

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

LAMAR HARRIS,  
Appellant,

v.

THE STATE OF NEVADA,  
Respondent.

Electronically Filed  
Jun 19 2019 03:03 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

CASE NO: 70679

**MOTION TO CONSOLIDATE**

COMES NOW the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through his Chief Deputy, JONATHAN E. VANBOSKERCK, and files this Motion to Consolidate. This motion is brought pursuant to Rules 3(b) and 27 of the Nevada Rules of Appellate Procedure (NRAP) and is based on the following memorandum and all papers and pleadings on file herein.

Dated this 19<sup>th</sup> day of June, 2019.

Respectfully submitted,

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

BY */s/ Jonathan E. VanBoskerck*

JONATHAN E. VANBOSKERCK  
Chief Deputy District Attorney  
Nevada Bar #006528  
Office of the Clark County District Attorney

## **ARGUMENT**

Lamar Harris (70679) and Andre Dow (70410) are both before the Supreme Court on petitions for review. Both present the issue of whether attorney abandonment amounts to good cause to entertain the merits of an otherwise procedurally barred post-conviction habeas petition where the petitioner did not have a right to counsel. NRAP 3(b) allows for joinder of appeals where it is practical to do so. Since both the petitions for review in Lamar Harris (70679) and Andre Dow (70410) present the same legal issue joinder would be practical and promote judicial economy.

## **CONCLUSION**

WHEREFORE, the State respectfully requests this Court consolidate the appellate cases of Lamar Harris (70679) and Andre Dow (70410) and adjudicate the petitions for review collectively.

Dated this 19<sup>th</sup> day of June, 2019.

Respectfully submitted,

**STEVEN B. WOLFSON**

Clark County District Attorney

BY */s/ Jonathan E. VanBoskerck*

**JONATHAN E. VANBOSKERCK**

Chief Deputy District Attorney

Nevada Bar #006528

Office of the Clark County District Attorney

## **CERTIFICATE OF SERVICE**

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on 19<sup>th</sup> day of June, 2019. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

AARON D. FORD  
Nevada Attorney General

MATTHEW D. CARLING, ESQ.  
Counsel for Appellant

JONATHAN E. VANBOSKERCK  
Chief Deputy District Attorney

*/s/ J. Garcia*

---

Employee, Clark County  
District Attorney's Office

JEV//jg