

35

Case No. C92174  
Dept. No. 8

*Alvin B. Lindeman*  
CLERK OF THE COURT

Electronically Filed  
Nov 05 2014 02:49 p.m.  
Tracie K. Lindeman  
Clerk of Supreme Court

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

\* \* \* \* \*

ROY D. MORAGA

Petitioner,

-vs-

THE STATE OF NEVADA

Respondent.

NOTICE OF APPEAL

NOTICE IS GIVEN that Petitioner, ROY D. MORAGA  
in pro se, hereby appeals to the Nevada Supreme Court the  
Findings of Fact, Conclusions of Law and Order denying /  
dismissing Motion For Correction of Illegal Sentence which was filed /  
entered on the 22 day of October, 2014.

Dated this 27 day of October, 2014.

Roy D. Moraga  
ROY D. MORAGA #31584  
Lovelock Correctional Center  
1200 Prison Road  
Lovelock, Nevada 89419

Petitioner In Pro Se

NOV 03 2014  
CLERK OF THE COURT

RECEIVED

CERTIFICATE OF SERVICE

I do certify that I mailed a true and correct copy of the foregoing NOTICE OF APPEAL to the below address(es) on this 22 day of October, 2014, by placing same in the U.S. Mail via prison law library staff:

Roy D. Moraga  
ROY D. MORAGA #31584  
Lovelock Correctional Center  
1200 Prison Road  
Lovelock, Nevada 89419

Petitioner In Pro Se

AFFIRMATION PURSUANT TO NRS 239B.030

The undersigned does hereby affirm that the preceding NOTICE OF APPEAL filed in District Court Case No. C92174 does not contain the social security number of any person.

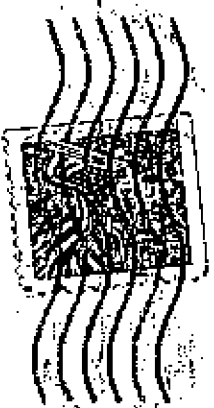
Dated this 22 day of October, 2014.

Roy D. Moraga  
ROY D. MORAGA

Petitioner In Pro Se

ROY D. MORAGA #31584  
LoveLock Correctional Center  
1200 Prison Road  
LoveLock, NEV, 89419

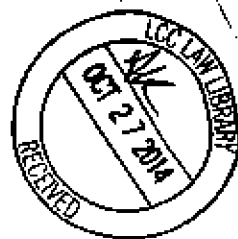
RENO NV 895  
28 OCT 2014 PM 3 T



INMATE LEGAL  
MAIL CONFIDENTIAL

Clerk of the Court  
200 Lewis Ave., 3rd Floor

LAS VEGAS, NEVADA 89155-1128



  
CLERK OF THE COURT

ASTA

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

STATE OF NEVADA,

Plaintiff(s),

vs.

ROY D. MORAGA,

Defendant(s),

Case No: 89C092174

Dept No: VI

**CASE APPEAL STATEMENT**

1. Appellant(s): Roy D. Moraga

2. Judge: Elissa F. Cadish

3. Appellant(s): Roy D. Moraga

Counsel:

Roy D. Moraga #31584  
1200 Prison Rd.  
Lovelock, NV 89419

4. Respondent: The State of Nevada

Counsel:

Steven B. Wolfson, District Attorney  
200 Lewis Ave.  
Las Vegas, NV 89101  
(702) 671-2700

- 1 5. Appellant(s)'s Attorney Licensed in Nevada: N/A  
2 Permission Granted: N/A  
3 Respondent(s)'s Attorney Licensed in Nevada: Yes  
4 Permission Granted: N/A  
5 6. Appellant Represented by Appointed Counsel In District Court: Yes  
6 7. Appellant Represented by Appointed Counsel On Appeal: N/A  
7 8. Appellant Granted Leave to Proceed in Forma Pauperis: N/A  
8 9. Date Commenced in District Court: December 28, 1989  
9 10. Brief Description of the Nature of the Action: Criminal  
10 Type of Judgment or Order Being Appealed: Misc. Order  
11 11. Previous Appeal: Yes  
12 Supreme Court Docket Number(s): 21488, 22901, 29321, 32542, 33099, 42828, 44685,  
13 49049, 61734, 64639, 64931, 65701  
14 12. Child Custody or Visitation: N/A

15 Dated This 4 day of November 2014.

16 Steven D. Grierson, Clerk of the Court

17   
18

19 Heather Ungermann, Deputy Clerk  
20 200 Lewis Ave  
21 PO Box 551601  
22 Las Vegas, Nevada 89155-1601  
23 (702) 671-0512  
24  
25  
26  
27  
28

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 89C092174**

**The State of Nevada vs Roy D Moraga**

§ Location: **Department 6**  
§ Judicial Officer: **Cadish, Elissa F.**  
§ Filed on: **12/28/1989**  
§ Case Number History:  
§ Cross-Reference Case **C092174**  
§ Number:  
§ Defendant's Scope ID #: **0938554**  
§ Lower Court Case Number: **89F07220**  
§ Supreme Court No.: **61734**  
§ **64639**  
§ **64931**  
§ **65701**

**CASE INFORMATION**

Offense	Deg	Date	Case Type:
1. BURGLARY.	F	01/01/1900	<b>Felony/Gross Misdemeanor</b>
2. BURGLARY.	F	01/01/1900	Case Flags: <b>Appealed to Supreme Court</b>
3. SEXUAL ASSAULT	F	01/01/1900	<b>Custody Status - Nevada</b>
4. SEXUAL ASSAULT	F	01/01/1900	<b>Department of Corrections</b>
4. HABITUAL CRIMINAL	F	01/01/1900	

**Statistical Closures**

05/06/2007 USJR Reporting Statistical Closure  
03/04/2007 USJR Reporting Statistical Closure  
09/26/2004 USJR Reporting Statistical Closure  
07/14/2004 USJR Reporting Statistical Closure  
12/02/1999 USJR Reporting Statistical Closure  
02/19/1996 USJR Reporting Statistical Closure  
09/15/1993 USJR Reporting Statistical Closure  
01/01/1992 USJR Reporting Statistical Closure  
09/12/1991 USJR Reporting Statistical Closure  
09/13/2007 USJR Reporting Statistical Closure  
05/14/1998 USJR Reporting Statistical Closure  
12/01/2005 USJR Reporting Statistical Closure  
01/31/2005 USJR Reporting Statistical Closure  
09/01/1998 USJR Reporting Statistical Closure

**DATE**

**CASE ASSIGNMENT**

**Current Case Assignment**

Case Number 89C092174  
Court Department 6  
Date Assigned 12/28/2008  
Judicial Officer Cadish, Elissa F.

**PARTY INFORMATION**

*Lead Attorneys*

**Defendant** **Moraga, Roy D**

**Pro Se**

**Plaintiff** **State of Nevada**

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

**DATE**

**EVENTS & ORDERS OF THE COURT**

**INDEX**

12/28/1989  Criminal Bindover


















01/09/1990  Information

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01/09/1990	 Information <i>Amended Information by Interlineation February 15, 1990</i>
01/11/1990	<b>Initial Arraignment</b> (9:00 AM) Events: 12/28/1989 Criminal Bindover <i>INITIAL ARRAIGNMENT Heard By: Carl Christensen</i>
01/24/1990	 Reporters Transcript <i>Transcript of Hearing Held on December 26, 1989</i>
02/05/1990	 Motion <i>Motion and Notice of Motion to Endorse Names on Information</i>
02/12/1990	 Reporters Transcript <i>Transcript of Hearing Held on January 11, 1990</i>
02/15/1990	 Order <i>Order to Endorse Names on Information</i>
03/13/1990	 Jury List
03/15/1990	 Instructions to the Jury
03/15/1990	 Verdict <i>Verdict Count I</i>
03/15/1990	 Verdict <i>Verdict Count II</i>
03/15/1990	 Verdict <i>Verdict Count III</i>
03/15/1990	 Verdict <i>Verdict Count IV</i>
06/04/1990	 Motion <i>Motion and Notice of Motion to Amend Information</i>
06/13/1990	<b>Sentencing</b> (9:00 AM) <i>SENTENCING Heard By: Michael Wendell</i>
06/13/1990	 Amended Information
06/13/1990	 Order <i>Order to Amend Information</i>
06/13/1990	 Reporters Transcript <i>Transcript of Hearing Held on June 13, 1990 (Unfiled)</i>
06/27/1990	 Designation of Record on Appeal <i>Designation of Contents of Record on Appeal</i>







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06/27/1990	 Notice of Appeal (criminal) <i>Notice of Appeal</i>
06/29/1990	 Order
07/07/1990	 Judgment of Conviction <i>Judgment of Conviction (Jury Trial)</i>
08/02/1990	 Order
10/11/1990	 Reporters Transcript <i>Transcript of Hearing Held on March 15, 1990</i>
10/11/1990	 Reporters Transcript <i>Transcript of Hearing Held on March 13, 1990</i>
10/11/1990	 Reporters Transcript <i>Transcript of Hearing Held on March 12, 1990</i>
01/09/1991	 Petition for Release of Evidence
01/09/1991	 Order <i>Order Releasing Evidence</i>
09/13/1991	 Order for Production of Innate
09/23/1991	<b>Motion (9:00 AM)</b> <i>REMAND FROM SUPREME COURT FOR RE-SENTENCING Court Clerk: DEBRA VINSON Reporter/Recorder: SHARLEEN NICHOLSON Heard By: LEHMAN, JACK</i>
09/26/1991	 Motion <i>Motion to Transfer Sentencing Back to Department VIII</i>
10/03/1991	 Motion for Leave to Proceed in Forma Pauperis
10/03/1991	 Motion for Withdrawal <i>Notice of Motion Motion for Withdrawal of Attorney of Record and Transfer of Records</i>
10/03/1991	 Affidavit in Support <i>Affidavit in Support of Motion for Withdrawal of Attorney of Record and Transfer of Records</i>
10/03/1991	 Affidavit in Support <i>Affidavit in Support of Request to Proceed in Forma Pauperis</i>
10/03/1991	 Certificate <i>Financial Certificate</i>
10/04/1991	 NV Supreme Court Clerks Certificate/Judgment -Remanded <i>Nevada Supreme Court Clerk's Certificate Judgment - Remand</i>



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10/09/1991	<b>Motion</b> (9:00 AM) Events: 09/26/1991 Motion <i>MOTION TO TRANSFER SENTENCING BACK TO DEPT VIII Heard By: Jack Lehman</i>
10/09/1991	<b>Petition</b> (9:00 AM) Events: 10/03/1991 Motion for Leave to Proceed in Forma Pauperis <i>PROPER PERSON MOTION TO PROCEED IN FORMAPAUPERIS Heard By: Jack Lehman</i>
10/09/1991	<b>Petition</b> (9:00 AM) Events: 10/03/1991 Motion for Withdrawal <i>PROPER PERSON MOTION FOR WITHDRAWAL OF ATTORNEY OF RECORD AND TRANSFER OF Heard By: Jack Lehman</i>
10/09/1991	<b>All Pending Motions</b> (9:00 AM) <i>ALL PENDING MOTIONS Court Clerk: DEBRA VINSON Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</i>
10/11/1991	<b>Motion</b> (9:00 AM) <i>REMAND FROM SUPREME COURT FOR RE-SENTENCING Court Clerk: DEBRA VINSON Reporter/Recorder: SHARLEEN NICHOLSON Heard By: LEHMAN, JACK</i>
10/14/1991	<b>Motion</b> (9:00 AM) <i>REMAND FROM SUPREME COURT FOR RE-SENTENCING Court Clerk: DEBRA VINSON Reporter/Recorder: SHARLEEN NICHOLSON Heard By: LEHMAN, JACK</i>
10/21/1991	<b>Motion</b> (9:00 AM) <i>REMAND FROM SUPREME COURT FOR RE-SENTENCING Court Clerk: DEBRA VINSON Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</i>
10/21/1991	<b>Disposition</b> (Judicial Officer: User, Conversion) 1. BURGLARY. Guilty
10/21/1991	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/21/1991	<b>Disposition</b> (Judicial Officer: User, Conversion) 2. BURGLARY. Guilty
10/21/1991	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/21/1991	<b>Disposition</b> (Judicial Officer: User, Conversion) 3. SEXUAL ASSAULT Guilty
10/21/1991	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/21/1991	<b>Disposition</b> (Judicial Officer: User, Conversion) 4. SEXUAL ASSAULT Guilty
10/21/1991	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/21/1991	<b>Disposition</b> (Judicial Officer: User, Conversion) 4. HABITUAL CRIMINAL Guilty
10/21/1991	<b>Sentence</b> (Judicial Officer: User, Conversion) 1. BURGLARY. Adult Adjudication Converted Disposition:

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	Sentence# 0001: LIFE WITHOUT POSSIBILITY OF PAROLE Converted Disposition: Sentence# 0002: ADMINISTRATION FEE Amount: \$20.00 Converted Disposition: Sentence# 0003: SENTENCE SET ASIDE Converted Disposition: Sentence# 0004: Minimum 10 Years to Maximum 10 Years Placement: NSP Converted Disposition: Sentence# 0005: CREDIT FOR TIME SERVED Converted Disposition: Sentence# 0006: ADMINISTRATION FEE Amount: \$25.00 Converted Disposition: Sentence# 0007: SENTENCE AMENDED Converted Disposition: Sentence# 0008: CREDIT FOR TIME SERVED Minimum 180 Days to Maximum 180 Days
10/21/1991	<b>Sentence</b> (Judicial Officer: User, Conversion) 2. BURGLARY. Adult Adjudication Converted Disposition: Sentence# 0001: Minimum 10 Years to Maximum 10 Years Placement: NSP Cons/Conc: Consecutive w/Charge Item: 0001 and Sentence#: 0004
10/21/1991	<b>Sentence</b> (Judicial Officer: User, Conversion) 3. SEXUAL ASSAULT Adult Adjudication Converted Disposition: Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE Cons/Conc: Consecutive w/Charge Item: 0002 and Sentence#: 0001
10/21/1991	<b>Sentence</b> (Judicial Officer: User, Conversion) 4. SEXUAL ASSAULT Adult Adjudication Converted Disposition: Sentence# 0001: LIFE WITHOUT POSSIBILITY OF PAROLE Cons/Conc: Consecutive w/Charge Item: 0003 and Sentence#: 0001
10/23/1991	 Order Filed By: Defendant Moraga, Roy D <i>Order for Appointment of Counsel</i>
10/30/1991	 Notice of Appeal (criminal) <i>Notice of Appeal</i>
11/13/1991	 Amended Judgment of Conviction <i>Amended Judgment of Conviction (Jury Trial)</i>
11/13/1991	 Designation of Record on Appeal

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	Filed By: Defendant Moraga, Roy D
01/02/1992	 Motion <i>Motion to Appoint Counsel for Appeal</i>
01/15/1992	<b>Motion for Appointment of Attorney (9:00 AM)</b> Events: 01/02/1992 Motion <i>MOTION FOR APPOINT COUNSEL FOR APPEAL Court Clerk: DEBRA VINSON Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</i>
01/27/1992	 Hearing <i>Criminal Setting Slip</i>
01/29/1992	<b>Motion for Confirmation of Counsel (9:00 AM)</b> Events: 01/27/1992 Hearing <i>CONFIRMATION OF COUNSEL (BAILUS M) (CRMSTNG SLP) Court Clerk: DEBRA VINSON Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</i>
02/10/1992	 Order <i>Order Appointing Counsel</i>
02/13/1992	 Designation of Record on Appeal Filed By: Defendant Moraga, Roy D
02/20/1992	 Order <i>Order Re: Preparation of Transcripts</i>
02/20/1992	 Ex Parte <i>Ex Parte Application for Preparation of Transcripts</i>
02/20/1992	 Order <i>Order Re: Preparation of Transcripts</i>
02/20/1992	 Order <i>Order Re: Preparation of Transcripts</i>
02/20/1992	 Order <i>Order Re: Preparation of Transcripts</i>
02/20/1992	 Order <i>Order Re: Preparation of Transcripts</i>
02/20/1992	 Order <i>Order Re: Preparation of Transcripts</i>
02/26/1992	 Receipt of Copy Filed by: Defendant Moraga, Roy D
02/26/1992	 Receipt of Copy Filed by: Defendant Moraga, Roy D
02/28/1992	 Receipt of Copy










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03/02/1992	 Receipt of Copy
03/02/1992	 Receipt of Copy
03/04/1992	 Reporters Transcript <i>Transcript of Hearing Held on September 23, 1991</i>
03/04/1992	 Reporters Transcript <i>Transcript of Hearing Held on October 11, 1991</i>
03/04/1992	 Reporters Transcript <i>Transcript of Hearing Held on October 21, 1991</i>
03/04/1992	 Reporters Transcript <i>Transcript of Hearing Held on October 14, 1991</i>
03/04/1992	 Reporters Transcript <i>Transcript of Hearing Held on February 15, 1990</i>
03/04/1992	 Reporters Transcript <i>Transcript of Hearing Held on October 9, 1991</i>
03/27/1992	 Reporters Transcript <i>Transcript of Hearing Held on March 12, 1990</i>
04/14/1992	 Reporters Transcript <i>Transcript of Hearing Held on March 9, 1990</i>
04/14/1992	 Reporters Transcript <i>Transcript of Hearing Held on March 7, 1990</i>
05/26/1992	 Request Filed by: Defendant Moraga, Roy D <i>Request for Records</i>
07/21/1992	 Petition <i>Motion for Returning Seized Property</i>
07/31/1992	 Answer <i>Answer in Opposition to Motion for Returning Seized Property</i>
08/03/1992	<b>Petition (9:00 AM)</b> Events: 07/21/1992 Petition <i>PRO PER MOTION FOR RETURNING SEIZED PROPERTY Court Clerk: DEBRA VINSON Reporter/Recorder: SHIRLEY PARRAGUIRRE Heard By: Addehlar Guy, III</i>
08/17/1992	 Order
08/26/1993	 Motion <i>Motion for Leave to Proceed in Forma Pauperis; Affidavit in Support of Request to Proceed in Forma Pauperis; Motion for Amended Judgment of Conviction to Include Jail Time Credits and Affidavit of Petition</i>






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**CASE SUMMARY**  
**CASE No. 89C092174**

08/27/1993	 Receipt of Copy Filed by: Defendant Moraga, Roy D
09/08/1993	<b>Motion</b> (9:00 AM) Events: 08/26/1993 Motion <i>MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS Court Clerk: DEBRA VINSON Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</i>
09/15/1993	<b>Status Check</b> (9:00 AM) <i>STATUS CHECK RE: CREDIT FOR TIME SERVED Court Clerk: DEBRA VINSON Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</i>
09/29/1993	 Amended Judgment of Conviction <i>Second Amended Judgment of Conviction (Jury Trial)</i>
10/30/1995	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>Nevada Supreme Court Clerk's Certificate Judgment - Dismissed</i>
02/20/1996	 Affidavit <i>Affidavit of Defendant</i>
02/20/1996	 Points and Authorities <i>Supplemental Brief and Points and Authorities in Support of Petition for Writ of Habeas Corpus</i>
02/20/1996	 Ex Parte Motion <i>Ex Parte Motion for Fees for Expert Services</i>
02/20/1996	 Motion for Leave to Proceed in Forma Pauperis
02/20/1996	 Motion <i>Motion and Notice of Motion to Compel, Production of Semen and Blood</i>
02/20/1996	 Petition for Writ of Habeas Corpus <i>Petition for Writ of Habeas Corpus (Post-Conviction)</i>
02/20/1996	 Affidavit in Support Filed By: Defendant Moraga, Roy D <i>Affidavit in Support of Motion to Proceed in Forma Pauperis</i>
03/05/1996	 Motion for Leave to Proceed in Forma Pauperis
03/05/1996	 Affidavit in Support <i>Affidavit in Support of Motion for Withdrawal of Attorney of Record and Transfer of Records</i>
03/05/1996	 Notice Filed By: Defendant Moraga, Roy D <i>Notice of Motion Motion for Withdrawal of Attorney of Record and Transfer of Records</i>
03/06/1996	<b>Motion</b> (9:00 AM) Events: 02/20/1996 Ex Parte Motion <i>DEFT'S PRO PER MOTION FOR FEES FOR EXPERT SERVICE Heard By: Jack Lehman</i>

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**CASE No. 89C092174**

03/06/1996	<b>Petition to Proceed in Forma Pauperis (9:00 AM)</b> Events: 02/20/1996 Motion for Leave to Proceed in Forma Pauperis <i>DEFT'S PRO PER MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS</i> Heard By: <i>Jack Lehman</i>
03/06/1996	<b>Motion to Compel (9:00 AM)</b> Events: 02/20/1996 Motion <i>DEFT'S PRO PER MOTION TO COMPEL PRODUCTION OF SEMAN/BLOOD</i> Heard By: <i>Jack Lehman</i>
03/06/1996	<b>Petition for Writ of Habeas Corpus (9:00 AM)</b> Events: 02/20/1996 Petition for Writ of Habeas Corpus <i>DEFT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS</i> Heard By: <i>Jack Lehman</i>
03/06/1996	<b>All Pending Motions (9:00 AM)</b> <i>ALL PENDING MOTIONS (3/06/96) Relief Clerk: LARRY SNYDER/LS Reporter/Recorder: SHARLEEN NICHOLSON</i> Heard By: <i>Jack Lehman</i>
03/11/1996	 <b>Motion for Leave to Proceed in Forma Pauperis</b>
03/11/1996	 <b>Motion</b> <i>Motion for Returning Seized Property</i>
03/11/1996	 <b>Affidavit</b> <i>Affidavit of Petitioner</i>
03/11/1996	 <b>Affidavit in Support</b> Filed By: Defendant Moraga, Roy D <i>Affidavit in Support of Motion to Proceed in Forma Pauperis</i>
03/18/1996	<b>CANCELED Motion to Withdraw as Counsel (9:00 AM)</b> <i>Vacated</i>
03/18/1996	<b>CANCELED Petition to Proceed in Forma Pauperis (9:00 AM)</b> Events: 03/05/1996 Motion for Leave to Proceed in Forma Pauperis <i>Vacated</i>
04/01/1996	 <b>Opposition</b> <i>State's Opposition to Defendant's Motion to Compel Production of Seman and Blood, Petition for Writ of Habeas Corpus (Post-Conviction) and Motion to Proceed in Forma Pauperis</i>
04/09/1996	 <b>Motion</b> <i>Motion to Withdraw as Counsel</i>
04/09/1996	 <b>Receipt of Copy</b> Filed by: Defendant Moraga, Roy D <i>Receipt of Copy and Certificate of Mailing</i>
04/11/1996	 <b>Request</b> Filed by: Defendant Moraga, Roy D <i>Motion for Extension of Time to File Supplemental Points and Authorities</i>
04/15/1996	 <b>Receipt of Copy</b> Filed by: Defendant Moraga, Roy D <i>Receipt of Copy of Motion for Extension of Time to File Supplemental Points and Authorities</i>






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04/17/1996	<b>Motion (9:00 AM)</b> <i>DEFT'S PRO PER MOTION FOR FEES FOR EXPERT SERVICE Heard By: Jack Lehman</i>
04/17/1996	<b>Petition to Proceed in Forma Pauperis (9:00 AM)</b> <i>DEFT'S PRO PER MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS Heard By: Jack Lehman</i>
04/17/1996	<b>Motion to Compel (9:00 AM)</b> <i>DEFT'S PRO PER MOTION TO COMPEL PRODUCTION OF SEMAN/BLOOD Heard By: Jack Lehman</i>
04/17/1996	<b>Petition for Writ of Habeas Corpus (9:00 AM)</b> <i>DEFT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS Court Clerk: NANCY NOBLE Reporter/Recorder: HELENE KARP Heard By: Jack Lehman</i>
04/17/1996	<b>Hearing (9:00 AM)</b> <i>HEARING: SUPPLEMENTAL PLEADINGS Heard By: Jack Lehman</i>
04/17/1996	<b>Petition to Proceed in Forma Pauperis (9:00 AM)</b> Events: 03/11/1996 Motion for Leave to Proceed in Forma Pauperis <i>DEFT'S PRO PER MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS Heard By: Jack Lehman</i>
04/17/1996	<b>Motion (9:00 AM)</b> Events: 03/11/1996 Motion <i>DEFT'S PRO PER MOTION FOR RETURNING SEIZED PROPERTY Heard By: Jack Lehman</i>
04/17/1996	<b>Motion to Withdraw as Counsel (9:00 AM)</b> Events: 04/09/1996 Motion <i>MARK BAILUS' MOTION TO WITHDRAW AS COUNSEL Heard By: Jack Lehman</i>
04/17/1996	<b>Motion (9:00 AM)</b> <i>DEFT'S MOTION FOR EXTENSION OF TIME Heard By: Jack Lehman</i>
04/17/1996	<b>All Pending Motions (9:00 AM)</b> <i>ALL PENDING MOTIONS (4/17/96) Court Clerk: NANCY NOBLE Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</i>
04/17/1996	 <b>Order</b> Filed By: Defendant Moraga, Roy D <i>Order to Withdraw as Attorney of Record</i>
04/17/1996	 <b>Notice of Entry of Order</b> Filed By: Defendant Moraga, Roy D
05/20/1996	 <b>Substitution of Attorney</b> Filed by: Defendant Moraga, Roy D <i>Substitution of Attorneys</i>
05/24/1996	<b>Petition for Writ of Habeas Corpus (9:00 AM)</b> <i>DEFT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS Court Clerk: NANCY NOBLE Reporter/Recorder: HELENE KARP Heard By: Sally Loehrer</i>
06/13/1996	 <b>Points and Authorities</b> Filed by: Defendant Moraga, Roy D <i>Supplemental Points and Authorities in Support of Petition for Writ of Habeas Corpus</i>
06/27/1996	 <b>Supplement</b>



DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 89C092174**

*State's Supplemental Opposition to Petition for Writ of Habeas Corpus (Post-Conviction)*






07/15/1996	<b>Hearing (9:00 AM)</b> <i>ARGUMENT AND DECISION Court Clerk: CINDY LORY Reporter/Recorder: SHARLEEN NICHOLSON Heard By: LEHMAN, JACK</i>
07/16/1996	 <b>Reply</b> <i>Filed by: Defendant Moraga, Roy D</i> <i>Supplemental Reply and Opposition for Writ of Habeas Corpus</i>
07/19/1996	<b>Hearing (9:00 AM)</b> <i>ARGUMENT AND DECISION Court Clerk: CINDY LORY Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</i>
08/02/1996	 <b>Motion</b> <i>Motion to Withdraw as Counsel</i>
08/05/1996	 <b>Receipt of Copy</b> <i>Filed by: Defendant Moraga, Roy D</i> <i>Receipt of Copy of Motion to Withdraw as Counsel</i>
08/05/1996	 <b>Certificate of Mailing</b> <i>Filed By: Defendant Moraga, Roy D</i> <i>Certificate of Mailing of Motion to Withdraw as Counsel</i>
08/12/1996	<b>Motion to Withdraw as Counsel (9:00 AM)</b> <i>Events: 08/02/1996 Motion</i> <i>DAVID SCHIECK'S MOTION TO WITHDRAW AS COUNSEL Court Clerk: MELISSA DAVIS Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</i>
08/21/1996	<b>Motion for Appointment (9:00 AM)</b> <i>APPOINTMENT OF COUNSEL</i>
08/21/1996	<b>Status Check (9:00 AM)</b> <i>STATUS CHECK: FINDINGS OF FACTS AND CONCLUSION Heard By: Jack Lehman</i>
08/21/1996	<b>All Pending Motions (9:00 AM)</b> <i>ALL PENDING MOTIONS (8/21/96) Court Clerk: NANCY NOBLE Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</i>
08/26/1996	<b>Petition to Proceed in Forma Pauperis (9:00 AM)</b> <i>DEFT'S PRO PER MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS Heard By: Jack Lehman</i>
08/26/1996	<b>Status Check (9:00 AM)</b> <i>STATUS CHECK: FINDINGS OF FACTS AND CONCLUSION Heard By: Jack Lehman</i>
08/26/1996	<b>Motion for Confirmation of Counsel (9:00 AM)</b> <i>CONFIRMATION OF COUNSEL (JACKSON) Heard By: Jack Lehman</i>
08/26/1996	<b>All Pending Motions (9:00 AM)</b> <i>ALL PENDING MOTIONS (08-26-96) Court Clerk: CINDY LORY Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</i>
08/27/1996	 <b>Order</b> <i>Order for Transcripts</i>
08/28/1996	<b>Status Check (9:00 AM)</b>

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*STATUS CHECK: FINDINGS OF FACTS AND CONCLUSION Heard By: Jack Lehman*

08/28/1996	<b>Motion for Confirmation of Counsel</b> (9:00 AM) <i>CONFIRMATION OF COUNSEL (JACKSON) Heard By: Jack Lehman</i>
08/28/1996	<b>All Pending Motions</b> (9:00 AM) <i>ALL PENDING MOTIONS (08-28-96) Court Clerk: CINDY LORY Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</i>
09/06/1996	 Findings of Fact, Conclusions of Law and Order
09/20/1996	 Notice of Entry of Order
09/27/1996	 Notice of Appeal (criminal) Party: Defendant Moraga, Roy D <i>Notice of Appeal</i>
10/07/1996	 Designation of Record on Appeal Filed By: Defendant Moraga, Roy D
10/28/1996	 Notice of Entry of Order
10/29/1996	 Case Appeal Statement Filed By: Defendant Moraga, Roy D
01/13/1997	 Reporters Transcript <i>Transcript of Hearing Held on March 6, 1996</i>
01/13/1997	 Reporters Transcript <i>Transcript of Hearing Held on August 21, 1996</i>
01/13/1997	 Reporters Transcript <i>Transcript of Hearing Held on April 17, 1996</i>
01/13/1997	 Reporters Transcript <i>Transcript of Hearing Held on July 15, 1996</i>
01/13/1997	 Reporters Transcript <i>Transcript of Hearing Held on August 12, 1996</i>
01/13/1997	 Reporters Transcript <i>Transcript of Hearing Held on July 19, 1996</i>
01/17/1997	 Certificate of Mailing Filed By: Defendant Moraga, Roy D
04/30/1998	 Motion <i>Motion to Modify or in the Alternative Correct Illegal Sentence</i>
04/30/1998	 Affidavit Filed By: Defendant Moraga, Roy D <i>Affidavit of Roy D. Moraga</i>




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05/08/1998	 Opposition <i>State's Opposition to Defendant's Motion to Modify or in the Alternative Correct Illegal Sentence</i>
05/11/1998	<b>Motion to Modify Sentence (9:00 AM)</b> Events: 04/30/1998 Motion <i>DEFT'S PRO PER MOTION TO MODIFY OR CORRECT ILLEGAL SENTENCE Court Clerk: DOROTHY KELLY Relief Clerk: NORMA CHATVANC Reporter/Recorder: MARILYN WAGGONER Heard By: Don Chairez</i>
05/28/1998	 Order Denying <i>Order Denying Defendant's Pro Per Motion to Modify or in Alternative Correct Illegal Sentence</i>
05/29/1998	 Notice of Entry of Order
06/01/1998	 Motion <i>Motion for Enlargement of Time</i>
06/13/1998	 Notice of Appeal (criminal) Party: Defendant Moraga, Roy D <i>Notice of Appeal</i>
06/13/1998	 Designation of Record on Appeal Filed By: Defendant Moraga, Roy D
06/15/1998	<b>Motion (9:00 AM)</b> Events: 06/01/1998 Motion <i>DEFT'S PRO PER MOTION FOR ENLARGEMENT OF TIME Heard By: Don Chairez</i>
06/15/1998	 Case Appeal Statement
06/17/1998	<b>Motion (9:00 AM)</b> <i>DEFT'S PRO PER MOTION FOR ENLARGEMENT OF TIME Court Clerk: DOROTHY KELLY Relief Clerk: CYNTHIA NAVARRETTE-LORY/CNL Reporter/Recorder: SHAWN OTT Heard By: Mark Gibbons</i>
06/30/1998	 Order Denying <i>Order Denying Defendant's Motion for Enlargement of Time</i>
07/07/1998	 Notice of Entry of Order
08/06/1998	 Motion to Strike
08/17/1998	 Response <i>State's Response to Defendant's Motion to Strike</i>
08/18/1998	<b>Motion to Strike (9:00 AM)</b> Events: 08/06/1998 Motion to Strike <i>DEFT'S PRO PER MOTION TO STRIKE Court Clerk: RITA LOPEZ Reporter/Recorder: YVONNE VALENTIN Heard By: Lee Gates</i>
08/27/1998	 Order Denying <i>Order Denying Defendant's Pro Per Motion to Strike</i>

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09/01/1998	<b>Status Check (9:00 AM)</b> <i>STATUS CHECK: ORDER Court Clerk: RITA LOPEZ Reporter/Recorder: YVONNE VALENTIN Heard By: Lee Gates</i>
09/22/1998	 Notice of Appeal (criminal) Party: Defendant Moraga, Roy D <i>Notice of Appeal</i>
09/22/1998	 Designation of Record on Appeal Filed By: Defendant Moraga, Roy D
09/28/1998	 Case Appeal Statement
04/30/1999	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>Nevada Supreme Court Clerk's Certificate Judgment - Dismissed</i>
06/01/1999	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>Nevada Supreme Court Clerk's Certificate Judgment - Dismissed</i>
06/01/1999	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>Nevada Supreme Court Clerk's Certificate Judgment - Dismissed</i>
02/25/2002	 Motion for Leave to Proceed in Forma Pauperis
02/25/2002	 Motion <i>Motion to Preserve Evidence and Order</i>
02/25/2002	 Certificate Filed By: Defendant Moraga, Roy D <i>Certificate of Inmate's Institutional Account</i>
02/26/2002	 Notice of Hearing <i>Notice of Hearing - Criminal</i>
03/11/2002	<b>CANCELED Petition to Proceed in Forma Pauperis (9:00 AM)</b> Events: 02/25/2002 Motion for Leave to Proceed in Forma Pauperis <i>Vacated</i>
03/11/2002	<b>CANCELED Motion (9:00 AM)</b> Events: 02/25/2002 Motion <i>Vacated</i>
10/31/2002	 Motion <i>Motion to Vacate and/or Amend Judgment</i>
11/13/2002	<b>Motion to Vacate (9:00 AM)</b> Events: 10/31/2002 Motion <i>DEPT'S PRO PER ATTN TO VACATE AMEND JUDGMENT/40 Court Clerk: Sharon Coffman Reporter/Recorder: Sonja Riley-Bennett Heard By: Lee Gates</i>
11/18/2002	<b>Motion for Confirmation of Counsel (9:00 AM)</b> <i>CONFIRMATION OF COUNSEL (HINDS) Court Clerk: Sharon Coffman Reporter/Recorder: Sonja Riley-Bennett Heard By: Lee Gates</i>
11/21/2002	

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	 Order Filed By: Defendant Moraga, Roy D <i>Order for Appointment of Counsel for Post-Conviction Relief</i>
11/27/2002	 Opposition <i>State's Opposition to Defendant's Motion to Vacate and/or Amend Judgment</i>
12/02/2002	<b>Status Check (9:00 AM)</b> <i>STATUS CHECK: PETITION Court Clerk: Sharon Coffman Heard By: Gates, Lee A</i>
12/18/2002	<b>Status Check (9:00 AM)</b> <i>STATUS CHECK: PETITION Relief Clerk: April Watkins Reporter/Recorder: Sonia Riley-Bennett Heard By: Gates, Lee A</i>
12/23/2002	<b>Status Check (9:00 AM)</b> <i>STATUS CHECK: PETITION Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley-Bennett Heard By: Gates, Lee A</i>
01/08/2003	<b>Status Check (9:00 AM)</b> <i>STATUS CHECK: PETITION Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley-Bennett Heard By: Gates, Lee A</i>
02/03/2003	<b>Status Check (9:00 AM)</b> <i>STATUS CHECK: PETITION Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley-Bennett Heard By: Gates, Lee A</i>
02/05/2003	<b>Status Check (9:00 AM)</b> <i>STATUS CHECK: PETITION Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley-Bennett Heard By: Lee Gates</i>
06/11/2003	 Stipulation and Order Filed by: Defendant Moraga, Roy D
07/23/2003	<b>CANCELED Hearing (9:00 AM)</b> <i>Vacated</i>
12/16/2003	 Motion <i>Motion for Release of DNA Evidence Under Nevada Open Records Act</i>
12/17/2003	 Receipt of Copy Filed by: Defendant Moraga, Roy D
12/26/2003	 Opposition <i>State's Opposition to Defendant's Motion for Release of DNA Evidence Under Nevada Open Records Act</i>
12/29/2003	<b>Motion (9:00 AM)</b> Events: 12/16/2003 Motion <i>DEFT'S MTN FOR RELEASE OF DNA EVID UNDER NV OPEN RECORDS ACT/44 Court Clerk: Sharon Coffman Reporter/Recorder: Shawna Craig Heard By: Gates, Lee A</i>
01/05/2004	<b>Motion (9:00 AM)</b> <i>DEFT'S MTN FOR RELEASE OF DNA EVID UNDER NV OPEN RECORDS ACT/44 Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates</i>
01/05/2004	 Reply Filed by: Defendant Moraga, Roy D <i>Reply to State's Opposition to Defendant's Motion for Release of DNA Evidence Under Nevada</i>

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**CASE SUMMARY**  
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*Open Records Act*

01/07/2004	 Order <i>Order Denying Defendant's Motion for Release of DNA Evidence Under Nevada Open Records Act</i>
02/09/2004	 Request Filed by: Defendant Moraga, Roy D <i>Ex Parte Motion for Excess Fees</i>
02/11/2004	 Order Filed By: Defendant Moraga, Roy D <i>Order for Payment of Excess Fees</i>
02/17/2004	 Notice of Appeal (criminal) <i>Notice of Appeal</i>
02/17/2004	 Brief Filed By: Defendant Moraga, Roy D <i>Supplemental Brief to States Opposition to Defendant's Motion for Release of DNA Evidence Under Nevada Open Records Act</i>
02/18/2004	 Case Appeal Statement
05/04/2004	 Reporters Transcript <i>Transcript of Hearing Held on November 13, 2002</i>
05/04/2004	 Reporters Transcript <i>Transcript of Hearing Held on January 5, 2004</i>
05/14/2004	 Reporters Transcript <i>Transcript of Hearing Held on May 11, 1998</i>
09/27/2004	 Writ of Mandamus <i>Extraordinary Writ of Mandamus</i>
09/27/2004	 Affidavit <i>Affidavit of Roy D. Moraga</i>
09/27/2004	 Supplement Filed by: Defendant Moraga, Roy D <i>Supplemental Act</i>
10/13/2004	<b>Motion (9:00 AM)</b> Events: 09/27/2004 Writ of Mandamus <i>DELET'S PRO PER MTN FOR EXTRAORDINARY WRIT/45 Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates</i>
10/18/2004	 Motion <i>Motion and Order for Failure to Prosecute and Reinstate Motion to Vacate and/or Amend Judgment</i>
10/19/2004	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>Nevada Supreme Court Clerk's Certificate Judgment - Affirmed</i>

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**CASE SUMMARY**  
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11/01/2004	<b>Motion (9:00 AM)</b> Events: 10/18/2004 Motion <i>DEFT'S PRO PER MTN FOR ORDER FOR FAILURE TO PROSECUTE/REINSTATE MTN TO VACATE/47 Court Clerk: Sharon Coffman Relief Clerk: Michelle Jones/mj Reporter/Recorder: Sonia Riley Heard By: Gates, Lee A</i>
12/15/2004	 <b>Response</b> Filed by: Defendant Moraga, Roy D <i>State's Response to Extraordinary Writ of Mandamus</i>
01/05/2005	 <b>Reply</b> Filed by: Defendant Moraga, Roy D <i>Reply to State's Response to Extraordinary Writ of Mandamus and Motion to Dismiss</i>
01/31/2005	<b>Hearing (9:00 AM)</b> <i>ARGUMENT: DEFT MTN FOR EXTRAORDINARY WRIT Heard By: Lee Gates</i>
01/31/2005	<b>Motion (9:00 AM)</b> <i>DEFT'S PRO PER MTN FOR ORDER FOR FAILURE TO PROSECUTE/REINSTATE MTN TO VACATE/47 Heard By: Lee Gates</i>
01/31/2005	<b>All Pending Motions (9:00 AM)</b> <i>ALL PENDING MOTIONS (1-31-05) Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates</i>
02/10/2005	 <b>Case Appeal Statement</b>
02/10/2005	 <b>Notice of Appeal (criminal)</b> <i>Notice of Appeal</i>
02/10/2005	 <b>Designation of Record on Appeal</b> Filed By: Defendant Moraga, Roy D
03/30/2005	 <b>Order</b> Filed By: Defendant Moraga, Roy D
04/08/2005	 <b>Notice of Entry of Order</b> Filed By: Defendant Moraga, Roy D
05/02/2005	 <b>NV Supreme Court Clerks Certificate/Judgment - Dismissed</b> <i>Nevada Supreme Court Clerk's Certificate Judgment - Dismissed</i>
01/10/2006	 <b>Motion</b> <i>Motion for Leave to Proceed in Forma Pauperis and for Appointment of Counsel</i>
01/10/2006	 <b>Petition for Writ of Habeas Corpus</b> Filed by: Defendant Moraga, Roy D <i>Petition for Writ of Habeas Corpus (Post-Conviction) (NRS 34.720, et seq.)</i>
01/10/2006	 <b>Certificate</b> Filed By: Defendant Moraga, Roy D <i>Financial Certificate</i>
01/10/2006	 <b>Affidavit in Support</b>

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**CASE SUMMARY**  
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	Filed By: Defendant Moraga, Roy D <i>Affidavit in Support of Motion for Leave to Proceed in Forma Pauperis and for Appointment of Counsel</i>
01/10/2006	 Affidavit Filed By: Defendant Moraga, Roy D <i>Affidavit of Petitioner</i>
01/12/2006	 Order for Petition for Writ of Habeas Corpus
01/19/2006	 Opposition <i>State's Opposition to Motion for Appointment of Counsel</i>
01/23/2006	<b>Petition to Proceed in Forma Pauperis (9:00 AM)</b> Events: 01/10/2006 Motion <i>DEFT'S PRO PER MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS AND FOR /49 Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates</i>
01/27/2006	 Order <i>Order Granting Defendant's Pro Per Motion for Leave to Proceed in Forma Pauperis and Order Denying Defendant's Pro Per Motion for Appointment of Counsel</i>
02/22/2006	 Motion <i>Motion and Order to Transport and Produce Inmate for Hearing</i>
02/22/2006	 Notice of Change of Address Filed By: Defendant Moraga, Roy D
02/27/2006	 Opposition <i>State's Opposition to Defendant's Motion for Transport</i>
02/27/2006	 Response <i>State's Response and Motion to Dismiss Petition for Writ of Habeas Corpus (Post-Conviction)</i>
03/22/2006	<b>Motion (9:00 AM)</b> Events: 02/22/2006 Motion <i>DEFT'S PRO PER MOTION AND ORDER TO TRANSPORT AND PRODUCE INMATE FOR /51 Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates</i>
03/29/2006	<b>Petition for Writ of Habeas Corpus (9:00 AM)</b> Events: 01/12/2006 Order for Petition for Writ of Habeas Corpus <i>DEFT'S PTN FOR WRIT OF HABEAS CORPUS /50</i>
04/19/2006	<b>Status Check (9:00 AM)</b> <i>STATUS CHECK: PETITION HEARING / ORDER TO TRANSPORT Court Clerk: Sharon Coffman/sc Relief Clerk: Phyllis Irby Reporter/Recorder: Jackie Nelson Heard By: Bonaventure, Joseph T.</i>
04/21/2006	 Order for Production of Inmate <i>Order for Production of Inmate Roy D. Moraga, BAC # 31584</i>
04/26/2006	<b>Petition for Writ of Habeas Corpus (9:00 AM)</b> <i>DEFT'S PTN FOR WRIT OF HABEAS CORPUS /50</i>
05/01/2006	<b>Status Check (9:00 AM)</b> <i>STATUS CHECK: PETITION HEARING / ORDER TO TRANSPORT Court Clerk: Sharon Coffman/sc Relief Clerk: Phyllis Irby Reporter/Recorder: Sonia Riley Heard By: Gates, Lee A</i>













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05/05/2006	 Order for Production of Inmate <i>Order for Production of Inmate Roy D. Moraga, BAC # 31584</i>
05/24/2006	 Reply Filed by: Defendant Moraga, Roy D <i>Reply to State's Response and Opposition to Motion to Dismiss Petition for Writ of Habeas Corpus (Post-Conviction)</i>
05/31/2006	<b>Status Check</b> (9:00 AM) <i>STATUS CHECK: PETITION HEARING / ORDER TO TRANSPORT Court Clerk: Sharon Coffman/sc Relief Clerk: Phyllis Irby Reporter/Recorder: Sonia Riley Heard By: Lee Gates</i>
06/05/2006	 Order for Production of Inmate <i>Order for Production of Inmate Roy D. Moraga, BAC # 31584</i>
06/26/2006	<b>Hearing</b> (9:00 AM) <i>ARGUMENT: PETITION FOR WRIT OF HABEAS CORPUS Court Clerk: Sharon Coffman/sc Relief Clerk: Phyllis Irby Reporter/Recorder: Sonia Riley Heard By: Lee Gates</i>
07/06/2006	<b>Minute Order</b> (9:00 AM) <i>MINUTE ORDER RE: PETITION FOR WRIT OF HABEAS CORPUS Court Clerk: Connie Gleason Relief Clerk: Phyllis Irby/pi Heard By: Lee Gates</i>
02/08/2007	 Finding of Fact and Conclusions of Law
02/13/2007	 Notice of Entry of Decision and Order
03/02/2007	 Notice of Appeal (criminal) Party: Defendant Moraga, Roy D <i>Notice of Appeal</i>
03/02/2007	 Case Appeal Statement Filed By: Defendant Moraga, Roy D
03/05/2007	 Case Appeal Statement
03/05/2007	 Motion <i>Motion for Appointment of Counsel on Appeal</i>
03/12/2007	 Reporters Transcript <i>Transcript of Hearing Held on January 23, 2006</i>
03/12/2007	 Reporters Transcript <i>Transcript of Hearing Held on June 26, 2006</i>
03/16/2007	 Opposition <i>State's Opposition to Defendant's Motion for Appointment of Counsel</i>
03/19/2007	<b>Motion</b> (9:00 AM) Events: 03/05/2007 Motion <i>DEFT'S PRO PER MTN FOR APPOINTMENT OF COUNSEL ON APPEAL/55 Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates</i>
















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03/23/2007	 Order <i>Order Denying Defendant's Motion for Appointment of Counsel</i>
09/13/2007	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>Nevada Supreme Court Clerk's Certificate Judgment - Affirmed</i>
04/29/2011	 Order
09/19/2011	 Notice of Change of Address
11/04/2011	 Supplemental Brief <i>Supplemental Brief In Support of the Petition for Writ of Habeas Corpus and Illegal Sentence Pursuant to NRS 126.555</i>
02/15/2012	 Motion <i>Motion for Judicial Action on Petition</i>
02/15/2012	 Ex Parte Motion <i>Ex Parte Motion for Appointment of Counsel</i>
02/15/2012	 Affidavit <i>Affidavit of Petitioner</i>
03/14/2012	 Notice of Motion
03/23/2012	 Response <i>Response to Defendant's Motion for Judicial Action and Opposition to Defendant's Motion to Appoint Counsel</i>
04/09/2012	 Motion <i>Motion for Enlargement of Time (First Request)</i>
04/17/2012	 Opposition to Motion <i>State's Opposition to Defendant Motion for Enlargement of Time</i>
04/17/2012	 Opposition to Motion <i>State's Opposition to Defendant Motion for Enlargement of Time</i>
04/25/2012	 <b>Status Check</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.) <i>Further Proceedings (Deft's Pro per Mtn for Judicial Action on Petition, Exparte Mtn for Appointment of Counsel filed in A640265)</i>
05/16/2012	 Response Filed by: Plaintiff State of Nevada <i>State's Response and Motion to Dismiss Defendant's Petition for Writ of Habeas Corpus (Post-Conviction)</i>
07/16/2012	<b>Hearing</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.) <i>HEARING: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS</i>
07/16/2012	<b>Motion</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.) <i>DEFT'S EXPARTE MOTION FOR APPOINTMENT OF COUNSEL</i>








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07/16/2012	 <b>All Pending Motions</b> (8:30 AM) (Judicial Officer: Cadish, Elissa P.)
08/06/2012	 <b>Motion</b> Filed By: Defendant Moraga, Roy D <i>Motion for Reconsideration</i>
08/09/2012	 <b>Opposition to Motion</b> Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant's Motion to Reconsider</i>
08/13/2012	 <b>Findings of Fact, Conclusions of Law and Order</b> Filed By: Plaintiff State of Nevada
08/21/2012	 <b>Notice of Entry</b> Filed By: Plaintiff State of Nevada <i>Notice of Entry of Findings of Fact, Conclusions of Law and Order</i>
08/27/2012	 <b>Motion</b> (8:30 AM) (Judicial Officer: Cadish, Elissa P.) Events: 08/06/2012 Motion <i>Motion for Reconsideration</i>
08/28/2012	 <b>Reply to Opposition</b> Filed by: Defendant Moraga, Roy D <i>Reply to State's Opposition to Petitioner's Motion for Reconsideration</i>
08/28/2012	 <b>Request</b> Filed by: Defendant Moraga, Roy D <i>Request to File Exhibit 1</i>
09/17/2012	 <b>Notice of Appeal (criminal)</b> Party: Defendant Moraga, Roy D <i>Notice of Appeal</i>
09/18/2012	 <b>Case Appeal Statement</b> Filed By: Defendant Moraga, Roy D
10/05/2012	 <b>Order Denying</b> Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Motion to Reconsider</i>
08/14/2013	 <b>Petition for Writ of Habeas Corpus</b> Filed by: Defendant Moraga, Roy D <i>Petition for Writ of Habeas Corpus (Post-Conviction Relief - NRS 34.735 Petition: Form)</i>
08/14/2013	 <b>Memorandum of Points and Authorities</b> Filed By: Defendant Moraga, Roy D <i>Memorandum of Points and Authorities Petition for Writ of Habeas Corpus Post-Conviction</i>
08/14/2013	 <b>Motion for Appointment of Attorney</b> Filed By: Defendant Moraga, Roy D <i>Motion for Appointment of Counsel</i>
08/14/2013	 <b>Application to Proceed in Forma Pauperis</b>

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	Filed By: Defendant Moraga, Roy D
08/26/2013	 Order for Petition for Writ of Habeas Corpus
09/19/2013	 Response Filed by: Plaintiff State of Nevada <i>State's Response and Motion to Dismiss Defendant's Petition for Writ of Habeas Corpus (Post-Conviction) and Opposition to Defendant's Motion for Appointment of Counsel</i>
09/27/2013	 Notice of Change of Hearing
10/21/2013	 <b>Petition for Writ of Habeas Corpus</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.) Events: 08/26/2013 Order for Petition for Writ of Habeas Corpus
10/30/2013	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>Nevada Supreme Court Clerk's Certificate Judgment - Affirmed; Rehearing Denied</i>
12/04/2013	 Findings of Fact, Conclusions of Law and Order Filed By: Plaintiff State of Nevada
12/09/2013	 Notice of Entry Filed By: Plaintiff State of Nevada <i>Notice of Entry of Findings of Fact, Conclusions of Law and Order</i>
12/16/2013	 Notice of Appeal (criminal) <i>Notice of Appeal</i>
12/17/2013	 Case Appeal Statement Filed By: Defendant Moraga, Roy D
01/08/2014	 Petition Filed by: Defendant Moraga, Roy D <i>Postconviction Petition Requesting a Genetic Marker Analysis of Evidence Within the Possession or Custody of the State of Nevada (NRS 176.0918)</i>
01/08/2014	 Declaration Filed By: Defendant Moraga, Roy D <i>Declaration of Roy D. Moraga</i>
01/08/2014	 Application to Proceed in Forma Pauperis Filed By: Defendant Moraga, Roy D
01/08/2014	 Certificate Filed By: Defendant Moraga, Roy D <i>Certificate of Inmate's Institutional Account</i>
01/08/2014	 Motion for Appointment of Attorney Filed By: Defendant Moraga, Roy D <i>Motion for Appointment of Counsel</i>
01/17/2014	 <b>Minute Order</b> (3:00 AM) (Judicial Officer: Cadish, Elissa F.) <i>Minute Order Re: Post-Conviction Petition requesting genetic marker testing pursuant to NRS 176.0918.</i>

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01/17/2014	 Application to Proceed in Forma Pauperis Filed By: Defendant Moraga, Roy D
01/21/2014	 Certificate Filed By: Defendant Moraga, Roy D <i>Certificate of Inmate's Institutional Account</i>
01/21/2014	 Motion Filed By: Defendant Moraga, Roy D <i>Motion for Correction of Illegal Sentence</i>
01/21/2014	 Motion Filed By: Defendant Moraga, Roy D <i>Motion for Appointment of Counsel</i>
01/31/2014	 Notice of Appeal (criminal) Party: Defendant Moraga, Roy D <i>Notice of Appeal</i>
02/03/2014	 Case Appeal Statement Filed By: Defendant Moraga, Roy D
02/07/2014	 Opposition to Motion Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant's Motion for Correction of Illegal Sentence and Defendant's Motion for Appointment of Counsel</i>
02/12/2014	<b>Motion to Correct Sentence</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.) <i>Defendant's Motion for Correction of Illegal Sentence</i>
02/12/2014	<b>Motion for Appointment of Attorney</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.) <i>Defendant's Motion for Appointment of Counsel</i>
02/12/2014	 <b>All Pending Motions</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.)
03/12/2014	 Order Denying Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Motions of February 12, 2014</i>
03/19/2014	 Motion Filed By: Defendant Moraga, Roy D <i>Motion for Returning Seized Property</i>
04/07/2014	 Opposition Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant's Motion for Returning Seized Property</i>
04/09/2014	 <b>Motion</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.) <i>Motion for Returning Seized Property</i>
04/15/2014	 Order Denying Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Post-Conviction Petition Requesting Genetic Marker Testing</i>







DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 89C092174**

*Pursuant to NRS 176.0918*

04/17/2014	 Order Denying Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Motion for Return of Seized Property</i>
04/22/2014	 Notice of Entry of Order Filed By: Plaintiff State of Nevada
05/12/2014	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>Nevada Supreme Court Clerk's Certificate Judgment - Affirmed</i>
05/15/2014	 Notice of Appeal (criminal) Party: Defendant Moraga, Roy D <i>Notice of Appeal</i>
05/16/2014	 Case Appeal Statement Filed By: Defendant Moraga, Roy D <i>Case Appeal Statement</i>
06/12/2014	 Motion Filed By: Defendant Moraga, Roy D <i>Motion for Production of Transcripts at State Expense</i>
06/12/2014	 Motion Filed By: Defendant Moraga, Roy D <i>Notice of Motion and Motion for Order of Delivery of Records</i>
06/12/2014	 Request Filed by: Defendant Moraga, Roy D <i>Request for Rough Draft Transcript</i>
06/30/2014	 Opposition Filed By: Plaintiff State of Nevada <i>Opposition to Defendant's Motion for Production of Transcripts at State's Expense</i>
07/07/2014	<b>Motion</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.) <i>Motion for Production of Transcripts at State Expense</i>
07/07/2014	<b>Motion for Order</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.) <i>Notice of Motion and Motion for Order of Delivery of Records</i>
07/07/2014	<b>Motion</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.) <i>Request for Rough Draft Transcript</i>
07/07/2014	 <b>All Pending Motions</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.)
08/26/2014	 Order <i>Order Regarding Motions of July 7, 2014</i>
08/26/2014	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>Nevada Supreme Court Clerk's Certificate Judgment - Dismissed; Rehearing Denied</i>
08/28/2014	 NV Supreme Court Clerks Certificate/Judgment - Affirmed

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE NO. 89C092174**

*Nevada Supreme Court Clerk's Certificate Judgment - Affirmed*

10/01/2014	 Motion Filed By: Defendant Moraga, Roy D <i>Motion for Correction of Illegal Sentence</i>
10/01/2014	 Application to Proceed in Forma Pauperis Filed By: Defendant Moraga, Roy D <i>Application to Proceed in Forma Pauperis</i>
10/22/2014	 <b>Motion</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.) <i>Deft's Pro Per Motion for Correction of Illegal Sentence</i>
10/29/2014	 Order Denying Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Pro Per Motion for Correction of Illegal Sentence</i>
11/03/2014	 Notice of Appeal (criminal) Party: Defendant Moraga, Roy D <i>Notice of Appeal</i>
11/04/2014	 Case Appeal Statement Filed By: Defendant Moraga, Roy D <i>Case Appeal Statement</i>

**DATE**

**FINANCIAL INFORMATION**

<b>Defendant</b> Moraga, Roy D	
Total Charges	8.00
Total Payments and Credits	8.00
<b>Balance Due as of 11/4/2014</b>	<b>0.00</b>

ORIGINAL

Electronically Filed  
10/29/2014 02:10:06 PM

1 **ORDR**  
2 STEVEN B. WOLFSON  
3 Clark County District Attorney  
4 Nevada Bar #001565  
5 JAMES R. SWEETIN  
6 Chief Deputy District Attorney  
7 Nevada Bar #005144  
8 200 Lewis Avenue  
9 Las Vegas, NV 89155-2212  
10 (702) 671-2500  
11 Attorney for Plaintiff

  
CLERK OF THE COURT

8 **DISTRICT COURT**  
9 **CLARK COUNTY, NEVADA**

10 THE STATE OF NEVADA,  
11  
12 Plaintiff,

13 -vs-

14 ROY MORAGA,  
15 #0938554

16 Defendant.

CASE NO: 89C092174  
DEPT NO: VI

17 **ORDER DENYING DEFENDANT'S PRO PER MOTION**  
18 **FOR CORRECTION OF ILLEGAL SENTENCE**

19 DATE OF HEARING: OCTOBER 22, 2014  
20 TIME OF HEARING: 8:30 A.M.

21 THIS MATTER having come on for hearing before the above entitled Court on the  
22 22ND day of OCTOBER, 2014, the Defendant not being present, IN PROPER PERSON, the  
23 Plaintiff being represented by STEVEN B. WOLFSON, District Attorney, through  
24 CHARLES THOMAN, Deputy District Attorney, without argument, based on the pleadings  
25 and good cause appearing therefor,

26 //

27 //

28 //




**IT IS HEREBY ORDERED** that the DEFENDANT'S PRO PER MOTION FOR CORRECTION OF ILLEGAL SENTENCE, shall be, and is, DENIED.

DATED this 28 day of October, 2014.

CLERK OF COURT

STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565

Nevada Bar #001505

BY  for

**CHARLES THOMAN**  
Deputy District Attorney  
Nevada Bar #012649

hjc/SVU

THE SEALED PORTION  
OF THESE MINUTES  
WILL FOLLOW VIA  
U.S. MAIL.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****April 25, 2012**

89C092174

The State of Nevada vs Roy D Moraga

**April 25, 2012****8:30 AM****Status Check****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**Ferreira, Amy L.  
State of NevadaAttorney  
Plaintiff**JOURNAL ENTRIES**

- Court stated findings noting after the change of venue the Deft's case was calendared in Department V on a civil calendar in error, and was then recalendared in Department VI and ORDERED, Deft's Pro Per Motion for Judicial action GRANTED; matter set for hearing regarding the Deft's Petition For Writ Of Habeas Corpus; state's response to be filed by June 13th; Deft's Motion For Appointment Of Counsel CONTINUED.

NDC

7-16-12 HEARING: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS...DEFT'S EXPARTE MOTION FOR APPOINTMENT OF COUNSEL

CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584, Love Lock Correctional Center, 1200 Prison Road, Love Lock NV. 89419

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****July 16, 2012**

89C092174

The State of Nevada vs Roy D Moraga

**July 16, 2012****8:30 AM****All Pending Motions****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**Rinetti, Dena I.  
State of NevadaAttorney  
Plaintiff**JOURNAL ENTRIES**

- HEARING: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS...DEFT'S EXPARTE MOTION FOR APPOINTMENT OF COUNSEL

In the absence of the Deft., Court advised there will not be any argument. Court stated findings and ORDERED, Deft's Petition For Writ of Habeas Corpus and Exparte Motion For Appointment of counsel DENIED.

NDC

CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584, Ely State Prison, POB 1989, Ely Nv., 89301

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****August 27, 2012**

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89C092174

The State of Nevada vs Roy D Moraga

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**August 27, 2012****8:30 AM****Motion****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**Rinetti, Dena I.  
State of NevadaAttorney  
Plaintiff

**JOURNAL ENTRIES**

- In the absence of the Deft., Court noted there will not be any argument. Court stated findings noting the Deft. is seeking reconsideration of the ruling of July 16th due to his absence and ORDERED, Deft's Pro Se Motion For Reconsideration DENIED; there was no argument in the Deft's absence, and no basis for reconsideration.

NDC

CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584, Love Lock Correctional Center, 1200 Prison Road, Love Lock Nv. 89419

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****October 21, 2013**

89C092174

The State of Nevada vs Roy D Moraga

**October 21, 2013****8:30 AM****Petition for Writ of Habeas  
Corpus****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**State of Nevada  
Wiborg, Erika L.Plaintiff  
Attorney**JOURNAL ENTRIES**

- In the absence of the Deft., Court stated there will not be any argument. Court stated findings noting the petition is untimely, successive, no good cause has been shown for the procedural defaults, there is no showing in evidence of actual innocence, the sentence is not illegal and ORDERED, Deft's Pro Se Petition For Writ of Habeas Corpus DENIED. FURTHER ORDERED, due to the ruling of the Court, Defendant's request for counsel is DENIED; State to prepare the order.

NDC

CLERK'S NOTE: The above minute order has been distributed to: Roy Moraga #31584, Love Lock Correctional Center, 1200 Prison Road, Love Lock Nv. 89419

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****January 17, 2014**

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89C092174

The State of Nevada vs Roy D Moraga

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**January 17, 2014****3:00 AM****Minute Order****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:****REPORTER:****PARTIES****PRESENT:**

**JOURNAL ENTRIES**

- Petitioner submitted a Post-Conviction Petition requesting genetic marker testing pursuant to NRS 176.0918. Defendant does not meet the requirements of NRS 176.0918(3)(b) because there does not exist a reasonable possibility that Petitioner would not have been convicted if exculpatory results had been obtained. Additionally, Petitioner previously raised the issue of DNA testing by filing a Motion for Release of DNA Evidence Under Nevada Open Records Act on December 16, 2003. On January 5, 2004, the court DENIED the motion on the merits because the Petitioner admitted during trial that he had consensual sex with the victim. As this issue has previously been decided on the merits, instant Petition is barred by the law of the case.

NDC

CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584, Love Lock Correctional Center, 1200 Prison Road, Love Lock Nv. 89419

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****February 12, 2014**

89C092174

The State of Nevada vs Roy D Moraga

**February 12, 2014****8:30 AM****All Pending Motions****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed

Carole D'Aloia

**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**Smith, Tyler D., ESQ  
State of NevadaAttorney  
Plaintiff**JOURNAL ENTRIES**

- DEFENDANT'S PRO PER MOTION FOR CORRECTION OF ILLEGAL  
SENTENCE...DEFENDANT'S PRO SE MOTION FOR APPOINTMENT OF COUNSEL

Court noted the absence of the Defendant as he is currently in the Nevada Department of Corrections (NDC) and was not transported. Court advised it will not hear argument but will rule based on the pleadings filed. Court advised that the sentence imposed is legal, Court previously denied this motion, Defendant appealed to the Nevada Supreme Court, which upheld this Court's decision and, ORDERED, Defendant's Pro Per Motion for Correction of Illegal Sentence and Defendant s Pro Se Motion for Appointment of Counsel DENIED; State to prepare and submit appropriate Order.

NDC



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****April 09, 2014**

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89C092174

The State of Nevada vs Roy D Moraga

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**April 09, 2014****8:30 AM****Motion****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**Beverly, Leah C  
State of NevadaAttorney  
Plaintiff

**JOURNAL ENTRIES**

- In the absence of the Defendant the Court stated there will not be any argument and a ruling will be issued based upon the papers. Court stated findings and ORDERED, Defendant's Pro Se Motion For Returning Seized Property DENIED as the items impounded as evidence are not appropriate for release under the applicable statutes; State to prepare the order.

NDC

CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584, Love Lock Correctional Center, 1200 Prison Rd., Love Lock Nv. 89419

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****July 07, 2014**

89C092174

The State of Nevada vs Roy D Moraga

**July 07, 2014****8:30 AM****All Pending Motions****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**

State of Nevada

Plaintiff

Thoman, Charles W.

Attorney

**JOURNAL ENTRIES**

- DEFT'S PRO SE MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATE EXPENSE...DEFT'S PRO SE MOTION FOR AN ORDER OF DELIVERY OF RECORDS...DEFT'S PRO SE REQUEST FOR ROUGH DRAFT TRANSCRIPT

Court stated findings and ORDERED, Motion For Production of Transcripts At State Expense and Request For Rough Draft Transcript DENIED; as to the Motion For Delivery Of Records, specially the file from Mr. Hillman, Mr. Hillman is with the Office of the Public Defender (P.D.) and the P.D. substituted out of the case in 1991 for someone else, and it's the understanding of the Court the Office of the P.D. no longer maintains the file to give to the Defendant; when new counsel came into the case in 1991 the P.D. would have provided the file to them. COURT ORDERED, Motion For Delivery Of Records DENIED; State to prepare the order.

NDC

**89C092174**

CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584, Lovelock Correctional Center, 1200 Prison Rd., Lovelock Nv. 89419

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****October 22, 2014**

89C092174

The State of Nevada vs Roy D Moraga

**October 22, 2014****8:30 AM****Motion**

**Deft's Pro Per Motion  
for Correction of  
Illegal Sentence**

**HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Katherine Streuber**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**

State of Nevada

Plaintiff

Thoman, Charles W.

Attorney

**JOURNAL ENTRIES**

- Court noted Deft. had filed this similar motion several times, stated no arguments will be heard, advised its ruling is based upon the pleadings and ORDERED, motion DENIED as barred and noted it had been rejected by the Supreme Court and District Court. State to prepare the Order.

NDC

CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584 c/o Lovelock Correctional Center, 1200 Prison Road, Lovelock, NV 89419. 10/23/14 kls

## PLAINTIFFS EXHIBITS

CASE NO.

C-98-177

OFFERED ADMITTED

Photo



3/13/92



Photo



"



Photo



"



Large Evidence Bag



"



Evidence Envelope



"



Boots with Sock



"



Leaves



"



Large Evidence Bag



"



Plastic Bag "Slide (Simon)



"



Gasket



"



Undershorts (Boyer)



"



Shirt (Tee)



"



Plastic Stretch Leg Bands



"



Shirt w/ red trim + Printing (Mr.)



"



Small Manila Envelope



"



Vial (Blood)



"



Vial (Blood)



"



Vial (Blood)



"



Small White Envelope (Deft's Head Hair)



"



" " " (Deft's Pubic Hair Strand)



"



" " " " (Deft's Saliva Sample)



"



" " " " (Deft's Saliva Sample)



"



Fingerprint Chart



"



" " " " (Deft's Saliva Sample)



"



" " " " (Deft's Saliva Sample)



"



" " " " (Deft's Saliva Sample)



"





CASE NO. 67-117

OFFERED ADMITS 2

✓	6-13-90	✓	6-13-90
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☒

☒ 11 ☒ 12

EXHIBITS

CASE NO.

89-1574

OFFERED ADMITTED

Information for Aggravated Assault



6-15-90



Information 1-24-83



"



Indictment Plea Agreement &



"



Sentence of Probation



"







EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE  
**NOTICE OF DEFICIENCY**  
ON APPEAL TO NEVADA SUPREME COURT

ROY D. MORAGA #31584  
1200 PRISON RD.  
LOVELOCK, NV 89419

DATE: November 4, 2014  
CASE: C092174

RE CASE: STATE OF NEVADA vs. ROY D. MORAGA

NOTICE OF APPEAL FILED: November 3, 2014

**YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.**

PLEASE NOTE: DOCUMENTS NOT TRANSMITTED HAVE BEEN MARKED:

- ☐ Case Appeal Statement  
- NRAP 3 (a)(1), Form 2
- ☐ Order
- ☒ Notice of Entry of Order

---

NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. **The district court clerk shall apprise appellant of the deficiencies in writing**, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (e) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

Please refer to Rule 3 for an explanation of any possible deficiencies.

# 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; ORDER DENYING DEFENDANT'S PRO PER MOTION FOR CORRECTION  
OF ILLEGAL SENTENCE; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF  
DEFICIENCY

STATE OF NEVADA,

Plaintiff(s),

vs.

ROY D. MORAGA,

Defendant(s).

Case No: C092174

Dept No: VI

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 4 day of November 2014.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk