # 1052277
P.O. Box 650
Indian Springs, NV 89070

/s/ Amanda Hampton

Amanda Hampton, Deputy Clerk



FCL
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #1565
CHARLES THOMAN
Deputy District Attorney
Nevada Bar #12649
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,
Plaintiff,

-vs-

BARRON HAMM,
#2707761

Defendant.

CASE NO: 09C256384

DEPT NO: I

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

DATE OF HEARING: JULY 24, 2017.
TIME OF HEARING: 9:00 A.M.

THIS CAUSE having come on for hearing before the Honorable KENNETH CORY, District Judge, on the 24th day of July, 2017, the Petitioner not being present, PROCEEDING IN PROPER PERSON, the Respondent being represented by STEVEN B. WOLFSON, Clark County District Attorney, by and through NOREEN DEMONTE, Chief Deputy District Attorney, and the Court having considered the matter, including briefs, transcripts, and documents on file herein, now therefore, the Court makes the following findings of fact and conclusions of law:

FINDINGS OF FACT, CONCLUSIONS OF LAW

On July 22, 2009, the State charged BARRON HAMM (hereinafter "Defendant") by way of indictment with: COUNT 1 – Burglary While in Possession of a Firearm (Felony – NRS 205.060); COUNT 2 – Assault with a Deadly Weapon (Felony – NRS 200.471); COUNT

1 3 – Murder with Use of a Deadly Weapon (Felony – NRS 200.010, 200.030, 193.165); and
2 COUNT 4 – Carrying Concealed Firearm or Other Deadly Weapon (Felony – NRS
3 202.350(1)(d)(3)).

4 On March 12, 2010, after negotiations, the State charged Defendant by way of
5 Amended Indictment with: COUNT 1 – Second Degree Murder with Use of a Deadly Weapon
6 (Category A Felony – NRS 200.010, 200.030, 193.165) and COUNT 2 – Assault with a Deadly
7 Weapon (Category B Felony – NRS 200.471). That day, Defendant entered into a Guilty Plea
8 Agreement (GPA) with the State wherein he pleaded guilty to both counts as charged in the
9 Amended Indictment. The State retained the right to argue on the charge of Second Degree
10 Murder. Both parties stipulated to a sentence of eight (8) to twenty (20) years for the deadly
11 weapon enhancement, and to a sentence of twenty-four (24) to seventy-two (72) months for
12 the charge of Assault with Use of a Deadly Weapon, and agreed to run that sentence
13 consecutive to COUNT 1. The plea agreement was conditional on the district court agreeing
14 to and following through with the stipulated portion of the sentence.

15 On May 14, 2010, Defendant appeared in court with counsel, was adjudged guilty, and
16 was sentenced on COUNT 1 to a MAXIMUM term of LIFE with a MINIMUM parole
17 eligibility of TEN (10) YEARS in the Nevada Department of Corrections (NDC) plus a
18 CONSECUTIVE term of a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS with
19 a MINIMUM parole eligibility of NINETY-SIX (96) MONTHS for use of a deadly weapon,
20 and on COUNT 2 to a MAXIMUM term of SEVENTY-TWO (72) MONTHS with a
21 MINIMUM parole eligibility of TWENTY-FOUR (24) MONTHS in the NDC,
22 CONSECUTIVE to COUNT 1. THREE HUNDRED SEVENTY-FIVE (375) DAYS credit
23 for time served. Defendant was also ordered to PAY \$36,796.27 RESTITUTION to the family
24 of the victim and \$6,000.00 RESTITUTION to Victims of Violent Crimes. Judgment Of
25 Conviction was filed on May 20, 2010.

26 On August 5, 2010, Defendant filed an untimely Notice Of Appeal from his Judgment
27 Of Conviction. On September 10, 2010, the Supreme Court of Nevada dismissed Defendant's
28 appeal for want of jurisdiction. Remittitur issued on October 6, 2010.

1 On February 13, 2012, Defendant filed a Motion To Withdraw Guilty Plea, which the
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3 February 24, 2012, and the order of denial was filed on May 7, 2012.

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6 barred with no good cause shown for the delay on November 14, 2012. On January 10, 2013,
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8 Law, And Order on January 29, 2013, and its notice of entry on February 4, 2013. Defendant
9 filed a notice of appeal on February 22, 2013. On September 19, 2013, the Supreme Court
10 affirmed the district court's denial of Defendant's petition, with remittitur issuing on October
11 17, 2013.

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13 on July 10, 2015. This Court denied the Motion on July 15, 2015. On August 19, 2015,
14 Defendant appealed. The Nevada Supreme Court affirmed this Court's denial of Defendant's
15 Motion to Vacate Sentence on February 17, 2016. Remittitur issued March 14, 2016.

16 On May 17, 2017, Defendant filed the instant Petition for Writ of Habeas Corpus
17 ("Second Petition"). The State Responded on July 11, 2017. On July 24, 2017, this Court
18 DENIED the petition for the following reasons:

19 **DEFENDANT'S PETITION IS PROCEDURALLY BARRED PURSUANT TO NRS**
20 **34.726**

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22 Pursuant to NRS 34.726(1):

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24 challenges the validity of a judgment or sentence must be filed
25 within 1 year of the entry of the judgment of conviction or, if an
26 appeal has been taken from the judgment, within 1 year after the
27 Supreme Court issues its remittitur. For the purposes of this
28 subsection, good cause for delay exists if the petitioner
demonstrates to the satisfaction of the court:
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3 language of the statute, the one-year time bar proscribed by NRS 34.726 begins to run from
4 the date the judgment of conviction is filed or a remittitur from a timely direct appeal is filed.
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10 the Notice within the one-year time limit.

11 Furthermore, the Nevada Supreme Court has held that the district court has a *duty* to
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13 v. Eighth Judicial Dist. Court (Riker), 121 Nev. 225, 231, 112 P.3d 1070, 1074 (2005). The
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16 Habeas corpus petitions that are filed many years after conviction
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18 necessity for a workable system dictates that there must exist a
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19 Id. Additionally, the Court noted that procedural bars “cannot be ignored [by the district court]
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21 has granted no discretion to the district courts regarding whether to apply the statutory
22 procedural bars; the rules *must* be applied.

23 A showing of good cause and prejudice may overcome procedural bars. “To establish
24 good cause, appellants *must* show that an impediment external to the defense prevented their
25 compliance with the applicable procedural rule. A qualifying impediment might be shown
26 where the factual or legal basis for a claim was not reasonably available at the time of default.”
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3 disadvantage, in affecting the state proceedings with error of constitutional dimensions.”
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19 Rowland, 107 Nev. 475, 479, 814 P.2d 80, 83 (1991) (unsupported arguments are summarily
20 rejected); Randall v. Salvation Army, 100 Nev. 466, 470-71, 686 P.2d 241, 244 (1984) (court
21 may decline consideration of issues lacking citation to relevant legal authority).

22 Because the Petition is untimely, and because Defendant can demonstrate neither good
23 cause nor prejudice, Defendant’s Second Petition is denied.

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DATED this 11 day of August, 2017.


RD Kenneth A. Berry
DISTRICT JUDGE

Nevada Bar #1565

BY  for

CHARLES THOMAN
Deputy District Attorney
Nevada Bar #12649

I hereby certify that service of the above and foregoing was made this 3rd day of August, 2017, by depositing a copy in the U.S. Mail, postage pre-paid, addressed to:

BY: 
Secretary for the District Attorney's Office

CT/JN/jg/GANG

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****July 22, 2009**

09C256384

The State of Nevada vs Barron Hamm

July 22, 2009**11:30 AM****Grand Jury Indictment****GRAND JURY
INDICTMENT****Relief Clerk: Shelly****Landwehr/sl****Reporter/Recorder:****Cheryl Carpenter****Heard By: Linda Bell****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Mitchell, Scott S.

Attorney

JOURNAL ENTRIES

- Duane Schlismann, Grand Jury Foreman, stated to the Court that at least twelve members had concurred in the return of the true bill during deliberation, but had been excused for presentation to the Court. The State presented Grand Jury Case Number 09AGJ036X to the Court. COURT ORDERED, the indictment may be filed and is assigned Case Number C256384, Department 14. Mr. Mitchell requested a bench warrant, COURT ORDERED, NO BAIL BENCH WARRANT. Exhibit(s) 1-34 lodged with Clerk of District Court.

BW(CUSTODY)

07/29/09 09:00 AM INITIAL ARRAIGNMENT (DEPT. 14)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 27, 2009

09C256384

The State of Nevada vs Barron Hamm

July 27, 2009

9:00 AM

Bench Warrant Return

**BENCH WARRANT
RETURN Court
Clerk: Linda Skinner
Reporter/Recorder:
Cheryl Gardner
Heard By: Donald
Mosley**

HEARD BY:**COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coffee, Scott L.

Attorney

Hamm, Barron

Defendant

Public Defender

Attorney

Villegas, Victoria A.

Attorney

JOURNAL ENTRIES

- Mr. Coffee advised this matter was taken to the Grand Jury before the Preliminary Hearing and that the Public Defender's Office needs to be appointed. COURT SO ORDERED. DEFENDANT ARRAIGNED, PLED NOT GUILTY AND WAIVED THE SIXTY (60) DAY RULE. COURT ORDERED, matter set for trial in ordinary course with priority. Mr. Coffee requested 21 days from the filing of the Grand Jury Transcript to file a writ. Court advised Defendants rights are reserved. CUSTODY

1/13/10 9:00 AM STATUS CHECK: DISCOVERY

3/9/10 9:00 AM CALENDAR CALL (#1)

3/15/10 1:30 PM JURY TRIAL (#1)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 08, 2009

09C256384

The State of Nevada vs Barron Hamm

September 08, 2009	9:00 AM	Petition for Writ of Habeas Corpus	PTN FOR WRIT OF HABEAS CORPUS Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley
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HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:	Campbell, Donishia L.	Attorney
	Coffee, Scott L.	Attorney
	Hamm, Barron	Defendant
	Jimenez, Sonia V.	Attorney
	Public Defender	Attorney

JOURNAL ENTRIES

- Court noted the issue is probable cause primarily as to Count 1, that the Defense does not feel there was enough evidence presented to the Grand Jury to support this Count. Statements by Mr. Coffee in support of the Writ. Statements by Ms. Jimenez in opposition. COURT ORDERED, Writ DENIED. Mr. Coffee requested a stay to appeal to the Supreme Court. Court DENIED request.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 21, 2009

09C256384

The State of Nevada vs Barron Hamm

September 21, 2009

9:00 AM

Motion to Dismiss

**DEFT'S PRO PER
MTN TO DISMISS
COUNSEL/09 Court
Clerk: Tina Hurd
Reporter/Recorder:
Renee Vincent
Heard By: Linda Bell**

HEARD BY:**COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coffee, Scott L.

Attorney

Hamm, Barron

Defendant

Jimenez, Sonia V.

Attorney

Public Defender

Attorney

JOURNAL ENTRIES

- Court advised she read the motion and Deft. Hamm is indicating Mr. Coffee has not been communicating with his family. Mr. Coffee advised he met with Deft's family at the time of the Preliminary Hearing, 15 people, and provided discovery to them. They have his phone number and he returns phone calls. Mr. Coffee advised the family was not present at the time of the Writ. An unidentified family member present and stated they were not aware of the hearing and have not been able to contact Mr. Coffee. Colloquy between Court and Deft. COURT ORDERED, motion DENIED. CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****January 06, 2010**

09C256384

The State of Nevada vs Barron Hamm

January 06, 2010**9:00 AM****Motion to Dismiss****DEFT' PRO PER
MTN TO DISMISS
COUNSEL
AND APPOINTMENT
OF ALTERNATIVE
COUNSEL/10 Relief
Clerk: Carol
Donahoo
Reporter/Recorder:
Renee Vincent
Heard By: Bell, Linda****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**Coffee, Scott L.
Hamm, Barron
Public Defender
Turner, Robert B.Attorney
Defendant
Attorney
Attorney**JOURNAL ENTRIES**

- Upon Court's inquiry, Deft. Hamm stated he would like new counsel; colloquy. COURT ORDERED, matter CONTINUED. In the meantime, Mr. Coffee to meet with Deft. to try negotiate a solution.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****January 13, 2010**

09C256384

The State of Nevada vs Barron Hamm

January 13, 2010**9:00 AM****All Pending Motions****ALL PENDING
MOTIONS (1/13/10)****Relief Clerk: Susan****Jovanovich /sj****Reporter/Recorder:****Cheryl Carpenter****Heard By: Linda Bell****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coffee, Scott L.

Attorney

Hamm, Barron

Defendant

Jimenez, Sonia V.

Attorney

Public Defender

Attorney

JOURNAL ENTRIES

- STATUS CHECK: DISCOVERY...DEFT'S PRO PER MOTION TO DISMISS COUNSEL AND APPOINTMENT OF ALTERNATIVE COUNSEL

Mr. Coffee advised issues have been resolved between Deft. and himself, and Deft. is comfortable on having him remain in the case. Upon Court's inquiry, Mr. Coffee advised there are no remaining issues with Discovery; and requested any exculpatory information the State may have, to be provided. Ms. Jimenez advised she is aware of the obligations, and State will comply with the rules and procedures. Court so noted. COURT ORDERED, Deft's Motion is MOOT.

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****March 10, 2010**

09C256384

The State of Nevada vs Barron Hamm

March 10, 2010**9:00 AM****Calendar Call****CALENDAR CALL****Court Clerk: Tina
Hurd****Reporter/Recorder:****Cheryl Carpenter****Heard By: Linda Bell****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Campbell, Donishia L.

Attorney

Coffee, Scott L.

Attorney

Hamm, Barron

Defendant

Jimenez, Sonia V.

Attorney

Public Defender

Attorney

JOURNAL ENTRIES

- Mr. Coffee announced ready for trial and advised they reviewed the State's file and will be picking up copies this morning. He does not anticipate a problem. Mr. Coffee advised he made a Brady request during the file review regarding anyone carrying a weapon at the party. Additionally, several of the witnesses have been represented by his office as juveniles. Mr. Coffee advised his review of the situation is it will not result in a conflict and they will not be using any confidential information. Mr. Coffee advised, also, he expects the issue that this was the victim's 14th birthday party to be raised and stated it does not seem to be part of the res gestae and he will be asking to remove that from the jury's consideration. Mr. Coffee requested a status check on Friday to make sure everything is set and, if there is a resolution, they will not have to scramble to be heard at the last minute. Conference at the bench. COURT ORDERED, this case will proceed to trial on Monday; matter set for status check on Friday and the Court will take up any pre-trial issues at that time.

CUSTODY

3-12-10 8:45 AM STATUS CHECK: TRIAL READINESS

3-15-10 9:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 12, 2010

09C256384

The State of Nevada vs Barron Hamm

March 12, 2010

8:45 AM

Status Check

STATUS CHECK:**TRIAL READINESS**Court Clerk: Tina
Hurd

Reporter/Recorder:

Renee Vincent

Heard By: Linda Bell

HEARD BY:**COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Campbell, Donishia L.

Attorney

Coffee, Scott L.

Attorney

Hamm, Barron

Defendant

Jimenez, Sonia V.

Attorney

Public Defender

Attorney

JOURNAL ENTRIES

- Guilty Plea Agreement FILED IN OPEN COURT. NEGOTIATIONS: State retains full right to argue on the charge of Second Degree Murder. Parties stipulate to a sentence of 8-20 years for the deadly weapon enhancement. Parties also stipulate to a sentence of 24-72 months for the charge of Assault with a Deadly Weapon and agree to run the sentence consecutive to Count 1. Further, this agreement is conditional on the Court agreeing to and following through with the stipulated portion of the sentence. Ms. Jimenez advised, if the Court is not inclined to abide by the stipulations, either party may withdraw from the negotiations. Court acknowledged. DEFT. HAMM ARRAIGNED AND PLED GUILTY TO THE AMENDED INDICTMENT FILED IN OPEN COURT CHARGING--COUNT 1 - SECOND DEGREE MURDER WITH USE OF A DEADLY WEAPON (F) and COUNT 2 - ASSAULT WITH A DEADLY WEAPON (F). COURT ACCEPTED plea and ORDERED, matter

referred to the Division of Parole and Probation (P&P) and set for sentencing.

CUSTODY

5-14-10 8:45 AM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 14, 2010

09C256384

The State of Nevada vs Barron Hamm

May 14, 2010

8:45 AM

Sentencing

SENTENCINGCourt Clerk: Tina
Hurd

Reporter/Recorder:

Renee Vincent

Heard By: Linda Bell

HEARD BY:**COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coffee, Scott L.

Hamm, Barron

Jimenez, Sonia V.

Public Defender

Attorney

Defendant

Attorney

Attorney

JOURNAL ENTRIES

- Conference at the bench. DEFT. HAMM ADJUDGED GUILTY OF COUNT 1 - SECOND DEGREE MURDER WITH USE OF A DEADLY WEAPON (F) and COUNT 2 - ASSAULT WITH A DEADLY WEAPON (F). Matter argued and submitted. Sworn statements by Karen Kennedy Grill and the victim's mother Kimberly Brown Fleming. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee and \$150.00 DNA Analysis fee including testing to determine genetic markers, Deft. SENTENCED as follows: Count 1 - to a MAXIMUM term of LIFE with a MINIMUM parole eligibility of TEN (10) YEARS in the Nevada Department of Corrections (NDC) plus a CONSECUTIVE term of a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS with a MINIMUM parole eligibility of NINETY SIX (96) MONTHS for use of a deadly weapon. Court stated her findings regarding the weapons enhancement. Count 2 - to a MAXIMUM term of SEVENTY TWO (72) MONTHS with a MINIMUM parole eligibility of TWENTY FOUR (24) MONTHS in the Nevada Department of Corrections (NDC), CONSECUTIVE to Count 1. 375 DAYS credit for time

PRINT DATE:

09/26/2017

Page 11 of 28

Minutes Date:

July 22, 2009

served. Deft. to PAY \$36,796.27 RESTITUTION to the Fleming Family and \$6,000.00 RESTITUTION to Victims of Violent Crimes. BOND, if any, EXONERATED.

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****August 04, 2010**

09C256384

The State of Nevada vs Barron Hamm

August 04, 2010**8:45 AM****Motion to Withdraw as
Counsel****HEARD BY:** Bell, Linda Marie**COURTROOM:** RJC Courtroom 15C**COURT CLERK:** Tina Hurd
Sandra Harrell**RECORDER:** Renee Vincent**REPORTER:****PARTIES****PRESENT:**

State of Nevada

Plaintiff

WATERS, WILLIAM M., ESQ

Attorney

Westmeyer, Daniel

Attorney

JOURNAL ENTRIES

- Defendant not present, incarcerated at NDC. Mr. Waters advised he will send file to Defendant.
COURT ORDERED, Motion to Withdraw is GRANTED.

NDC

CLERK'S NOTE: A copy of the above minute order was mailed to Barron Hamm #1052277 @ High
Desert State Prison PO BOX 650, Indian Springs, NV 89018./sjh

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 01, 2010

09C256384

The State of Nevada vs Barron Hamm

September 01, 2010 8:45 AM Motion for Appointment

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Courtroom 15C

COURT CLERK: Tina Hurd
 Shelly Landwehr

RECORDER: Renee Vincent

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- COURT FINDS, Deft. did not show a basis and did not file a petition. Further, Court noted it is unclear if Mr. Coffee will be filing an appeal. COURT ORDERED, motion, DENIED.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 10, 2011

09C256384

The State of Nevada vs Barron Hamm

August 10, 2011

8:45 AM

Motion for Order

HEARD BY: Bonaventure, Joseph T.

COURTROOM: RJC Courtroom 15C

COURT CLERK: Tina Hurd

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Frank Ponticello, DDA, present for the State of Nevada.

- Deft. Hamm not present, in Proper Person.

Mr. Ponticello submitted to the Court's discretion. Court advised this is a closed appeal, however, he would prefer a written Opposition. Mr. Ponticello requested thirty days. COURT ORDERED, matter CONTINUED.

NDC

CONTINUED TO: 9-14-11 8:45 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 14, 2011

09C256384

The State of Nevada vs Barron Hamm

September 14, 2011 8:45 AM

Motion for Order

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Courtroom 15C

COURT CLERK: Tina Hurd

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Brian Kochevar, DDA, present for the State of Nevada.

- Deft. Hamm not present, in Proper Person.

Court advised Deft. Hamm has failed to provide any reason why he needs the transcripts and
ORDERED, motion DENIED WITHOUT PREJUDICE. Court advised she will reconsider if Deft.
provides a reason he needs the transcripts.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****February 24, 2012**

09C256384

The State of Nevada vs Barron Hamm

February 24, 2012 8:45 AM Motion to Withdraw Plea**HEARD BY:** Bell, Linda Marie**COURTROOM:** RJC Courtroom 15C**COURT CLERK:** Tina Hurd**RECORDER:** Renee Vincent**REPORTER:****PARTIES****PRESENT:****JOURNAL ENTRIES**

- Maria Lavell, DDA, present for the State of Nevada.

- Deft. Hamm not present, in Proper Person.

Court advised she read the motion and the State's opposition and no oral argument will be taken. Court stated it appears the motion would have been more properly brought as a post-conviction petition and, even then, it would be untimely. Under the circumstances of the case, there does not appear to be any basis to grant the motion. COURT ORDERED, motion DENIED. State to prepare the Order.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 10, 2012

09C256384

The State of Nevada vs Barron Hamm

December 10, 2012 9:00 AM Motion for Clarification

HEARD BY: Cory, Kenneth

COURTROOM: RJC Courtroom 10C

COURT CLERK: Athena Trujillo

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Jonathan Cooper, Deputy District Attorney, present for the State of Nevada.
Defendant Hamm not present.

Court noted the Defendant s request for counsel is premature and advised the Writ of Habeas Corpus is scheduled for 01/10/13. COURT ORDERED, matter CONTINUED.

NDC

CONTINUED TO: 01/10/13 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 19, 2012

09C256384

The State of Nevada vs Barron Hamm

December 19, 2012 9:00 AM Motion

HEARD BY: Barker, David

COURTROOM: RJC Courtroom 11B

COURT CLERK: Athena Trujillo

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Frank Ponticello, Deputy District Attorney, present for the State of Nevada.
Defendant Hamm not present.

COURT ORDERED, motion DENIED, hearing set for 01/10/13 STANDS.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 24, 2012

09C256384

The State of Nevada vs Barron Hamm

December 24, 2012 9:00 AM Motion

HEARD BY: Togliatti, Jennifer

COURTROOM: RJC Courtroom 10C

COURT CLERK: Athena Trujillo

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Sam Martinez, Deputy Public Defender, present for the State of Nevada.
Defendant Hamm not present.

COURT noted Defendant's Motion is premature and ORDERED, matter CONTINUED.

NDC

CONTINUED TO: 01/10/13 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 10, 2013**

09C256384

The State of Nevada vs Barron Hamm

January 10, 2013**9:00 AM****All Pending Motions****HEARD BY:** Togliatti, Jennifer**COURTROOM:** RJC Courtroom 10D**COURT CLERK:** Athena Trujillo**RECORDER:** Yvette G. Sison**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Jonathan Cooper, Deputy District Attorney, present for the State of Nevada.
Defendant Hamm not present.

DEFENDANT'S PRO SE ORDER FOR TRANSPORTATION OF INMATE FOR COURT
APPEARANCE OR, IN THE ALTERNATIVE, BY TELEPHONE OR VIDEO CONFERENCE ...
PETITION FOR WRIT OF HABEAS CORPUS ... DEFENDANT'S PRO SE MOTION FOR
CLARIFICATION

COURT noted the Defendant was not transported because it does not entertain oral arguments on these matters and ORDERED, Defendant s presence WAIVED. COURT noted the Defendant requested to be transported, but as it does not entertain oral argument in these matters, ORDERED, Defendant's Pro Se Order for Transportation of Inmate for Court Appearance, or in the Alternative, by Telephone or Video Conference DENIED. With respect to the Petition for Writ of Habeas Corpus, State advised the Court of the Defendant's birth date. COURT noted the reasons listed are insufficient and the Defendant was not a minor and ORDERED, Motion DENIED. COURT FURTHER ORDERED, Motion for Clarification DENIED.

NDC

CLERK'S NOTE: A copy of this minute order has been mailed to:

Barron Hamm #1052277
High Desert State Prison
PO Box 650 HDSP
Indian Springs, NV 89070

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****March 18, 2013**

09C256384

The State of Nevada vs Barron Hamm

March 18, 2013**9:00 AM****Motion to Reconsider****HEARD BY:** Gonzalez, Elizabeth**COURTROOM:** RJC Courtroom 14C**COURT CLERK:** Dulce Romea**RECORDER:** Jill Hawkins**REPORTER:****PARTIES****PRESENT:**Hayes, Trevor
State of NevadaAttorney
Plaintiff**JOURNAL ENTRIES**

- Deft not present, in custody at the Nevada Department of Corrections.

Court stated it will not be taking any argument, and ORDERED, the Court currently has no jurisdiction to entertain the Motion as the appeal has already been filed of the Order which is being sought for reconsideration.

NDC

CLERK'S NOTE: Minutes distributed to Barron Hamm, Defendant, ID #1052277, High Desert State Prison, P.O. Box 650, Indian Springs, NV 89070. / dr 3-20-13

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****May 05, 2014**

09C256384

The State of Nevada vs Barron Hamm

May 05, 2014**9:00 AM****Motion to Withdraw Plea****HEARD BY:** Gonzalez, Elizabeth**COURTROOM:** RJC Courtroom 14C**COURT CLERK:** Dulce Romea
Ying Pan**RECORDER:** Jill Hawkins**REPORTER:****PARTIES****PRESENT:**Fattig, John T
State of NevadaAttorney
Plaintiff**JOURNAL ENTRIES**

- Deft not present, in custody at the Nevada Department of Corrections.

No oral argument taken. Court finds no cognizable claim has been presented and ORDERS, Defendant's Pro Per Motion to Withdraw Plea is DENIED. State to prepare the Order.

NDC

CLERK'S NOTE: A copy of the above minute order was mailed to: Barron Hamm, Deft in Pro Se, ID # 1052277, High Desert State Prison, P.O. Box 650, Indian Springs, NV 89070. / dr

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****October 27, 2014**

09C256384

The State of Nevada vs Barron Hamm

October 27, 2014**9:00 AM****Motion for Order****HEARD BY:** Togliatti, Jennifer**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Tia Everett
Dania Batiste**RECORDER:** Debbie Winn**REPORTER:****PARTIES****PRESENT:****JOURNAL ENTRIES**

- Brett Keeler, Deputy District Attorney, present on behalf of the State. Defendant not present in custody with the Nevada Department of Corrections.

Based on the pleadings and without argument, Court FINDS, Defendant has made a vague four (4) sentence request for transcripts, failing to make a specific claim as to what the transcripts are need for; therefore, COURT ORDERED, Motion DENIED WITHOUT PREJUDICE. Court noted Defendant will be permitted to file a new motion detailing the issues and/or claims.

NDC

CLERK'S NOTE: The above minute order has been distributed to:

BARRON HAMM #1052277
HIGH DESERT STATE PRISON
P.O. BOX 650
INDIAN SPRINGS, NV 89018

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****March 30, 2015**

09C256384

The State of Nevada vs Barron Hamm

March 30, 2015**9:00 AM****Motion****Defendant's Pro Per
Motion Requesting
of the Sentencing
Court to Issue its
Order Granting the
Petitioner a Copy of
his Plea Canvassing
and Sentencing
Transcripts Pursuant
to NRS 7.40 et seq
and 7.055****HEARD BY:** Gonzalez, Elizabeth**COURTROOM:** RJC Courtroom 14C**COURT CLERK:** April Watkins**RECORDER:** Jill Hawkins**REPORTER:****PARTIES****PRESENT:**Jobe, Michelle Y.
State of NevadaAttorney
Plaintiff**JOURNAL ENTRIES**

- COURT ORDERED, motion GRANTED. Deft. can be provided copies of transcripts.

NDC

CLERK'S NOTE: The above minute order has been distributed to: Barron Hamm #1052277, High Desert State Prison, P.O. Box 650, Indian Springs, NV 89018. aw

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****July 15, 2015**

09C256384

The State of Nevada vs Barron Hamm

July 15, 2015**9:00 AM****Motion to Vacate Sentence****HEARD BY:** Gonzalez, Elizabeth**COURTROOM:** RJC Courtroom 14C**COURT CLERK:** Dulce Romea**RECORDER:** Jill Hawkins**REPORTER:****PARTIES****PRESENT:**Laurent, Christopher J
State of NevadaAttorney
Plaintiff**JOURNAL ENTRIES**

- Deft not present, in custody at the Nevada Department of Corrections.

No oral argument taken. COURT FINDS no new information has been provided, and there is no reason to grant this motion; therefore, motion is DENIED on the same basis the Court denied it previously. State to prepare the order.

Court further noted Ms. Renee Vincent is in the process of preparing the previously requested sentencing transcript which will be sent to the Deft.

NDC

CLERK'S NOTE: A copy of the above minute order was mailed to Barron Hamm, Pro Se, ID #1052277, High Desert State Prison, P.O. Box 650, Indian Springs, NV 89070. / dr 7-16-15

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****July 24, 2017**

09C256384

The State of Nevada vs Barron Hamm

July 24, 2017**9:00 AM****Petition for Writ of Habeas
Corpus****HEARD BY:** Cory, Kenneth**COURTROOM:** RJC Courtroom 16A**COURT CLERK:** Michele Tucker**RECORDER:** Gail Reiger**REPORTER:****PARTIES****PRESENT:**Demonte, Noreen C.
State of NevadaAttorney
Plaintiff**JOURNAL ENTRIES**

- Defendant Hamm NOT PRESENT IN CUSTODY.

COURT ORDERED, Defendant's Petition for Writ of Habeas Corpus DENIED for the reasons urged by the State. State to prepare the Order.

CLERK'S NOTE: The above minute order has been distributed to: /mlt

BARRON HAMM, BAC #1152965
HIGH DESERT STATE PRISON
22010 COLD CREEK RD
P.O. BOX 650
INDIAN SPRINGS, NV, 89070

GRAND JURY INDICTMENTS RETURNED IN OPEN COURT DATE JULY 22, 2009
(From Grand Jury sessions held on July 14 and 21, 2009)

JUDGE LINDA MARIE BELL

FOREPERSON DUANE SCHLISMANN

CHIEF DEPUTY DISTRICT ATTORNEY SCOTT S. MITCHELL
CHIEF DEPUTY DISTRICT ATTORNEY VICTORIA VILLEGAS

CASE NO. C256384
DEPT. NO. XIV
CDDAs VICTORIA VILLEGAS and
SONIA JIMINEZ, GU

Defendant(s): BARRON HAMM

Case No(s): 09AGJ036X (RANDOM TRACKS TO DEPT 14)

Charge(s): (1) CT - BURGLARY WHILE IN POSSESSION OF A FIREARM;
(1) CT - ASSAULT WITH A DEADLY WEAPON;
(1) CT - MURDER WITH USE OF A DEADLY WEAPON; and
(1) CT - CARRYING CONCEALED FIREARM OR OTHER DEADLY WEAPON

Def. Counsel(s): SCOTT COFFEE, DEPUTY PUBLIC DEFENDER

WARRANT:
SET FELONY ARRAIGNMENT (ONE WEEK)
DEFT IN CUSTODY AT CCDC

Exhibits:

- 1. Proposed Indictment**
- 2. Instructions**

Exhibits 1-X, to be lodged with the Clerk of the Court.
Exhibits X to be returned to XX

Certification of Copy

State of Nevada }
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT
DOCKET ENTRIES; FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER; NOTICE OF
ENTRY OF FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER; DISTRICT COURT
MINUTES; EXHIBITS LIST

STATE OF NEVADA,

Plaintiff(s),

vs.

BARRON HAMM,

Defendant(s).

Case No: 09C256384

Dept No: I

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 26 day of September 2017.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk