



CLERK OF THE COURT  
Electronically Filed  
Sep 14 2016 10:30 a.m.  
Tracie K. Lindeman  
Clerk of Supreme Court

ASTA  
MATTHEW LAY, ESQ.  
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Attorney for Appellant  
BRANDON JEFFERSON

DISTRICT COURT  
CLARK COUNTY, NEVADA

BRANDON JEFFERSON,

Petitioner,

vs.

THE STATE OF NEVADA,

Respondent.

CASE NO.: C-10-268351-1

DEPT. NO.: IV

CASE APPEAL STATEMENT

**1. Name of appellant filing this appeal statement:**

Brandon Jefferson.

**2. Identify the judge issuing the decision, judgment, or order appealed from:**

The Honorable Kerry Earley, Eighth Judicial District Court, Department IV.

**3. Identify each appellant and the name and address of counsel for each appellant:**

**Appellant:**

Brandon Jefferson

**Counsel for Appellant:**

Matthew Lay  
Nguyen & Lay  
732 S. Sixth Street, Suite 102  
Las Vegas, Nevada 89101

- 1       **4. Identify each respondent and the name and address of appellate counsel, if known,**  
2       **for each respondent (if the name of a respondent's appellate counsel is unknown,**  
3       **indicate as much and provide the name and address of that respondent's trial**  
4       **counsel):**

5       **Respondent:**

6       The State of Nevada

7       **Name of counsel for Respondent:**

8       Steven B. Wolfson  
9       Clark County District Attorney  
10      Regional Justice Center  
11      200 Lewis Avenue  
12      Las Vegas, Nevada 89101

13      Adam Paul Laxalt  
14      Nevada Attorney General  
15      100 North Carson Avenue  
16      Carson City, Nevada 89701-4717

- 17       **5. Indicate whether any attorney identified above in response to question 3 or 4 is not**  
18       **licensed to practice law in Nevada and, if so, whether the district court granted that**  
19       **attorney permission to appear under SCR 42 (attach a copy of any district court**  
20       **order granting such permission):**

21       N/A.

- 22       **6. Indicate whether appellant was represented by appointed or retained counsel in the**  
23       **district court:**

24       The Appellant was represented by appointed counsel in the district court.

- 25       **7. Indicate whether appellant is represented by appointed or retained counsel on**  
26       **appeal:**

27       The Appellant is represented by appointed counsel on appeal.

- 28       **8. Indicate whether appellant was granted leave to proceed in forma pauperis, and the**  
29       **date of entry of the district court order granting such leave:**

30       N/A.

- 31       **9. Indicate the date the proceedings commenced in the district court (e.g., date**  
32       **complaint, indictment, information, or petition was filed):**

33       The proceedings commenced in the district court on October 26, 2010, when the State of  
34       Nevada filed an Indictment in the Eighth Judicial District Court.

1 **10. Provide a brief description of the nature of the action and result in the district court,**  
2 **including the type of judgment or order being appealed and the relief granted by the**  
3 **district court:**

4 Mr. Jefferso is appealing from the entry Findings of Fact, Conclusions of Law and an  
5 Order denying his post-conviction petition for writ of habeas corpus entered on August 03, 2016.

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

9 This case has been previously the subject of an appeal to the Nevada Supreme Court on  
10 two prior occasions:

Caption:	Jefferson v. State	Docket number:	62120
Caption:	Jefferson v. State	Docket number:	70732

11 Notably, in docket number 70732, Mr. Jefferson filed a proper person Notice of Appeal  
12 in the district court on June 29, 2016. The Nevada Supreme Court created case number 70732 as  
13 a result. On August 23, 2016, he Nevada Supreme Court ordered the district court to appoint  
14 counsel to represent Mr. Jefferson on appeal. The undersigned, as attorney of record, was not  
15 served with either the proper person Notice of Appeal or the subsequent Order from the Nevada  
16 Supreme Court.

17 **12. Indicate whether this appeal involves child custody or visitation:**

18 N/A.

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

21 N/A.

22 Dated this 02<sup>nd</sup> day of September, 2016.

23 NGUYEN & LAY

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25 \_\_\_\_\_  
26 MATTHEW LAY, ESQ.  
27 Attorney for Appellant  
28 BRANDON JEFFERSON

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Clark County District Attorney's Office  
Email: [pdmotions@clarkcountyda.com](mailto:pdmotions@clarkcountyda.com)

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