



IN THE SUPREME COURT OF THE STATE OF NEVADA

INDICATE FULL CAPTION:

Electronically Filed
Dec 06 2017 09:25 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

KEANDRE VALENTINE,)
)
Appellant,)
vs.)
)
THE STATE OF NEVADA,)
)
Respondent.)

No. 74468

**DOCKETING STATEMENT
CRIMINAL APPEALS**

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

GENERAL INFORMATION

1. Judicial District Eighth County Clark
Judge Richard Scotti District Ct. No. C-16-316081-1

2. If the defendant was given a sentence,
(a) what is the sentence? Ct. 1 - Robbery With Use of a Deadly Weapon; Ct. 2 - Burglary While in Possession of a Deadly Weapon; Ct. 3 - Robbery With Use of a Deadly Weapon; Ct. 4 - Robbery With Use of a Deadly Weapon; Ct. 5 - Burglary While in Possession of Deadly Weapon; Ct. 6 - Robbery With Use of a Deadly Weapon; Ct. 7 - Robbery With Use of a Deadly Weapon; Ct. 8 - Attempt Robbery With Use of a Deadly Weapon; Ct. 9 - Robbery With Use of a Deadly Weapon; Ct. 10 - Burglary While in Possession of a Deadly Weapon; Ct. 11 - Robbery With Use of a Deadly Weapon; Ct. 12 - Possession of Document or Personal Identifying Information; Ct. 13 - Possession of Credit or Debit Card Without Cardholder's Consent; Ct. 14 - Possession of Credit or Debit Card Without Cardholder's Consent and sentenced to \$25 Admin. Fee; \$1,000 restitution and \$150 DNA analysis fee; genetic markers plus \$3 DNA collection fee; Ct.1 - 2-5 years, plus a consecutive term of 1-3 years for the Use of a Deadly Weapon, total 3-8 years; Ct. 2 - 3-8 years to run concurrent with Ct. 1 and Ct. 3 - 2-5 years plus a consecutive term of 1-3 years for Use of a Deadly Weapon to run consecutive to Ct. 1, total 3-8 years. Ct. 4 - 2-5 years plus a consecutive term of 1-3 years for Use of a Deadly Weapon to run consecutive to Ct. 1 and 3, total 3-8 years; Ct. 5 - 3-8 years to run concurrent with Cts. 1, 2, 3, and 4; Ct. 6 - 2-5 years plus a consecutive term of 1-3 years for the Use of a Deadly Weapon; Ct. 7 - 2-5 years plus a consecutive term of 1-3 years for the Use of a Deadly Weapon to run consecutive to Cts. 1, 3, 4, and 6, total 3-8 years; Ct. 8 - 3-8 years to run concurrent with Cts. 1, 2, 3, 4, 5, 6, and 7; Ct. 9 - 2-5 years plus a consecutive term of 1-3 years for the Use of a Deadly Weapon to run consecutive to Cts. 1, 3, 4, 6 and 7; total 3-8 years; Ct. 10 - 3-8 years to run concurrent with Cts. 1, 2, 3, 4, 5, 6, 7, 8 and 9; Ct. 11 - 2-5 years plus a consecutive term of 1-3 years for the Use of a Deadly Weapon, total 3-8 years to run concurrent with Cts. 1, 3, 4, 6, 7, 8, 9 and 10; Ct. 12 - 1-3 years to run concurrent with Cts. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11; Ct. 13 - 1-3 years to run concurrent with Cts. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12; Ct. 14 - 1-3 years to run concurrent with Cts. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13 with 489 days CTS. The aggregate total sentence is 18-48 years.

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

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

3. Was counsel in district court appointed XX or retained _____?

4. **Attorney filing this docketing statement:**

Attorney Sharon G Dickinson Telephone 455-4576
Firm Clark County Public Defender's Office
Address 309 S. Third St., #226
Las Vegas, Nevada 89155
Client Keandre Valentine

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.

5. Is appellate counsel appointed X or retained _____?

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 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.

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 States 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.

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 persons convicted of Category A and Category B felonies. No provision of the Nevada Rules of Appellate Procedure suggests that Category A or Category B felonies should be assigned to the court of appeals for resolution. Pursuant to the Judgment of Conviction, Mr. Valentine was adjudicated guilty of fourteen category B felonies. That because this case involves all category B felonies, and because the provisions that "presumptively" assign certain cases to the Court of Appeals expressly exclude cases involving Category B felonies, the Appellant respectfully requests this Court 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?

10 days.

VERIFICATION

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

Keandre Valentine
Name of appellant

Sharon G. Dickinson, #3710
Name of counsel or record

December 6, 2017
Date

/s/ Sharon G. Dickinson
Signature of counsel of record

CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 6th day of December, 2017. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

ADAM LAXALT
STEVEN S. OWENS

SHARON G. DICKINSON
HOWARD S. BROOKS

BY /s/ Carrie M. Connolly
Employee, Clark County Public
Defender's Office