

1 CODE: 2515
TROY C. JORDAN
2 Nevada Bar No. 9073
300 South Arlington, Suite B
3 Reno, Nevada 89501
Tel: 775-432-1581
4 Attorney for Petitioner

Electronically Filed
Dec 19 2017 03:30 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

6
7 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
8 **IN AND FOR THE COUNTY OF WASHOE**

9 D'VAUGHN KEITHAN KING,
10
11 Petitioner,

12 vs.

Case No. CR12-1160

13 STATE OF NEVADA,

Dept. No. 7

14 Respondents.

15 **NOTICE OF APPEAL**

16 COMES NOW, Petitioner, D'VAUGHN KEITHAN KING, by and through his court appointed
17 counsel, Troy C. Jordan, and respectfully appeals from the order dismissing his habeas corpus petition
18 (post-conviction).

19 Dated this 12th day of December, 2017.

20 /S/ TROY C. JORDAN
21 TROY C. JORDAN
22 ATTORNEY FOR PETITIONER
23
24
25
26
27
28

1 **AFFIRMATION**

2 **Pursuant to NRS 239B.030**

3
4 The undersigned does hereby affirm that the preceding document, filed in the above captioned
5 case does not contain the social security number of any person
6

7 Dated this 12th day of December, 2017.
8

9 /S/ TROY C. JORDAN
10 TROY C. JORDAN
11 Attorney at Law

12 **CERTIFICATE OF SERVICE**

13 I, Troy C. Jordan, hereby certify that pursuant to NRCP 5(b), I served via the Eflex system with
14 a true and correct copy of the forgoing document with notice to:
15

16 Washoe County District Attorney's Office
17 1 South Sierra Street
18 Reno, NV 89501

19 And mailing to

20 Nevada Attorney General
21 101 N. Carson Street
22 Carson City, NV 89701

23
24 Dated this 12th day of December, 2017
25

26 /S/ TROY C. JORDAN
27 TROY C. JORDAN
28 Attorney at Law

CODE: 1310
TROY C. JORDAN
Nevada Bar No. 9073
300 South Arlington, Suite B
Reno, Nevada 89501
Tel: 775-432-1581
Attorney for Petitioner

**IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE**

D'VAUGHN KEITHAN KING,
Petitioner,

vs.

Case No. CR12-1160

STATE OF NEVADA,

Dept. No. 7

Respondents.

CASE APPEAL STATEMENT

1. Name of appellant filing this case appeal statement: **D'VAUGHN KEITHAN KING**
2. Identify the judge issuing the decision, judgment, or order appealed from: **Second Judicial District Court, Honorable David Hardy.**
3. Identify each appellant and the name and address of counsel for each appellant: **D'Vaughn Keithan King is the only Appellant. The name and address of counsel for appellant is:**
Troy Jordan
Law Offices of Troy Jordan, Ltd
300 S. Arlington Ave, Suite B
Reno, NV 89501
4. Identify each respondent and the name and address of appellate counsel, if known, for each respondent (if the name of a respondent's appellate counsel is unknown, indicate as much and provide the name and address of that respondent's trial counsel): **The State of Nevada is the Respondent. The**

1 State of Nevada is represented by the Washoe County District Attorney and the Nevada Attorney
2 General's Office, whose addresses are:

3 Washoe County District Attorney
4 P.O. Box 11130
5 Reno, NV 89520

6 Office of the Attorney General
7 100 N. Carson St.
8 Carson City, NV 89701

9 5. Indicate whether any attorney identified above in response to question 3 or 4 is not licensed
10 to practice law in Nevada and, if so, whether the district court granted that attorney permission to
11 appear under SCR 42 (attach a copy of any district court order granting such permission): **All attorneys**
12 **are licensed to practice law in the State of Nevada.**

13 6. Indicate whether appellant was represented by appointed or retained counsel in the district
14 court: **Counsel for the Appellant was appointed in the District Court.**

15 7. Indicate whether appellant is represented by appointed or retained counsel on appeal:
16 **Appellant is represented by appointed counsel on appeal.**

17 8. Indicate whether appellant was granted leave to proceed in forma pauperis, and the date of
18 entry of the district court order granting such leave: **The District Court entered the order granting in**
19 **forma pauperis status on 2-26-2016.**

20 9. Indicate the date the proceedings commenced in the district court (e.g., date complaint,
21 indictment, information, or petition was filed): **A Petition for Writ of Habeas Corpus was filed by**
22 **Petitioner on 7-16-2015.**

23 10. Provide a brief description of the nature of the action and result in the district court,
24 including the type of judgment or order being appealed and the relief granted by the district court: **This**
25 **is an appeal from an order dismissing a Petition for Writ of Habeas Corpus (Post-Conviction)**
26 **filed on 11-21-2017.**

11. Indicate whether the case has previously been the subject of an appeal to or original writ proceeding in the Supreme Court and, if so, the caption and Supreme Court docket number of the prior proceeding: **N/A**

12. Indicate whether this appeal involves child custody or visitation: **N/A**

13. If this is a civil case, indicate whether this appeal involves the possibility of settlement:

N/A

Dated this 12th day of December, 2017.

/S/ TROY C. JORDAN
TROY C. JORDAN
Attorney at Law

1 **AFFIRMATION**

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10 TROY C. JORDAN
11 Attorney at Law

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14 a true and correct copy of the forgoing document with notice to:
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16 Washoe County District Attorney's Office
17 1 South Sierra Street
18 Reno, NV 89501

19 And mailing to

20 Nevada Attorney General
21 101 N. Carson Street
22 Carson City, NV 89701

23
24 Dated this 12th day of December, 2017
25

26 /S/ TROY C. JORDAN
27 TROY C. JORDAN
28 Attorney at Law

**SECOND JUDICIAL DISTRICT COURT
COUNTY OF WASHOE**

Case History - CR12-1160

DEPT. D7

HON. . VACANT

Report Date & Time

12/13/2017

8:24:06AM

Case ID:	CR12-1160	Case Description:	STATE OF NEVADA VS. DVAUGHN KEITHAN KING (TN) (D7)
Case Type:	CRIMINAL	Initial Filing Date:	7/9/2012

Parties

ATTY	Mary Lou A. Wilson, Esq. - 3329
PNP	Div. of Parole & Probation - DPNP
ATTY	Joseph R. Plater, III, Esq. - 2771
PLTF	STATE OF NEVADA - STATE
DA	Jennifer P. Noble, Esq. - 9446
DA	Terrence P. McCarthy, Esq. - 2745
DA	Bruce C. Hahn, Esq. - 5011
DEFT	DVAUGHN KEITHAN KING (TN)(D7) - @1221728
DATY	John Ohlson, Esq. - 1672
CAA	Troy C. Jordan, Esq. - 9073
CAA	Karla Butko, Esq. - 3307

Charges

Charge No.	Charge Code	Charge Date	Charge Description
1	50011	11/22/2013	AI MURDER IN THE SECOND DEGREE WITH THE USE OF A DEADLY WEAPON

Plea Information

Charge No.	Plea Code	Plea Date	Plea Description
1	50011	11/25/2013	PLED GUILTY

Sentences

Date	Charge No.	Charge Desc	Time Served	Sentence Text
1/22/2014	1	Life With Poss of Parole		LIFE WITH THE POSSIBILITY OF PAROLE, WITH ELIGIBILITY FOR PAROLE BEGINNING WHEN A MINIMUM OF 10 YEARS HAS BEEN SERVED; DEFT TO SERVE AN ADDITIONAL CONSECUTIVE TERM IN THE NEVADA STATE PRISON OF A MINIMUM OF 53 MONTHS TO A MAXIMUM TERM OF 240 MONTHS FOR THE DEADLY WEAPON ENHANCEMENT; THESE SENTENCES ARE TO BE SERVED CONSECUTIVELY TO CASE NO. 10F07661; FEES

Release Information

Custody Status

Hearings

Department	Event Description	Sched. Date & Time	Disposed Date
1 D7	ARRAIGNMENT	8/8/2012 09:00:00	8/2/2012

Event Extra Text:

Disposition:
D844 8/2/2012
STIPULATED CONTINUANCE BETWEEN COUNSEL MOLEZZO AND CDDA HAHN; PAPERWORK TO FOLLOW

Case Description: STATE OF NEVADA VS. DVAUGHN KEITHAN KING (TN) (D7)							
Case ID:	CR12-1160		Case Type:	CRIMINAL		Initial Filing Date: 7/9/2012	
2	Department		Event Description		Sched. Date & Time		Disposed Date
	D7	ARRAIGNMENT		8/22/2012	09:00:00		8/22/2012
	Event Extra Text:				Disposition: 1280 8/22/2012		
3	Department		Event Description		Sched. Date & Time		Disposed Date
	D7	ARRAIGNMENT		8/22/2012	09:00:00		8/22/2012
	Event Extra Text:				Disposition: D725 8/22/2012		
4	Department		Event Description		Sched. Date & Time		Disposed Date
	D7	MOTION TO SET TRIAL		11/28/2012	09:00:00		11/28/2012
	Event Extra Text:				Disposition: D425 11/28/2012 MOTION TO SET TRIAL GRANTED		
5	Department		Event Description		Sched. Date & Time		Disposed Date
	D7	MOTION TO SET TRIAL		11/28/2012	09:00:00		10/22/2012
	Event Extra Text:				Disposition: D845 10/22/2012 ATTYS ARE UNSURE OF TRIAL SETTING DATE - ASST INFORMS JA THAT ATTYS WILL CONTACT COURT TOMORROW TO SET DATE TO SET TRIAL - ks		
6	Department		Event Description		Sched. Date & Time		Disposed Date
	D7	MOTION TO SET TRIAL		2/13/2013	09:00:00		10/22/2012
	Event Extra Text:				Disposition: D845 10/22/2012 MTN TO SET TRIAL SET FOR 11.28.12 - APPL. TO SET FORTHCOMING - ks		
7	Department		Event Description		Sched. Date & Time		Disposed Date
	D7	STATUS HEARING		2/20/2013	09:00:00		2/20/2013
	Event Extra Text:				Disposition: D435 2/20/2013		
8	Department		Event Description		Sched. Date & Time		Disposed Date
	D7	STATUS HEARING		5/3/2013	11:00:00		5/3/2013
	Event Extra Text:				Disposition: D455 5/3/2013 CONT TO 5/8 @ 11:00		
9	Department		Event Description		Sched. Date & Time		Disposed Date
	D7	STATUS HEARING		5/3/2013	11:00:00		4/26/2013
	Event Extra Text:				Disposition: FIE 4/26/2013		

Case Description: STATE OF NEVADA VS. DVAUGHN KEITHAN KING (TN) (D7)						
Case ID:	CR12-1160		Case Type:	CRIMINAL		Initial Filing Date: 7/9/2012
	Department	Event Description	Sched. Date & Time		Disposed Date	
10	D7	STATUS HEARING	5/8/2013	11:00:00	5/8/2013	
	Event Extra Text: RE: DEFENSE COUNSEL		Disposition: D840 5/8/2013 MOTION TO RELEASE COUNSEL MOLEZZO AND APPOINT COUNSEL OHLSON TAKEN UNDER ADVISEMENT			
	Department	Event Description	Sched. Date & Time		Disposed Date	
11	D7	STATUS HEARING	5/22/2013	09:00:00	5/22/2013	
	Event Extra Text:		Disposition: D425 5/22/2013 MOTION TO SET TRIAL: GRANTED			
	Department	Event Description	Sched. Date & Time		Disposed Date	
12	D7	MOTION TO CONFIRM TRIAL	7/31/2013	09:00:00	5/13/2013	
	Event Extra Text:		Disposition: D843 5/13/2013 MTC AND TRIAL TO BE RESET AT STAT HEAR SCH'D FOR 05.22.13 - ks			
	Department	Event Description	Sched. Date & Time		Disposed Date	
13	D7	TRIAL - JURY	8/12/2013	09:30:00	5/13/2013	
	Event Extra Text: DAY ONE		Disposition: D843 5/13/2013 MTC AND TRIAL TO BE RESET AT STAT HEAR SCH'D FOR 05.22.13 - ks			
	Department	Event Description	Sched. Date & Time		Disposed Date	
14	D7	CHANGE OF PLEA	11/25/2013	09:00:00	11/25/2013	
	Event Extra Text:		Disposition: D655 11/25/2013 TO THE AMENDED INFORMATION			
	Department	Event Description	Sched. Date & Time		Disposed Date	
15	D7	SENTENCING	1/22/2014	09:00:00	1/22/2014	
	Event Extra Text: CASE NO. CR13-1149 WILL BE DISMISSED		Disposition: D765 1/22/2014			
	Department	Event Description	Sched. Date & Time		Disposed Date	
16	D7	MOTION TO CONFIRM TRIAL	1/22/2014	09:00:00	11/25/2013	
	Event Extra Text:		Disposition: D872 11/25/2013			
	Department	Event Description	Sched. Date & Time		Disposed Date	
17	D7	TRIAL - JURY	2/18/2014	09:30:00	11/25/2013	
	Event Extra Text: DAY ONE		Disposition: D872 11/25/2013			

Case Description: STATE OF NEVADA VS. DVAUGHN KEITHAN KING (TN) (D7)					
Case ID:	CR12-1160	Case Type:	CRIMINAL	Initial Filing Date:	7/9/2012
Department	Event Description		Sched. Date & Time		Disposed Date
18	D7	Request for Submission	9/15/2017	10:06:00	11/21/2017
Event Extra Text: PETITION FOR WRIT OF HABEAS CORPUS (POST CONVICTION)			Disposition: S200 11/21/2017 PETITION FOR WRIT OF HABEAS CORPUS (POST CONVICTION) - DENY/DISMISS		

Agency Cross Reference		
Code	Agency Description	Case Reference I.D.
DA	District Attorney's Office	DA438987
SC	Supreme Court	SCN 64983

Actions				
Action Entry Date	Code	Code Description	Text	
7/9/2012	1270	Application ...	MATERIAL WITNESS	
7/10/2012	NEF	Proof of Electronic Service	Transaction 3069871 - Approved By: NOREVIEW : 07-10-2012:11:50:02	
7/10/2012	3370	Order ...	CRIMINAL CERTIFICATION UNIFORM ACT TO SECURE THE ATTENDANCE OF WITNESSES FROM WITHC	
7/12/2012	2490	Motion ...	MOTION TO REQUIRE BOND OF A MATERIAL WITNESS - Transaction 3079983 - Approved By: AZION : 07-1	
7/12/2012	NEF	Proof of Electronic Service	Transaction 3080836 - Approved By: NOREVIEW : 07-12-2012:16:52:54	
7/12/2012	NEF	Proof of Electronic Service	Transaction 3081202 - Approved By: NOREVIEW : 07-12-2012:17:10:24	
7/12/2012	1301	Bench Warrant Filed -Case Open	BENCH WARRANT ON MATERIAL WITNESS ORDER	
7/12/2012	3370	Order ...	MATERIAL WITNESS ORDER - Transaction 3081098 - Approved By: NOREVIEW : 07-12-2012:16:58:56	
7/20/2012	1491	Pretrl Srves Assessment Report	Transaction 3099230 - Approved By: AZION : 07-20-2012:14:06:56	
7/20/2012	1250E	Application for Setting eFile	ARRAIGNMENT 08-08-12 @ 9AM - Transaction 3098332 - Approved By: NOREVIEW : 07-20-2012:09:49:54	
7/20/2012	NEF	Proof of Electronic Service	Transaction 3099356 - Approved By: NOREVIEW : 07-20-2012:14:17:47	
7/20/2012	NEF	Proof of Electronic Service	Transaction 3098345 - Approved By: NOREVIEW : 07-20-2012:09:51:52	
7/23/2012	1800	Information	Transaction 3102518 - Approved By: AZION : 07-23-2012:16:18:19	
7/23/2012	NEF	Proof of Electronic Service	Transaction 3101535 - Approved By: NOREVIEW : 07-23-2012:13:32:21	
7/23/2012	NEF	Proof of Electronic Service	Transaction 3100939 - Approved By: NOREVIEW : 07-23-2012:10:43:47	
7/23/2012	NEF	Proof of Electronic Service	Transaction 3102625 - Approved By: NOREVIEW : 07-23-2012:16:20:25	
7/23/2012	2400	Mtn Quash Warrant Attachmnt	MOTION TO QUASH MATERIAL WITNESS WARRANT (ERIC KING) - Transaction 3100807 - Approved By: AZ	
7/23/2012	3370	Order ...	QUASHING MATERIAL WITNESS WARRANT (ERIC KING) - Transaction 3101523 - Approved By: NOREVIEW	
7/23/2012	4265	Waiver of Preliminary Exam	Transaction 3102518 - Approved By: AZION : 07-23-2012:16:18:19	
7/26/2012	3893	Return on B/W - Quashed	WARRANT FILED 07/12/12 - QUASHED 07/23/12	
8/3/2012	NEF	Proof of Electronic Service	Transaction 3127396 - Approved By: NOREVIEW : 08-03-2012:12:09:44	
8/3/2012	3980	Stip and Order...	CONSOLIDATED STIPULATION: GOOD CAUSE TO CONTINUE FIRST APPEARANCE; GOOD CAUSE FOR (
8/16/2012	3700	Proceedings	JUSTICE COURT PROCEEDINGS	
8/22/2012	1280	** 60 Day Rule - Waived		
8/23/2012	MIN	***Minutes	08-22-12 ARRAIGNMENT - Transaction 3170621 - Approved By: NOREVIEW : 08-23-2012:10:49:16	
8/23/2012	NEF	Proof of Electronic Service	Transaction 3170643 - Approved By: NOREVIEW : 08-23-2012:10:53:14	
8/24/2012	NEF	Proof of Electronic Service	Transaction 3174648 - Approved By: NOREVIEW : 08-24-2012:15:18:05	
8/24/2012	1670	Ex-Parte Mtn...	*SEALED* EXPARTE MOTION FOR INVESTIGATIVE FEES FILED UNDER SEAL - Transaction 3174627 - App	

Case Description: STATE OF NEVADA VS. DVAUGHN KEITHAN KING (TN) (D7)				
Case ID:	CR12-1160	Case Type:	CRIMINAL	Initial Filing Date: 7/9/2012
8/29/2012	NEF	Proof of Electronic Service	Transaction 3181270 - Approved By: NOREVIEW : 08-29-2012:08:55:50	
8/29/2012	2610	Notice ...	*SEAL* NOTICE REGARDING AUTHORIZATION OF INVESTIGATIVE FEES - Transaction 3181227 - Approved By: NOREVIEW : 08-29-2012:08:55:50	
10/9/2012	1670	Ex-Parte Mtn...	(SEALED) EX PARTE MOTION FOR AN ORDER OF APPROVAL OF PAYMENT OF ATTORNEYS FEES AND C	
10/9/2012	NEF	Proof of Electronic Service	Transaction 3269967 - Approved By: NOREVIEW : 10-09-2012:10:42:45	
10/29/2012	NEF	Proof of Electronic Service	Transaction 3309177 - Approved By: NOREVIEW : 10-29-2012:12:22:35	
10/29/2012	2610	Notice ...	*SEALED* NOTICE RE: PAYMENT OF ATTY'S FEES - Transaction 3309039 - Approved By: AZION : 10-29-2012:12:22:35	
11/27/2012	NEF	Proof of Electronic Service	Transaction 3370262 - Approved By: NOREVIEW : 11-27-2012:16:19:20	
11/27/2012	1250	Application for Setting	MOTION TO SET TRIAL 11-28-12 AT 9:00 A.M. - Transaction 3370181 - Approved By: JYOST : 11-27-2012:16:19:20	
11/29/2012	MIN	***Minutes	11-28-12 MOTION TO SET TRIAL - Transaction 3376445 - Approved By: NOREVIEW : 11-29-2012:15:36:30	
11/29/2012	NEF	Proof of Electronic Service	Transaction 3376471 - Approved By: NOREVIEW : 11-29-2012:15:39:34	
12/3/2012	NEF	Proof of Electronic Service	Transaction 3382338 - Approved By: NOREVIEW : 12-03-2012:16:01:11	
12/3/2012	4185	Transcript	MOTION TO SET TRIAL - NOVEMBER 28, 2012 - Transaction 3382284 - Approved By: NOREVIEW : 12-03-2012:16:01:11	
12/4/2012	NEF	Proof of Electronic Service	Transaction 3383257 - Approved By: NOREVIEW : 12-04-2012:09:15:54	
12/4/2012	4185	Transcript	ARRAIGNMENT - AUGUST 22, 2012 - Transaction 3383242 - Approved By: NOREVIEW : 12-04-2012:09:13:23	
2/22/2013	3860	Request for Submission	NO S1 DONE - REFERRED TO BOB BELL - Transaction 3549286 - Approved By: SHAMBRIG : 02-22-2013:14:04:30	
2/22/2013	1670	Ex-Parte Mtn...	SEALED - EX-PARTE MOTION FOR DEFENSE THEORY EXPERT FEES FILED UNDER SEAL - Transaction 3549286 - Approved By: SHAMBRIG : 02-22-2013:14:04:30	
2/22/2013	NEF	Proof of Electronic Service	Transaction 3548769 - Approved By: NOREVIEW : 02-22-2013:11:26:09	
2/22/2013	NEF	Proof of Electronic Service	Transaction 3549465 - Approved By: NOREVIEW : 02-22-2013:14:04:30	
2/27/2013	MIN	***Minutes	STATUS HEARING - 02-20-13 - Transaction 3558164 - Approved By: NOREVIEW : 02-27-2013:10:42:26	
2/27/2013	NEF	Proof of Electronic Service	Transaction 3558175 - Approved By: NOREVIEW : 02-27-2013:10:44:24	
3/25/2013	NEF	Proof of Electronic Service	Transaction 3614163 - Approved By: NOREVIEW : 03-25-2013:13:47:28	
3/25/2013	1670	Ex-Parte Mtn...	(SEALED) EX-PARTE MOTION FOR AN ORDER OR APPROVAL OF PAYMENT OF ATTORNEY'S FEES AND	
3/25/2013	3860	Request for Submission	NO S1 BUILT (REFERRED TO BOB BELL) - EX PARTE MOTION FOR AN ORDER OF APPROVAL OF PAYME	
3/25/2013	NEF	Proof of Electronic Service	Transaction 3613388 - Approved By: NOREVIEW : 03-25-2013:10:46:11	
4/3/2013	NEF	Proof of Electronic Service	Transaction 3634070 - Approved By: NOREVIEW : 04-03-2013:08:23:03	
4/3/2013	2610	Notice ...	SEALED - NOTICE REGARDING PAYMENT OF ATTORNEY'S FEES - Transaction 3634036 - Approved By: JY	
4/19/2013	NEF	Proof of Electronic Service	Transaction 3673840 - Approved By: NOREVIEW : 04-19-2013:14:55:32	
4/19/2013	4185	Transcript	STATUS HEARING - FEBRUARY 20, 2013 - Transaction 3673832 - Approved By: NOREVIEW : 04-19-2013:14:55:32	
4/23/2013	1670	Ex-Parte Mtn...	EX-PARTE MOTION REQUESTING TO RELIEVE COUNSEL	
4/24/2013	NEF	Proof of Electronic Service	Transaction 3682908 - Approved By: NOREVIEW : 04-24-2013:12:59:06	
4/24/2013	2610	Notice ...	*SEAL* NOTICE REGARDING PAYMENT OF EXPERT FEES - Transaction 3682528 - Approved By: MCHOLIC	
4/25/2013	NEF	Proof of Electronic Service	Transaction 3685374 - Approved By: NOREVIEW : 04-25-2013:10:35:39	
4/25/2013	1250E	Application for Setting eFile	STAT HEARING - 05.03.13 - 11:00 A.M.	
4/26/2013	FIE	**Document Filed in Error		
5/6/2013	MIN	***Minutes	5/3/13 STATUS HEARING - Transaction 3707641 - Approved By: NOREVIEW : 05-06-2013:16:45:20	
5/6/2013	NEF	Proof of Electronic Service	Transaction 3707650 - Approved By: NOREVIEW : 05-06-2013:16:48:10	
5/8/2013	1695	** Exhibit(s) ...	MOTION FOR APPOINTMENT OF NEW COUNSEL	
5/13/2013	NEF	Proof of Electronic Service	Transaction 3720623 - Approved By: NOREVIEW : 05-13-2013:10:50:38	
5/13/2013	3370	Order ...	[ATTY JOHN OHLSON IS APPT'D TO REP DEFENDANT; TRIAL DATE OF 08.12.13 AND MTN TO CONFIRM I	

Case Description: STATE OF NEVADA VS. DVAUGHN KEITHAN KING (TN) (D7)				
Case ID:	CR12-1160	Case Type:	CRIMINAL	Initial Filing Date: 7/9/2012
5/14/2013	NEF	Proof of Electronic Service	Transaction 3725030 - Approved By: NOREVIEW : 05-14-2013:14:58:23	
5/14/2013	MIN	***Minutes	5-8-13 STATUS HEARING IN RE: APPOINTMENT OF COUNSEL - Transaction 3725013 - Approved By: NOREVIEW : 05-08-2013:16:42:59	
5/22/2013	MIN	***Minutes	5-22-13 STATUS HEARING - Transaction 3743625 - Approved By: NOREVIEW : 05-22-2013:16:42:59	
5/22/2013	NEF	Proof of Electronic Service	Transaction 3743634 - Approved By: NOREVIEW : 05-22-2013:16:44:59	
5/28/2013	1670	Ex-Parte Mtn...	(SEALED)EXPARTE MOTION FOR ORDER FOR AUTHORIZATION TO EMPLOY PRIVATE INVESTIGATOR A	
5/28/2013	NEF	Proof of Electronic Service	Transaction 3749572 - Approved By: NOREVIEW : 05-28-2013:13:42:00	
5/29/2013	3860	Request for Submission	DOCUMENT TITLE: EXPARTE MOTION FOR AN ORDER OF APPROVAL OF PANY OF ATTORNEY'S FEES A	
5/29/2013	1670	Ex-Parte Mtn...	(SEALED) EXPARTE MOTION FOR AN ORDER OF APPROVAL OF PANY OF ATTORNEY'S FEES AND COST	
5/30/2013	2610	Notice ...	(SEALED) NOTICE REGARDING AUTHORIZATION OF INVESTIGATIVE FEES - Transaction 3755084 - Appro	
5/30/2013	NEF	Proof of Electronic Service	Transaction 3755126 - Approved By: NOREVIEW : 05-30-2013:10:19:14	
6/5/2013	NEF	Proof of Electronic Service	Transaction 3769036 - Approved By: NOREVIEW : 06-05-2013:14:58:13	
6/5/2013	4185	Transcript	STATUS HEARING - MAY 3, 2013 - Transaction 3769032 - Approved By: NOREVIEW : 06-05-2013:14:56:47	
6/5/2013	4185	Transcript	STATUS HEARING - MAY 8, 2013 - Transaction 3769035 - Approved By: NOREVIEW : 06-05-2013:14:57:51	
6/5/2013	1670	Ex-Parte Mtn...	(SEALED) EX PARTE MOTION FOR AN ORDER OF APPROVAL OF PAYMENT OF INVESTIGATOR FEES - F	
6/5/2013	NEF	Proof of Electronic Service	Transaction 3769040 - Approved By: NOREVIEW : 06-05-2013:14:59:04	
6/5/2013	3860	Request for Submission	NO S1 DONE - REFERRED TO BOB BELL	
6/12/2013	NEF	Proof of Electronic Service	Transaction 3782223 - Approved By: NOREVIEW : 06-12-2013:08:41:53	
6/12/2013	2610	Notice ...	(SEALED) NOTICE REGARDING PAYMENT OF ATTORNEY'S FEES - Transaction 3782009 - Approved By: JY	
6/26/2013	NEF	Proof of Electronic Service	Transaction 3816664 - Approved By: NOREVIEW : 06-26-2013:11:02:50	
6/26/2013	2610	Notice ...	(SEALED) NOTICE REGARDING AUTHORIZATION OF INVESTIGATIVE FEES - Transaction 3816632 - Appro	
7/16/2013	1670	Ex-Parte Mtn...	(SEALED) EX PARTE MOTION FOR ORDER ALLOWING PAYMENT OF ATTORNEY'S FEES - Transaction 38	
7/16/2013	NEF	Proof of Electronic Service	Transaction 3858622 - Approved By: NOREVIEW : 07-16-2013:15:03:51	
7/29/2013	NEF	Proof of Electronic Service	Transaction 3884112 - Approved By: NOREVIEW : 07-29-2013:08:42:41	
7/29/2013	4185	Transcript	STATUS HEARING - MAY 22, 2013 - Transaction 3884095 - Approved By: NOREVIEW : 07-29-2013:08:40:59	
8/7/2013	NEF	Proof of Electronic Service	Transaction 3906650 - Approved By: NOREVIEW : 08-07-2013:12:29:35	
8/7/2013	2610	Notice ...	(SEALED) NOTICE REGARDING PAYMENT OF INTERIM ATTORNEY FEES - Transaction 3906463 - Approver	
9/6/2013	NEF	Proof of Electronic Service	Transaction 3976846 - Approved By: NOREVIEW : 09-06-2013:09:17:24	
9/6/2013	1670	Ex-Parte Mtn...	(SEALED) EX PARTE MOTION FOR ORDER ALLOWING PAYMENT OF ATTORNEY'S FEES - Transaction 397	
9/12/2013	NEF	Proof of Electronic Service	Transaction 3991651 - Approved By: NOREVIEW : 09-12-2013:10:54:39	
9/12/2013	2610	Notice ...	(SEALED) NOTICE REGARDING PAYMENT OF INTERIM ATTORNEY FEES - Transaction 3991481 - Approver	
10/2/2013	1670	Ex-Parte Mtn...	(SEALED) EX PARTE MOTION FOR ORDER ALLOWING PAYMENT OF ATTORNEY'S FEES - Transaction 40	
10/2/2013	NEF	Proof of Electronic Service	Transaction 4037089 - Approved By: NOREVIEW : 10-02-2013:10:50:06	
10/22/2013	2610	Notice ...	(SEALED) NOTICE REGARDING PAYMENT OF INTERIM ATTORNEY FEES - Transaction 4083219 - Approver	
10/22/2013	NEF	Proof of Electronic Service	Transaction 4083930 - Approved By: NOREVIEW : 10-22-2013:11:22:52	
11/13/2013	NEF	Proof of Electronic Service	Transaction 4132314 - Approved By: NOREVIEW : 11-13-2013:17:12:46	
11/13/2013	3980	Stip and Order...	RE PRE-PRELIMINARY HEARING AND PRE-TRIAL RECIPROCAL DISCOVERY (FELONY AND GROSS MIST	
11/21/2013	2610	Notice ...	SEALED *** NOTICE RE: PAYMENT OF INTERIM ATTY FEES - Transaction 4149761 - Approved By: AZION : '	
11/21/2013	NEF	Proof of Electronic Service	Transaction 4149923 - Approved By: NOREVIEW : 11-21-2013:08:31:15	
11/22/2013	NEF	Proof of Electronic Service	Transaction 4154671 - Approved By: NOREVIEW : 11-22-2013:12:54:18	

Case Description: STATE OF NEVADA VS. DVAUGHN KEITHAN KING (TN) (D7)				
Case ID:	CR12-1160	Case Type:	CRIMINAL	Initial Filing Date: 7/9/2012
11/22/2013	NEF	Proof of Electronic Service	Transaction 4155374 - Approved By: NOREVIEW : 11-22-2013:14:04:49	
11/22/2013	1250	Application for Setting	CHANGE OF PLEA HEARING 11-25-13 AT 9:00 - Transaction 4154581 - Approved By: SHAMBRIG : 11-22-2013:14:03:06	
11/22/2013	1095	Amended Information	Transaction 4154695 - Approved By: SHAMBRIG : 11-22-2013:14:03:06	
11/25/2013	NEF	Proof of Electronic Service	Transaction 4159233 - Approved By: NOREVIEW : 11-25-2013:14:48:07	
11/25/2013	MIN	***Minutes	CHANGE OF PLEA - Transaction 4159211 - Approved By: NOREVIEW : 11-25-2013:14:45:23	
11/25/2013	1785	Guilty Plea Memo/Agreement	Transaction 4157773 - Approved By: NOREVIEW : 11-25-2013:10:04:19	
11/25/2013	NEF	Proof of Electronic Service	Transaction 4157783 - Approved By: NOREVIEW : 11-25-2013:10:06:14	
12/5/2013	NEF	Proof of Electronic Service	Transaction 4178559 - Approved By: NOREVIEW : 12-05-2013:14:37:05	
12/5/2013	1670	Ex-Parte Mtn...	(SEALED) EX PARTE MOTION FOR ORDER ALLOWING PAYMENT OF ATTORNEYS FEES - Transaction 4178559 - Approved By: NOREVIEW : 12-05-2013:14:37:05	
12/19/2013	2610	Notice ...	(SEALED) NOTICE REGARDING PAYMENT OF INTERIM ATTORNEY FEES - Transaction 4208567 - Approved By: SHAMBRIG : 12-19-2013:08:30:45	
12/19/2013	NEF	Proof of Electronic Service	Transaction 4208637 - Approved By: NOREVIEW : 12-19-2013:08:30:45	
1/9/2014	4500	PSI - Confidential	(CONFIDENTIAL) Transaction 4245096 - Approved By: MELWOOD : 01-09-2014:09:07:03	
1/9/2014	NEF	Proof of Electronic Service	Transaction 4245160 - Approved By: NOREVIEW : 01-09-2014:09:10:15	
1/16/2014	NEF	Proof of Electronic Service	Transaction 4263025 - Approved By: NOREVIEW : 01-16-2014:15:40:05	
1/16/2014	1960	Memorandum ...	DEFENDANT'S PRE-SENTENCE MEMORANDUM - Transaction 4262738 - Approved By: SHAMBRIG : 01-16-2014:15:40:05	
1/21/2014	4185	Transcript	CHANGE OF PLEA - NOVEMBER 25, 2013 - Transaction 4267171 - Approved By: NOREVIEW : 01-21-2014:11:59:41	
1/21/2014	NEF	Proof of Electronic Service	Transaction 4267173 - Approved By: NOREVIEW : 01-21-2014:11:59:41	
1/22/2014	1695	** Exhibit(s) ...	SENTENCING	
1/22/2014	COLL	Sent to Collections	22-JAN-2014	
1/23/2014	NEF	Proof of Electronic Service	Transaction 4271604 - Approved By: NOREVIEW : 01-23-2014:12:51:23	
1/23/2014	1850	Judgment of Conviction	01-22-14 - Transaction 4271603 - Approved By: NOREVIEW : 01-23-2014:12:50:33	
1/27/2014	NEF	Proof of Electronic Service	Transaction 4276269 - Approved By: NOREVIEW : 01-27-2014:13:50:18	
1/27/2014	2590	Notice Withdrawal of Attorney	JOHN OHLSON, ESQ - Transaction 4276161 - Approved By: SHAMBRIG : 01-27-2014:13:47:00	
1/28/2014	MIN	***Minutes	SENTENCING - 01-22-14 - Transaction 4278667 - Approved By: NOREVIEW : 01-28-2014:15:16:58	
1/28/2014	NEF	Proof of Electronic Service	Transaction 4278675 - Approved By: NOREVIEW : 01-28-2014:15:18:05	
1/28/2014	COC	Evidence Chain of Custody Form		
1/31/2014	2230	Mtn Trial Trans. Public Exp		
1/31/2014	3868	Req to Crt Rptr - Rough Draft		
1/31/2014	2515	Notice of Appeal Supreme Court		
1/31/2014	1215	Application Appoint Counsel	INDIGENT REQUEST FOR COURT APPOINTED COUNSEL ON APPEAL	
2/4/2014	NEF	Proof of Electronic Service	Transaction 4289264 - Approved By: NOREVIEW : 02-04-2014:14:17:16	
2/4/2014	1670	Ex-Parte Mtn...	(SEALED) EX PARTE MOTION FOR ORDER ALLOWING PAYMENT OF ATTORNEY'S FEES - Transaction 4289264 - Approved By: NOREVIEW : 02-04-2014:14:17:16	
2/6/2014	NEF	Proof of Electronic Service	Transaction 4293192 - Approved By: NOREVIEW : 02-06-2014:10:55:09	
2/6/2014	4185	Transcript	SENTENCING - JANUARY 22, 2014 - Transaction 4293188 - Approved By: NOREVIEW : 02-06-2014:10:54:11	
2/7/2014	3863	**Submit regarding Appeals	DOCUMENT TITLE: INDIGENT REQUEST FOR COURT APPOINTED COUNSEL ON APPEAL (NO S1 BUILT)	
2/7/2014	1350	Certificate of Clerk	CERTIFICATE OF CLERK AND TRANSMITTAL - NOTICE OF APPEAL - Transaction 4295157 - Approved By: NC	
2/7/2014	1310E	Case Appeal Statement	Transaction 4295157 - Approved By: NOREVIEW : 02-07-2014:10:10:22	
2/7/2014	NEF	Proof of Electronic Service	Transaction 4295161 - Approved By: NOREVIEW : 02-07-2014:10:11:22	
2/14/2014	1188	Supreme Court Receipt for Doc	SUPREME COURT NO. 64983/RECEIPT FOR DOCUMENTS - Transaction 4305975 - Approved By: NOREVIEW : 02-14-2014:10:11:22	

Case Description: STATE OF NEVADA VS. D'VAUGHN KEITHAN KING (TN) (D7)				
Case ID:	CR12-1160	Case Type:	CRIMINAL	Initial Filing Date: 7/9/2012
2/14/2014	NEF	Proof of Electronic Service	Transaction 4305981 - Approved By: NOREVIEW : 02-14-2014:10:45:21	
2/26/2014	2610	Notice ...	(SEALED) NOTICE REGARDING PAYMENT OF INTERIM ATTORNEY FEES - Transaction 4319701 - Approver	
2/26/2014	NEF	Proof of Electronic Service	Transaction 4319778 - Approved By: NOREVIEW : 02-26-2014:09:50:19	
3/6/2014	2520	Notice of Appearance	KARLA BUTKO, ESQ. / D'VAUGHN KING - Transaction 4331824 - Approved By: MCHOLICO : 03-06-2014:11:2	
3/6/2014	NEF	Proof of Electronic Service	Transaction 4331927 - Approved By: NOREVIEW : 03-06-2014:11:30:26	
3/10/2014	NEF	Proof of Electronic Service	Transaction 4335898 - Approved By: NOREVIEW : 03-10-2014:13:14:03	
3/10/2014	4135	Supreme Court Ord Remanding	SUPREME COURT NO. 64983/ORDER OF LIMITED REMAND FOR APPOINTMENT OF COUNSEL - Transact	
3/12/2014	3863	**Submit regarding Appeals	DOCUMENT TITLE: SUPREME COURT NO. 64983/ORDER OF LIMITED REMAND FOR APPOINTMENT OF	
8/12/2014	1670	Ex-Parte Mtn...	(SEALED) EX PARTE MOTION FOR ORDER ALLOWING PAYMENT OF ATTORNEY'S FEES TO APPOINTED	
9/2/2014	NEF	Proof of Electronic Service	Transaction 4585911 - Approved By: NOREVIEW : 09-02-2014:09:16:28	
9/2/2014	2610	Notice ...	NOTICE REGARDING PAYMENT OF ATTORNEY FEES - Transaction 4585652 - Approved By: SHAMBRIG : 0	
10/8/2014	4129	Supreme Ct Order Granting ...	SUPREME COURT NO. 64983 / ORDER GRANTING MOTION FOR TRANSMISSION OF PRESENTENCE INV	
10/8/2014	NEF	Proof of Electronic Service	Transaction 4642480 - Approved By: NOREVIEW : 10-08-2014:11:07:19	
10/21/2014	1350	Certificate of Clerk	CERTIFICATE OF CLERK AND TRANSMITTAL - Transaction 4660905 - Approved By: NOREVIEW : 10-21-201	
10/21/2014	NEF	Proof of Electronic Service	Transaction 4660914 - Approved By: NOREVIEW : 10-21-2014:09:42:06	
10/22/2014	1670	Ex-Parte Mtn...	EX PARTE MOTION FOR ORDER ALLOWING PAYMENT OF ATTORNEY'S FEES TO APPOINTED COUNSEL	
10/30/2014	NEF	Proof of Electronic Service	Transaction 4675792 - Approved By: NOREVIEW : 10-30-2014:11:24:06	
10/30/2014	2610	Notice ...	REGARDING PAYMENT OF ATTORNEY FEES - Transaction 4675499 - Approved By: ASMITH : 10-30-2014:1	
12/8/2014	NEF	Proof of Electronic Service	Transaction 4725365 - Approved By: NOREVIEW : 12-08-2014:11:35:09	
12/8/2014	4134	Supreme Court Order Affirming	SUPREME COURT NO. 64983/ORDER OF AFFIRMANCE - Transaction 4725361 - Approved By: NOREVIEW	
12/30/2014	NEF	Proof of Electronic Service	Transaction 4754544 - Approved By: NOREVIEW : 12-30-2014:14:39:32	
12/30/2014	4134	Supreme Court Order Affirming	SUPREME COURT NO. 64983/ORDER OF AFFIRMANCE - Transaction 4754537 - Approved By: NOREVIEW :	
12/30/2014	4111	Supreme Ct Clk's Cert & Judg	SUPREME COURT NO. 64983/CLERK'S CERTIFICATE AND JUDGMENT - Transaction 4754537 - Approved B	
12/30/2014	4145	Supreme Court Remittitur	SUPREME COURT NO. 64983/REMITTITUR - Transaction 4754537 - Approved By: NOREVIEW : 12-30-2014:~	
7/16/2015	2385	Mtn Proceed Forma Pauperis		
7/16/2015	2490	Motion ...	MOTION FOR LEAVE OF COURT TO FILE THE LONGER THAN NORMAL PETITION	
7/16/2015	3565	Pet Post-Conviction Relief		
7/16/2015	3862	**Criminal Submit	DOCUMENT TITLE: NO S1 BUILT-PETITION FOR WRIT OF HABEAS CORPUS (POSTCONVICTION) PAPEF	
7/16/2015	1215	Application Appoint Counsel		
2/26/2016	NEF	Proof of Electronic Service	Transaction 5388869 - Approved By: NOREVIEW : 02-26-2016:09:42:06	
2/26/2016	NEF	Proof of Electronic Service	Transaction 5388885 - Approved By: NOREVIEW : 02-26-2016:09:45:29	
2/26/2016	3060	Ord Granting Mtn ...	FOR COURT APPOINTED COUNSEL - Transaction 5388873 - Approved By: NOREVIEW : 02-26-2016:09:44:3	
2/26/2016	3035	Ord Grant in Forma Pauperis	Transaction 5388864 - Approved By: NOREVIEW : 02-26-2016:09:41:04	
3/24/2016	2715	Ord Appointing Counsel	[Mary Lou Wilson, Esq. for D'Vaughn King - ks] - Transaction 5433469 - Approved By: NOREVIEW : 03-24-2016	
3/24/2016	NEF	Proof of Electronic Service	Transaction 5433471 - Approved By: NOREVIEW : 03-24-2016:10:54:34	
5/19/2016	1670	Ex-Parte Mtn...	EX PARTE MOTION FOR APPROVAL OF FUTURE INVESTIGATIVE FEES IN SUPPORT OF PETITION AND S	
5/19/2016	NEF	Proof of Electronic Service	Transaction 5523994 - Approved By: NOREVIEW : 05-19-2016:15:56:04	
5/20/2016	2075	Mtn for Extension of Time	MOTION FOR EXTENSION OF TIME (FIRST REQUEST) - Transaction 5526623 - Approved By: TBRIITON : 0	
5/20/2016	NEF	Proof of Electronic Service	Transaction 5526665 - Approved By: NOREVIEW : 05-20-2016:16:48:36	

Case Description: STATE OF NEVADA VS. D'VAUGHN KEITHAN KING (TN) (D7)				
Case ID:	CR12-1160	Case Type:	CRIMINAL	Initial Filing Date: 7/9/2012
6/9/2016	NEF	Proof of Electronic Service	Transaction 5556093 - Approved By: NOREVIEW : 06-09-2016:16:21:51	
6/9/2016	1670	Ex-Parte Mtn...	EX PARTE MOTION FOR APPROVAL OF INTERIM ATTORNEY FEES - Transaction 5555779 - Approved By: C	
6/28/2016	NEF	Proof of Electronic Service	Transaction 5582530 - Approved By: NOREVIEW : 06-28-2016:10:31:40	
6/28/2016	3370	Order ...	RECOMMENDATION AND ORDER FOR PAYMENT OF INTERIM ATTORNEY'S FEES (POST CONVICTION) -	
7/6/2016	2525	Notice of Change of Address	D'VAUGHN KING - Transaction 5596441 - Approved By: RKWATKIN : 07-07-2016:09:23:21	
7/7/2016	NEF	Proof of Electronic Service	Transaction 5596763 - Approved By: NOREVIEW : 07-07-2016:09:24:27	
7/28/2016	2075	Mtn for Extension of Time	Transaction 5631006 - Approved By: YVILORIA : 07-28-2016:11:03:39	
7/28/2016	NEF	Proof of Electronic Service	Transaction 5631667 - Approved By: NOREVIEW : 07-28-2016:11:04:37	
10/9/2016	1670	Ex-Parte Mtn...	EXPARTE MOTION FOR APPROVAL OF INTERIM ATTORNEY FEES (TO BE FILED UNDER SEAL) - Transac	
10/10/2016	NEF	Proof of Electronic Service	Transaction 5747776 - Approved By: NOREVIEW : 10-10-2016:09:20:51	
10/18/2016	3370	Order ...	RECOMMENDATION AND ORDER FOR PAYMENT OF ATTORNEY'S FEES (POST CONVICTION) - Transacti	
10/18/2016	NEF	Proof of Electronic Service	Transaction 5762427 - Approved By: NOREVIEW : 10-18-2016:10:45:23	
11/8/2016	NEF	Proof of Electronic Service	Transaction 5796981 - Approved By: NOREVIEW : 11-08-2016:12:39:58	
11/8/2016	3370	Order ...	RECOMMENDATION AND ORDER FOR APPOINTMENT OF COUNSEL (POST CONVICTION) - Transaction 5	
12/12/2016	NEF	Proof of Electronic Service	Transaction 5848227 - Approved By: NOREVIEW : 12-12-2016:11:29:19	
12/12/2016	NEF	Proof of Electronic Service	Transaction 5849313 - Approved By: NOREVIEW : 12-12-2016:15:40:19	
12/12/2016	2526	Notice of Change of Attorney	JENNIFER P. NOBLE DA IN PLACE OF TERRENCE P MCCARTHY DA / STATE - Transaction 5848201 - Appr	
12/12/2016	4047	Stip Extension of Time ...	STIPULATION FOR EXTENSION OF TIME - Transaction 5848190 - Approved By: YVILORIA : 12-12-2016:11:2:	
12/12/2016	NEF	Proof of Electronic Service	Transaction 5848206 - Approved By: NOREVIEW : 12-12-2016:11:25:26	
12/12/2016	3030	Ord Granting Extension Time	Transaction 5849299 - Approved By: NOREVIEW : 12-12-2016:15:39:01	
2/3/2017	1670	Ex-Parte Mtn...	EX PARTE MOTION FOR EXCESS ATTORNEY'S FEES (POST CONVICTION) - Transaction 5933129 - Approv	
2/3/2017	NEF	Proof of Electronic Service	Transaction 5933207 - Approved By: NOREVIEW : 02-03-2017:11:43:30	
2/9/2017	4047	Stip Extension of Time ...	Transaction 5944687 - Approved By: CSULEZIC : 02-09-2017:16:54:09	
2/9/2017	NEF	Proof of Electronic Service	Transaction 5944916 - Approved By: NOREVIEW : 02-09-2017:16:55:11	
2/13/2017	NEF	Proof of Electronic Service	Transaction 5947962 - Approved By: NOREVIEW : 02-13-2017:12:07:27	
2/13/2017	3105	Ord Granting ...	EXTENSION OF TIME - Transaction 5947959 - Approved By: NOREVIEW : 02-13-2017:12:06:27	
2/14/2017	1670	Ex-Parte Mtn...	(SEALED) EX-PARTE MOTION FOR PRIVATE INVESTIGATOR FEES - Transaction 5949681 - Approved By: T	
2/14/2017	NEF	Proof of Electronic Service	Transaction 5950008 - Approved By: NOREVIEW : 02-14-2017:11:00:20	
3/1/2017	3370	Order ...	RECOMMENDATION AND ORDER FOR PAYMENT OF ATTORNEY'S FEES (POST CONVICTION) - Transacti	
3/1/2017	NEF	Proof of Electronic Service	Transaction 5975589 - Approved By: NOREVIEW : 03-01-2017:16:50:08	
3/15/2017	NEF	Proof of Electronic Service	Transaction 5997631 - Approved By: NOREVIEW : 03-15-2017:09:25:36	
3/15/2017	3370	Order ...	RECOMMENDATION AND ORDER FOR INVESTIGATION FEES (POST CONVICTION) - Transaction 5997628	
3/17/2017	NEF	Proof of Electronic Service	Transaction 6005419 - Approved By: NOREVIEW : 03-17-2017:14:49:15	
3/17/2017	4047	Stip Extension of Time ...	Transaction 6005294 - Approved By: CSULEZIC : 03-17-2017:14:44:58	
3/20/2017	NEF	Proof of Electronic Service	Transaction 6006653 - Approved By: NOREVIEW : 03-20-2017:09:38:34	
3/20/2017	3030	Ord Granting Extension Time	Transaction 6006648 - Approved By: NOREVIEW : 03-20-2017:09:37:41	
3/30/2017	4100	Supplemental Petition	SUPPLEMENTAL PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION) - Transaction 6025544 -	
3/30/2017	NEF	Proof of Electronic Service	Transaction 6025585 - Approved By: NOREVIEW : 03-30-2017:14:08:21	
5/10/2017	NEF	Proof of Electronic Service	Transaction 6093575 - Approved By: NOREVIEW : 05-10-2017:11:54:46	

Case Description: STATE OF NEVADA VS. DVAUGHN KEITHAN KING (TN) (D7)				
Case ID:	CR12-1160	Case Type:	CRIMINAL	Initial Filing Date: 7/9/2012
5/10/2017	1130	Answer ...	ANSWER TO PETITION AND SUPPLEMENTAL PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVIC	
6/29/2017	1670	Ex-Parte Mtn...	EX-PARTE MOTION FOR EXCESS ATTORNEYS FEES (POST CONVICTION - Transaction 6173848 - Approve	
6/29/2017	NEF	Proof of Electronic Service	Transaction 6174304 - Approved By: NOREVIEW : 06-29-2017:16:13:15	
7/17/2017	NEF	Proof of Electronic Service	Transaction 6199932 - Approved By: NOREVIEW : 07-17-2017:16:15:54	
7/17/2017	3370	Order ...	RECOMMENDATION AND ORDER FOR PAYMENT OF ATTORNEY'S FEES (POST CONVICTION) - Transacti	
9/15/2017	NEF	Proof of Electronic Service	Transaction 6301437 - Approved By: NOREVIEW : 09-15-2017:10:06:24	
9/15/2017	3860	Request for Submission	Transaction 6301355 - Approved By: YVILORIA : 09-15-2017:10:05:23	
11/21/2017	S200	Request for Submission Complet	PETITION FOR WRIT OF HABEAS CORPUS (POST CONVICTION) - DENY/DISMISS	
11/21/2017	F140	Adj Summary Judgment	ORDER DENY/DISMISS PETITION FOR WRIT ADJUDICATES CASE	
11/21/2017	2827	Ord Deny/Dism Post Conviction	ORDER DISMISSING PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION) - Transaction 6406	
11/21/2017	NEF	Proof of Electronic Service	Transaction 6406213 - Approved By: NOREVIEW : 11-21-2017:15:14:17	
11/22/2017	NEF	Proof of Electronic Service	Transaction 6406980 - Approved By: NOREVIEW : 11-22-2017:08:55:37	
11/22/2017	2540	Notice of Entry of Ord	Transaction 6406972 - Approved By: NOREVIEW : 11-22-2017:08:52:39	
12/12/2017	NEF	Proof of Electronic Service	Transaction 6436040 - Approved By: NOREVIEW : 12-12-2017:15:50:48	
12/12/2017	NEF	Proof of Electronic Service	Transaction 6436041 - Approved By: NOREVIEW : 12-12-2017:15:50:57	
12/12/2017	1310	Case Appeal Statement	Transaction 6436013 - Approved By: YVILORIA : 12-12-2017:15:49:36	
12/12/2017	2610	Notice ...	NOTICE THAT NO TRANSCRIPTS ARE REQUESTED - Transaction 6436019 - Approved By: YVILORIA : 12-12	
12/12/2017	2515	Notice of Appeal Supreme Court	Transaction 6436000 - Approved By: YVILORIA : 12-12-2017:15:49:24	
12/12/2017	NEF	Proof of Electronic Service	Transaction 6436036 - Approved By: NOREVIEW : 12-12-2017:15:50:40	
12/13/2017	NEF	Proof of Electronic Service	Transaction 6436534 - Approved By: NOREVIEW : 12-13-2017:08:23:38	
12/13/2017	1350	Certificate of Clerk	CERTIFICATE OF CLERK AND TRANSMITTAL - NOTICE OF APPEAL - Transaction 6436529 - Approved By: N	

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

D'VAUGHN KEITHAN KING,
Petitioner,

Case No.: CR12-1160
Dept. No.: 7

vs.

STATE OF NEVADA,
Respondent.

**ORDER DISMISSING PETITION FOR WRIT OF HABEAS CORPUS (POST-
CONVICTION)**

Before this Court is Petitioner D'Vaughn Keithan King's timely petition for writ of habeas corpus along with his supplemented petition filed by post-conviction counsel and Respondent State of Nevada's answer. The petition is dismissed for the reasons set forth below.

Petitioner is a prisoner at High Desert State Prison, Clark County, Nevada. On January 23, 2014, this Court entered a judgment of conviction pursuant to a guilty plea of second-degree murder with the use of a deadly weapon. The Nevada Supreme Court affirmed his conviction on appeal. Petitioner asserts eight grounds for relief in his petition: (1) counsel was ineffective for failure to present appropriate mitigating testimony or evidence at sentencing to show Petitioner should receive a a lighter sentence; (2) Petitioner's rights were violated because his plea was coerced by counsel;

(3) Petitioner argues the State breached the spirit of the plea bargain when the prosecutor knowingly presented false testimony and did not correct testimony that he knew to be false; (4) Petitioner argues the district court abused its discretion when it sentenced Petitioner to a sentence augmented by invalid prior criminal history; (5) the State breached the spirit of the plea bargain in violation of Petitioner's constitutional rights; (6) Petitioner argues the district court abused its discretion when it ruled Petitioner would serve his Nevada prison time consecutively with his California prison time.; (7) Petitioner argues the district court abused its discretion when it sentenced Petitioner to an additional 53-240 months for use of a deadly weapon given the mitigating factors; and (8) Petitioner argues the district court abused its discretion when it sentenced Petitioner to a period of time severely disproportionate to the time stated in the plea bargain.

I. Legal Standard

The district court reviews a claim of ineffective assistance of counsel under the two-part test set forth in Strickland v. Washington, 466 U.S. 668, 687 (1984). The petitioner must demonstrate (1) counsel's performance fell below an objective standard of reasonableness, and (2) but for the deficient performance, there is a reasonable probability the outcome would have been different. Means v. State, 120 Nev. 1001, 1011, 103 P.3d 25, 32 (2004). "A court may consider the two test elements in any order and need not consider both prongs if the defendant makes an insufficient showing on either one." Kirksey v. State, 112 Nev. 980, 987, 923 P.2d 1102, 1107 (1996).

Petitioner must demonstrate the underlying facts by a preponderance of the evidence. Means, 120 Nev. at 1012, 103 P.3d 33. If a petitioner who pled guilty argues his or her counsel was ineffective, the question is whether there is a reasonable probability that but for counsel's error the defendant would not have entered a guilty plea and would have insisted on going to trial. Kirksey, 112 Nev. at 988, 923 P.2d at 1107.

To make a sufficient showing to warrant an evidentiary hearing, a petitioner's claims must be supported by specific factual allegations that are not belied by the record and, if true, would warrant relief. See Hargrove v. State, 100 Nev. 498, 502-03, 686 P.2d

222, 225 (1984). If the court determines an evidentiary hearing is not warranted, it must dismiss the petition without a hearing. NRS 34.770(2).

II. Discussion

a. Ground 1: Petitioner argues trial counsel was ineffective for failure to present appropriate mitigating testimony or evidence.

Such mitigating testimony or evidence would support an argument of a lighter sentence. If granted an evidentiary hearing, Petitioner would present testimony from Dr. Martha Mahaffey who would testify Petitioner was at low risk to reoffend, amenable to treatment, and rehabilitation. Petitioner would also present psychological evidence of his ADHD, learning disabilities, drug abuse, and childhood indicating the need for rehabilitation.

The Supreme Court has recognized counsel in capital cases has an obligation to conduct a thorough investigation of the defendant's background. Wiggins v. Smith, 539 U.S. 510, 522 (2003). A thorough investigation is one that is reasonable given the circumstances; therefore, counsel is "not require[d] ... to investigate every conceivable line of mitigating evidence no matter how unlikely the effort would be to assist the defendant at sentencing." Id. at 533.

Here, this was not a capital case. Petitioner has failed to show trial counsel's performance fell below an objective standard of reasonableness. Further, Petitioner's argument is belied by the record. During the sentencing hearing, Petitioner's trial counsel did have Petitioner's wife testify. She testified about how Petitioner had found a purpose in life and wanted to help prevent people from making the same horrible decisions Petitioner made. Tr. of Sentencing Proceedings 9:8-15 (Jan. 22, 2014). Petitioner's mother, father, and brother traveled from Mississippi and California for the sentencing hearing as well. Id. at 10:13-22. Given the circumstances, trial counsel's investigation and presentation of mitigating evidence was reasonable and he did not need to "investigate every conceivable line of mitigating evidence." Wiggins, 539 U.S. at 522.

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1 **Ground 2: Petitioner argues his rights were violated because his guilty plea**
2 **was coerced by counsel.**

3 Petitioner argues his guilty plea was the product of coercion because trial counsel
4 promised him if he pled guilty, he would receive the exact sentence as stated in the plea
5 bargain. Such a promise, Petitioner argues, was deficient performance because
6 sentencing is solely within the discretion of the court. Petitioner's argument fails because
7 it is belied by the record as shown in the following exchange:

8 THE COURT: Sir, you understand although you've made an agreement
9 with the State, sentencing is in the sole discretion of the Court?

10 THE DEFENDANT: Yes, sir.

11 THE COURT: As I sit here now, I don't know what the sentence is going to
12 be. At the time of sentencing, I'm going to listen you to [sic], I'm going to
13 listen to your attorney, I'm going to listen to the State's attorney, I'm going
14 to review and consider all the information provided to me by the Division
15 of Parole and Probation. But do you understand that sentencing is in the
16 sole discretion of the Court?

17 THE DEFENDANT: Correct.

18 Tr. of Change of Plea Proceedings 13:19-14:6 (Nov. 25, 2013).

19 Furthermore, in reviewing the transcript, trial counsel testified Petitioner had a thorough
20 understanding of the plea bargain and the strength and weaknesses of his case. *Id.* at
21 7:13-8:4. Petitioner accurately stated the maximum sentences to the charges. *Id.* at 11:19-
22 12:22. Petitioner acknowledged that no promises had been made to induce his guilty plea
23 and affirmatively answered he was pleading guilty freely and voluntarily. *Id.* at 14:7-13.
24 Since Petitioner's allegations are belied by the record, an evidentiary hearing is not
25 warranted.

26 **b. Petitioner's grounds three through eight are dismissed.**

27 Under NRS 34.810(1)(a), a court must dismiss a petition if the "petitioner's
28 conviction was upon a plea of guilty ... and the petition is not based upon an allegation
that the plea was involuntarily or unknowingly entered or that the plea was entered
without effective assistance of counsel." Because Petitioner pled guilty, his petition is
subject to such procedural bars. *Id.* The following claims fall outside the scope of claims

1 permissible in a post-conviction habeas petition challenging conviction upon a guilty
2 plea:

3 Ground (3): Petitioner argues the State breached the spirit of the plea bargain when
4 the prosecutor knowingly presented false testimony and did not correct testimony that
5 he knew to be false.

6 Ground (4): Petitioner argues the district court abused its discretion when it
7 sentenced Petitioner to a sentence augmented by invalid prior criminal history.

8 Ground (5): The State breached the spirit of the plea bargain in violation of
9 Petitioner's constitutional rights.

10 Ground (6): Petitioner argues the district court abused its discretion when it ruled
11 Petitioner would serve his Nevada prison time consecutively with his California prison
12 time.

13 Ground (7): Petitioner argues the district court abused its discretion when it
14 sentenced Petitioner to an additional 53-240 months for use of a deadly weapon given the
15 mitigating factors.

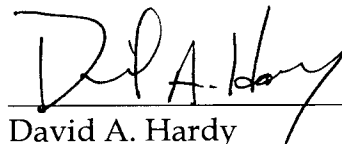
16 Ground (8): Petitioner argues the district court abused its discretion when it
17 sentenced Petitioner to a period of time severely disproportionate to the time stated in
18 the plea bargain.

19 **III. Conclusion**

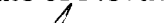
20 Because this Court has determined an evidentiary hearing is not warranted, the
21 Petition is dismissed.

22 **IT IS SO ORDERED.**

23 Dated: November 21, 2017.

24 
25 David A. Hardy
26 District Court Judge
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e State of Nevada.
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Judicial Assistant

1 CODE: 2540
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5 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
6 IN AND FOR THE COUNTY OF WASHOE

7 ***

8 D'VAUGHN KEITHAN KING,
9 Petitioner,

CASE NO: CR12-1160

10 vs.

DEPT. NO.: 7

11 STATE OF NEVADA,

12
13 Respondent,
14 _____/

15 **NOTICE OF ENTRY OF ORDER**

16 PLEASE TAKE NOTICE that on the 21st day of November, 2017 the Court entered
17 a decision or order in this matter, a true and correct copy of which is attached hereto.

18 You may appeal to the Supreme Court from the decision or order of the Court. If
19 you wish to appeal, you must file a notice of appeal with the Clerk of this Court within thirty-
20 three (33) days, after the date this notice is mailed to you. This notice was mailed on the
21 22nd day of November, 2017.

22
23 JACQUELINE BRYANT
24 Clerk of the Court

25 By /s/ Mia Cholico
26 Deputy Clerk
27
28

1 **CERTIFICATE OF SERVICE**

2 CASE NO. CR12-1160

3 Pursuant to NRCP 5(b), I certify that I am an employee of the Second Judicial
4 District Court of the State of Nevada, County of Washoe; and that on the 22nd day of
5 November, 2017, I electronically filed the Notice of Entry of Order with the Clerk of the
6 Court by using the ECF system which will send a notice of electronic filing to:

7 Troy Jordan, Esq. for Dvaughn Keithan King

8 Div. of Parole & Probation

9 Joseph Plater, III, Esq. for State of Nevada

10 Jennifer Noble, Esq. for State of Nevada

11
12 I further certify that on the 22nd day of November, 2017, I deposited in the Washoe County
13 mailing system for postage and mailing with the U.S. Postal Service in Reno, Nevada, a
14 true and correct copy of the Notice of Entry of Order, addressed to:
15

16 Dvaughn Keithan King #1115593

17 c/o HDSP

18 P.O. Box 650

19 Indian Springs, NV 89070-0650

20 Attorney General's Office

21 100 N. Carson Street

22 Carson City, NV 89701-4717

23 /s/ Mia Cholico

24 Mia Cholico

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

D'VAUGHN KEITHAN KING,
Petitioner,

Case No.: CR12-1160
Dept. No.: 7

vs.

STATE OF NEVADA,
Respondent.

**ORDER DISMISSING PETITION FOR WRIT OF HABEAS CORPUS (POST-
CONVICTION)**

Before this Court is Petitioner D'Vaughn Keithan King's timely petition for writ of habeas corpus along with his supplemented petition filed by post-conviction counsel and Respondent State of Nevada's answer. The petition is dismissed for the reasons set forth below.

Petitioner is a prisoner at High Desert State Prison, Clark County, Nevada. On January 23, 2014, this Court entered a judgment of conviction pursuant to a guilty plea of second-degree murder with the use of a deadly weapon. The Nevada Supreme Court affirmed his conviction on appeal. Petitioner asserts eight grounds for relief in his petition: (1) counsel was ineffective for failure to present appropriate mitigating testimony or evidence at sentencing to show Petitioner should receive a a lighter sentence; (2) Petitioner's rights were violated because his plea was coerced by counsel;

(3) Petitioner argues the State breached the spirit of the plea bargain when the prosecutor knowingly presented false testimony and did not correct testimony that he knew to be false; (4) Petitioner argues the district court abused its discretion when it sentenced Petitioner to a sentence augmented by invalid prior criminal history; (5) the State breached the spirit of the plea bargain in violation of Petitioner's constitutional rights; (6) Petitioner argues the district court abused its discretion when it ruled Petitioner would serve his Nevada prison time consecutively with his California prison time.; (7) Petitioner argues the district court abused its discretion when it sentenced Petitioner to an additional 53-240 months for use of a deadly weapon given the mitigating factors; and (8) Petitioner argues the district court abused its discretion when it sentenced Petitioner to a period of time severely disproportionate to the time stated in the plea bargain.

I. Legal Standard

The district court reviews a claim of ineffective assistance of counsel under the two-part test set forth in Strickland v. Washington, 466 U.S. 668, 687 (1984). The petitioner must demonstrate (1) counsel's performance fell below an objective standard of reasonableness, and (2) but for the deficient performance, there is a reasonable probability the outcome would have been different. Means v. State, 120 Nev. 1001, 1011, 103 P.3d 25, 32 (2004). "A court may consider the two test elements in any order and need not consider both prongs if the defendant makes an insufficient showing on either one." Kirksey v. State, 112 Nev. 980, 987, 923 P.2d 1102, 1107 (1996).

Petitioner must demonstrate the underlying facts by a preponderance of the evidence. Means, 120 Nev. at 1012, 103 P.3d 33. If a petitioner who pled guilty argues his or her counsel was ineffective, the question is whether there is a reasonable probability that but for counsel's error the defendant would not have entered a guilty plea and would have insisted on going to trial. Kirksey, 112 Nev. at 988, 923 P.2d at 1107.

To make a sufficient showing to warrant an evidentiary hearing, a petitioner's claims must be supported by specific factual allegations that are not belied by the record and, if true, would warrant relief. See Hargrove v. State, 100 Nev. 498, 502-03, 686 P.2d

222, 225 (1984). If the court determines an evidentiary hearing is not warranted, it must dismiss the petition without a hearing. NRS 34.770(2).

II. Discussion

a. Ground 1: Petitioner argues trial counsel was ineffective for failure to present appropriate mitigating testimony or evidence.

Such mitigating testimony or evidence would support an argument of a lighter sentence. If granted an evidentiary hearing, Petitioner would present testimony from Dr. Martha Mahaffey who would testify Petitioner was at low risk to reoffend, amenable to treatment, and rehabilitation. Petitioner would also present psychological evidence of his ADHD, learning disabilities, drug abuse, and childhood indicating the need for rehabilitation.

The Supreme Court has recognized counsel in capital cases has an obligation to conduct a thorough investigation of the defendant's background. Wiggins v. Smith, 539 U.S. 510, 522 (2003). A thorough investigation is one that is reasonable given the circumstances; therefore, counsel is "not require[d] ... to investigate every conceivable line of mitigating evidence no matter how unlikely the effort would be to assist the defendant at sentencing." Id. at 533.

Here, this was not a capital case. Petitioner has failed to show trial counsel's performance fell below an objective standard of reasonableness. Further, Petitioner's argument is belied by the record. During the sentencing hearing, Petitioner's trial counsel did have Petitioner's wife testify. She testified about how Petitioner had found a purpose in life and wanted to help prevent people from making the same horrible decisions Petitioner made. Tr. of Sentencing Proceedings 9:8-15 (Jan. 22, 2014). Petitioner's mother, father, and brother traveled from Mississippi and California for the sentencing hearing as well. Id. at 10:13-22. Given the circumstances, trial counsel's investigation and presentation of mitigating evidence was reasonable and he did not need to "investigate every conceivable line of mitigating evidence." Wiggins, 539 U.S. at 522.

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1 **Ground 2: Petitioner argues his rights were violated because his guilty plea**
2 **was coerced by counsel.**

3 Petitioner argues his guilty plea was the product of coercion because trial counsel
4 promised him if he pled guilty, he would receive the exact sentence as stated in the plea
5 bargain. Such a promise, Petitioner argues, was deficient performance because
6 sentencing is solely within the discretion of the court. Petitioner's argument fails because
7 it is belied by the record as shown in the following exchange:

8 THE COURT: Sir, you understand although you've made an agreement
9 with the State, sentencing is in the sole discretion of the Court?

10 THE DEFENDANT: Yes, sir.

11 THE COURT: As I sit here now, I don't know what the sentence is going to
12 be. At the time of sentencing, I'm going to listen you to [sic], I'm going to
13 listen to your attorney, I'm going to listen to the State's attorney, I'm going
14 to review and consider all the information provided to me by the Division
15 of Parole and Probation. But do you understand that sentencing is in the
16 sole discretion of the Court?

17 THE DEFENDANT: Correct.

18 Tr. of Change of Plea Proceedings 13:19-14:6 (Nov. 25, 2013).

19 Furthermore, in reviewing the transcript, trial counsel testified Petitioner had a thorough
20 understanding of the plea bargain and the strength and weaknesses of his case. *Id.* at
21 7:13-8:4. Petitioner accurately stated the maximum sentences to the charges. *Id.* at 11:19-
22 12:22. Petitioner acknowledged that no promises had been made to induce his guilty plea
23 and affirmatively answered he was pleading guilty freely and voluntarily. *Id.* at 14:7-13.
24 Since Petitioner's allegations are belied by the record, an evidentiary hearing is not
25 warranted.

26 **b. Petitioner's grounds three through eight are dismissed.**

27 Under NRS 34.810(1)(a), a court must dismiss a petition if the "petitioner's
28 conviction was upon a plea of guilty ... and the petition is not based upon an allegation
that the plea was involuntarily or unknowingly entered or that the plea was entered
without effective assistance of counsel." Because Petitioner pled guilty, his petition is
subject to such procedural bars. *Id.* The following claims fall outside the scope of claims

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2 plea:

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4 the prosecutor knowingly presented false testimony and did not correct testimony that
5 he knew to be false.

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7 sentenced Petitioner to a sentence augmented by invalid prior criminal history.

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9 Petitioner's constitutional rights.

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11 Petitioner would serve his Nevada prison time consecutively with his California prison
12 time.

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14 sentenced Petitioner to an additional 53-240 months for use of a deadly weapon given the
15 mitigating factors.

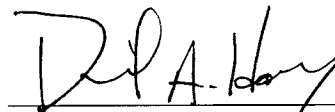
16 Ground (8): Petitioner argues the district court abused its discretion when it
17 sentenced Petitioner to a period of time severely disproportionate to the time stated in
18 the plea bargain.

19 **III. Conclusion**


20 Because this Court has determined an evidentiary hearing is not warranted, the
21 Petition is dismissed.

22 **IT IS SO ORDERED.**

23 Dated: November 21, 2017.

24 
25 David A. Hardy
26 District Court Judge
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Judicial Assistant

CASE NO. CR12-1160

STATE OF NEVADA vs. DVAUGHN KEITHAN KING

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONTINUED TO

8/22/12
HONORABLE
PATRICK
FLANAGAN
DEPT. NO. 7
M. Conway
(Clerk)
S. Koetting
(Reporter)

ARRAIGNMENT

Deputy District Attorney Bruce Hahn, Esq. represented the State. Defendant was present, in custody, with Richard Molezzo, Esq. Probation Officer Karin Hornbarger was also present. TRUE NAME: **DVAUGHN KEITHAN KING**. Defendant handed a copy of the Information; waived reading. Defendant entered a plea of Not Guilty; Waived the 60-day rule. Counsel Molezzo addressed the Court and requested a November 2013 trial date, explaining that he will need sufficient time to examine and review the extensive discovery in this matter. Counsel Lee addressed the Court and responded, advising that the parties have executed a consolidated stipulation extending the trial date, but that the trial date cannot exceed April 30, 2013 without further order from the Court. Counsel Lee further advised that the trial should take two (2) weeks.

COURT ORDERED: Matter continued for a Motion to Set Trial to February 13, 2013 at 9:00 a.m. Defendant is remanded to the custody of the Sheriff.

2/13/13
9:00 a.m.
Motion to Set
Trial

CASE NO. CR12-1160

STATE OF NEVADA vs. DVAUGHN KEITHAN KING

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES-HEARING

CONTINUED TO

11/28/12
HONORABLE
PATRICK
FLANAGAN
DEPT. NO. 7
M. Conway
(Clerk)
S. Koetting
(Reporter)

MOTION TO SET TRIAL

Deputy District Attorney Erica Jones represented the State.
Defendant was present with Richard Molezzo, Esq.
Probation Officer Karin Hornbarger was also present.
Counsel Molezzo addressed the Court, advised the matter needs to
be set for trial and that due to the voluminous discovery associated
with this case he does not foresee a trial date before 2014.
Counsel Jones addressed the Court, objected to a trial date in 2014,
and requested a July 2013 trial date.

COURT ORDERED: Motion to Set Trial: GRANTED.

COURT ORDERED: Status Hearing is set February 20, 2013 at 9:00
a.m., a Motion to Confirm Trial set for July 31, 2013 at 9:00 a.m. and
Trial set for August 12, 2013 at 9:30 a.m.

2/20/13
9:00 a.m.
Status Hearing

7/31/13
9:00 a.m.
Motion to
Confirm

8/12/13
9:30 a.m.
Jury Trial
-2 weeks-

CASE NO. CR12-1160

STATE OF NEVADA VS DVAUGHN KEITHAN KING

DATE, JUDGE OFFICERS OF COURT PRESENT	APPEARANCES-HEARING	CONTINUED TO
2/20/13 HONORABLE PATRICK FLANAGAN DEPT. NO. 7 K. Oates (Clerk) S. Koetting (Reporter)	<u>STATUS HEARING</u> Chief Deputy District Attorney Bruce Hahn represented the State. Defendant was present with counsel, Rich Molezzo, Esq. Probation Officer Sarah Ostlie was also present. Counsel for the Defendant addressed and advised the Court that he has received all discovery in this case, he is in the process of retaining an expert, and further argued in support of resetting the trial due to the voluminous discovery. Counsel for the State addressed and advised the Court that the discovery has not changed, and further argued in opposition to a continuance of the trial. COURT ORDERED: Status Hearing CONTINUED. Defendant's Motion to Reset Trial DENIED at this time. Defendant is remanded to the custody of the Sheriff.	Status Hearing set for May 22, 2013 at 9:00 a.m.

FILED

Electronically

05-06-2013:04:44:42 PM

Joey Orduna Hastings

Clerk of the Court

Transaction # 3707641

CASE NO. CR12-1160 STATE OF NEVADA VS. DVAUGHN KEITHAN KING

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONTINUED TO

5/3/13

HONORABLE

PATRICK

FLANAGAN

DEPT. NO. 7

J. Krush

(Clerk)

S. Koetting

(Reporter)

STATUS HEARING

Deputy District Attorney Bruce Hahn represented the State.

Defendant was present with counsel, Richard Molezzo, Esq.

10:32 a.m. – Court convened with the Court, respective counsel and

Defendant present.

The Defendant addressed the Court and argued in support of his Ex

Parte Motion to Relieve Counsel filed on April 23, 2013 stating

irreconcilable differences, discovery issues and conflict of interest

concerning Mr. Molezzo and the Hardy Law Group. He further stated

he personally contacted counsels Dave Houston, Ken McKenna,

Tom Vilorio and John Olsen about possibly representing him and

everyone except Dave Houston will accept the case. He further

advised the Court that if the Court denies his motion they will still

need to continue the trial as Mr. Molezzo is not prepared.

Respective counsel addressed the Court.

The COURT is concerned with the potential conflict with the Hardy

Law Group and the delay of a substitution of counsel; the COURT

will not continue the trial. In addition, the Defendant cannot create a

conflict and use that as a basis for a substitution of counsel and

lastly, there is no basis to call Mr. Molezzo as a witness.

COURT ORDERED: Matter is continued. The Court will contact Bob

Bell, Esq. and direct him to contact counsels Ken McKenna, Esq.,

Tom Vilorio, Esq. and John Olsen Esq. to see if they can appear at

the next hearing.

Defendant remanded to the custody of the Sheriff.

5/8/13

11:00 a.m.

Continued

Status Hearing

CASE NO. CR12-1160

STATE OF NEVADA

vs.

DVAUGHN KEITHAN KING

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES-HEARING

CONTINUED TO

5/8/13
HONORABLE
PATRICK
FLANAGAN
DEPT. NO. 7
M. Conway
(Clerk)
S. Koetting
(Reporter)

STATUS HEARING RE: APPOINTMENT OF NEW COUNSEL
Deputy District Attorney Bruce Hahn represented the State.
Defendant was present, in custody, represented by Richard A. Molezzo, Esq.
The Court addressed counsel, advised that it had reviewed the ex-parte Motion for Appointment of New Counsel; found that it was timely and requested Counsel Molezzo address the extent of the conflict between himself and the Defendant.
Counsel Molezzo addressed the Court and responded.
Upon inquiry from the Court, Counsel Hahn addressed the Court and detailed what impact a delay would have on the State's case. Counsel Hahn discussed issues regarding being able to find and keep track of out-of-state witnesses, addressed concerns regarding Defendant Toy and the length of time he has been incarcerated, and argued that a delay will prejudice the State.
Counsel Molezzo responded, argued there is a severe divide between himself and the Defendant, that communication has broken down between himself and the Defendant and he does not feel that the communication can be mended. Counsel Molezzo reiterated that at several hearings he has voiced his concerns to this Court regarding his ability to proceed to trial in August 2013, due to the volume of discovery presented to him.
Counsel John Ohlson addressed and advised the Court that he was asked to appear at today's hearing as a representative from the Robert Bell Group. Counsel Ohlson discussed his trial schedule, indicating that he has a murder trial in Quincy CA beginning August 19, 2013, it is set for six (6) weeks and they anticipate calling five hundred (500) potential jurors. Counsel Ohlson indicated that his schedule is open for November and December 2013.
Counsel Hahn responded, advising the Court that his calendar is booked for October, November and the first part of December, and further advised that the earliest time available for him would be January 2014.
The Defendant addressed the Court, agreed with Counsel Molezzo's recitation and stated he wants Counsel Ohlson to represent him.
Counsel Ohlson further advised the Court that he has a murder trial beginning in late January 2014 and a burglary trial beginning in March 2014.
Counsel Hahn responded, advised the Court that he wishes to preserve the record and would like to call witnesses at today's hearing.
Counsel Molezzo responded, objecting to witnesses being called, arguing that he was not notified.

CASE NO. CR12-1160

STATE OF NEVADA vs. DVAUGHN KEITHAN KING

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES-HEARING

CONTINUED TO

5/8/13
HONORABLE
PATRICK
FLANAGAN
DEPT. NO. 7
M. Conway
(Clerk)
S. Koetting
(Reporter)

STATUS HEARING RE: APPOINTMENT OF NEW COUNSEL

The Court noted the objection and advised Counsel Hahn to call his first witness.

Counsel Hahn called Lt. Ken Gallot, who was sworn and testified under direct examination. Witness Gallot identified the Defendant. Counsel Hahn marked for identification State's exhibits 1-3, advised the Court that these exhibits have been provided to defense counsel through discovery, and moved for their admission.

Counsel Molezzo stated he had no objection to (for this hearing only) the admission of State's exhibits 1-3.

COURT ORDERED: Exhibits 1-3: ADMITTED.

Counsel Molezzo further stated that he had no objection to Lt. Gallot reviewing his personal notes while testifying. Counsel Molezzo conducted cross examination.

Sidebar taken.

COURT ORDERED: Matter TAKEN UNDER ADVISEMENT, with Court to issue a written decision.

11:45 a.m. – Court stood in recess.

5-8-13 Hearing Exhibits

PLTF: State of Nevada

PATY: Chief Deputy District Attorney
Bruce Hahn

DEFT: Dvaughn Keithan King

DATY: Richard Molezzo, Esq.

Case No: CR12-1160

Dept. No: 7

Clerk: M. Conway

Date: 05/08/13

Exhibit No.	Party	Description	Marked	Offered	Admitted
1	State	Copy of Prior Conviction Superior Court of California County of Sacramento Case No. 10F07661	05-08-13	No objection	05-08-13
2	State	Copy of Prior Conviction Superior Court of California County of Sacramento Case No. 08F01901	05-08-13	No objection	05-08-13
3	State	Copy of Prior Conviction Superior Court of California County of Sacramento Case No. 03F06273	05-08-13	No objection	05-08-13

CASE NO. CR12-1160

STATE OF NEVADA
vs.
DVAUGHN KEITHAN KING

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES-HEARING

CONTINUED TO

5/22/13	<u>STATUS HEARING TO CONFIRM COUNSEL AND SET MATTER</u>	
HONORABLE	<u>FOR TRIAL</u>	January 22, 2014
PATRICK	Deputy District Attorney Bruce Hahn represented the State.	9:00 a.m.
FLANAGAN	Defendant was present, in custody, represented by John Ohlson, Esq.	Motion to Confirm
DEPT. NO. 7	Probation Officer Deborah Brown was also present.	Trial
M. Conway	The Court and counsel discussed various trial dates.	
(Clerk)	COURT ORDERED: Motion to Confirm Trial set for January 22, 2014 at	February 18, 2014
S. Koetting	9:00 a.m. with Trial beginning February 18, 2014 at 9:30 a.m.	9:30 a.m.
(Reporter)	Respective Counsel agreed that the trial would take two (2) weeks.	Jury Trial
	Defendant remanded to the custody of the Sheriff.	(2 weeks)

CASE NO. CR12-1160

STATE OF NEVADA VS. DVAUGHN KEITHAN KING

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONTINUED TO

11/25/13
HONORABLE
PATRICK
FLANGAN
DEPT. NO. 7
K. Oates
(Clerk)
S. Koetting
(Reporter)

CHANGE OF PLEA

Chief Deputy District Attorney Bruce Hahn represented the State.
Defendant was present with Court Appointed Counsel John Ohlson.
Probation Officer Thomas Wilson was also present.

TRUE NAME: **DVAUGHN KEITHAN KING**. Defendant handed a
copy of the Amended Information; waived reading.
Defendant entered a plea of Guilty to Murder in the Second Degree
with the Use of a Deadly Weapon, a violation of NRS 200.010, NRS
200.030, and NRS 193.165, a felony, as contained in the Amended
Information. Plea negotiations stated to include the parties are free
to argue as to consecutive or concurrent time relating to this case,
and the Defendant's California case. Further, the parties are free to
argue as to the length of time to be served as to the deadly weapon
enhancement, but consecutive time is not negotiable. Further, by
agreement of the parties, Case No. CR13-1149 will be dismissed at
the time of sentencing.

Counsel for the State concurred with defense counsel as to the
negotiations in this case.

Counsel for the Defendant further advised that he met with his client
at the Washoe County Jail at his client's direction, and he, defense
counsel, further believes that the Defendant understands the
negotiations and ramifications from entering a guilty plea in this case.
Court interrogated the Defendant, advised him of his rights, found
that there was a factual basis for the plea and that the Defendant
understood the elements of the offense and the possible punishment
therefore; Court further found that the plea was knowing, voluntary
and intelligent, that the Defendant was competent to enter the plea
and accepted same.

Court ordered Presentence Investigation and matter continued for
entry of judgment and imposition of sentence.

Defendant is remanded to the custody of the Sheriff.

01/22/14
9:00 a.m.
Sentencing

CASE NO. CR12-1160

STATE OF NEVADA VS. DVAUGHN KEITHAN KING

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES-HEARING

CONTINUED TO

01/22/14
HONORABLE
PATRICK
FLANGAN
DEPT. NO. 7
K. Oates
(Clerk)
S. Koetting
(Reporter)

ENTRY OF JUDGMENT; IMPOSITION OF SENTENCE

Chief Deputy District Attorney Bruce Hahn represented the State.
Defendant was present with Court Appointed Counsel John Ohlson,
Esq. Probation Officer Jennifer Iveson was also present.
Counsel for the Defendant addressed the Court.

Officer Iveson of the Division of Parole and Probation addressed the
Court and stated corrections to the Presentence Investigation Report
to include correcting the sentencing date and credit for time served,
presently in the amount of 596 days.

Counsel for the Defendant responded, and argued that the
Defendant should have an additional 55 days credit for time served.
Counsel for the State replied and argued in opposition.

Counsel for the Defendant moved to allow the Defendant to have
one hand removed from the handcuffs so he can drink water; SO
ORDERED.

Counsel for the Defendant **Nancy King**, who was sworn and
presented a statement in mitigation.

Counsel for the State called **Ken Gallop**, who was sworn and direct
examined.

Exhibit 1 marked for identification.

Counsel for the Defendant conducted cross-examination; re-direct
examination conducted; re-cross examination waived; witness
excused.

Counsel for the Defendant argued in support of a sentence
consisting of concurrent time.

Counsel for the State argued in support of a sentence consisting of
Life with parole eligibility after a minimum of ten years has been
served, to include 24 – 72 months in the Nevada State Prison for the
deadly weapon enhancement, both sentences to be served
consecutively to the Defendant's California sentence.

The Defendant addressed the Court on his own behalf.

Counsel for the State called **Evelyn Young, Kiana Pride and Karen
Jones**, all of whom were sworn independently and presented victim
impact statements.

Exhibit 1 offered; no objection(s); **ADMITTED.**

COURT ORDERED: The Defendant, having entered a plea of guilty,
and no sufficient cause being shown by Defendant as to why

DATE, JUDGE
OFFICERS OF
COURT PRESENT

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judgment should not be pronounced against him, the Court rendered judgment. Dvaughn Keithan King is guilty of the crime of Murder in the Second Degree With the Use of a Deadly Weapon, a violation of NRS 200.010, NRS 200.030 and NRS 193.165, a felony, as charged in the Amended Information, and that he be punished by imprisonment in the Nevada State Prison for the term of Life With the Possibility of Parole, with parole eligibility beginning when a minimum of Ten (10) years has been served. Further, the Court, having considered Paragraphs (a) through (e) as described in NRS 193.165(1), imposes an additional penalty of a consecutive term of imprisonment in the Nevada State Prison for a minimum term of Fifty-Three (53) months to a maximum term of Two Hundred and Forty (240) months for the Use of a Deadly Weapon enhancement. It is further ordered that both sentences will be served consecutively to the sentence previously imposed in Case No. 10F07661, with credit for time served in the amount of Six Hundred and Fifty-One Days (651) days. It is further ordered that the Defendant shall pay the statutory Twenty-Five Dollar (\$25.00) administrative assessment fee, the One Hundred Fifty Dollar (\$150.00) DNA testing fee, and submit to a DNA analysis to determine the presence of genetic markers, if not previously ordered, the Three Dollar (\$3.00) administrative assessment fee for obtaining a biological specimen and conducting a genetic marker analysis, if not previously ordered, and reimburse the County of Washoe the sum of Five Hundred Dollars (\$500.00) for legal representation. Any fine, fee or administrative assessment imposed upon the Defendant today as reflected in this Judgment of Conviction constitutes a lien, as defined in Nevada Revised Statutes (NRS 176.275). Should the Defendant not pay these fines, fees or assessments, collection efforts may be undertaken against him. Defendant is remanded to the custody of the Sheriff.

Sentencing Exhibits

PLTF: **STATE OF NEVADA**
DEFT: **DVAUGHN KEITHAN KING**

PATY: **CDDA Bruce Hahn**
DATY: **CAA John Ohlson**

Case No: **CR12-1160**

Dept. No: **7** Clerk: **K. Oates**

Date: **01/22/14**

Exhibit No.	Party	Description	Marked	Offered	Admitted
1	State	Chart of Interested Parties	01-22-14	No Objection	01-22-14

1 **Code 1350**

2
3
4 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
5 **IN AND FOR THE COUNTY OF WASHOE**

6 **D'VAUGHN KEITHAN KING,**

Case No. CR12-1160

7
8 **Petitioner,**

Dept. No. 7

9 **vs.**

10 **STATE OF NEVADA,**

11 **Respondent.**

12 _____ /
13 **CERTIFICATE OF CLERK AND TRANSMITTAL – NOTICE OF APPEAL**

14 I certify that I am an employee of the Second Judicial District Court of the State of Nevada,
15 County of Washoe; that on the 13th day of December, 2017, I electronically filed the Notice of
16 Appeal in the above entitled matter to the Nevada Supreme Court.

17 I further certify that the transmitted record is a true and correct copy of the original
18 pleadings on file with the Second Judicial District Court.

19 Dated this 13th day of December, 2017

20 Jacqueline Bryant
21 Clerk of the Court

22 By /s/ Yvonne Vilorio
23 Yvonne Vilorio
24 Deputy Clerk
25
26
27
28