

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

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Elizabeth A. Brown  
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**STATE OF NEVADA,**

**Plaintiff,**

**vs.**

**STEVEN FLOYD VOSS,**

**Defendant.**

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**Sup. Ct. Case No. 77505**

**Case No. CR96-1581**

**Dept. 1**

**RECORD ON APPEAL**

**VOLUME 9 OF 15**

**DOCUMENTS**

**APPELLANT**

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**RESPONDENT**

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APPEAL INDEX  
SUPREME COURT NO: 77505  
DISTRICT CASE NO: CR96-1581  
STATE OF NEVADA vs STEVEN FLOYD VOSS  
DATE: JANUARY 25, 2019

<b>PLEADING</b>	<b>DATE FILED</b>	<b>VOL.</b>	<b>PAGE NO.</b>
AFFIDAVIT IN SUPPORT OF REQUEST TO PROCEED IN FORMA PAUPERIS	03-09-00	10	25-28
AFFIDAVIT IN SUPPORT OF REQUEST TO PROCEED IN FORMA PAUPERIS	04-14-03	12	513-514
AMENDED PETITION FOR WRIT OF HABEAS CORPUS (POST CONVICTION)	10-15-04	14	942-959
ANSWER TO MOTION FOR DISQUALIFICATION	02-09-18	8	1569-1571
ANSWER TO PETITION FOR WRIT OF HABEAS CORPUS (POST CONVICTION)	05-05-00	10	32-34
APPLICATION FOR ORDER TO PRODUCE PRISONER	07-05-00	10	150-152
APPLICATION FOR ORDER TO PRODUCE PRISONER	09-04-18	15	14-16
APPLICATION FOR SETTING	07-16-96	2	6
APPLICATION FOR SETTING	09-09-96	2	198
APPLICATION FOR SETTING	08-31-18	9	1757-1757
APPLICATION FOR SETTING	06-23-00	10	149
APPLICATION FOR SETTING	01-29-01	10	156
CASE APPEAL STATEMENT	12-24-96	3	351-352
CASE APPEAL STATEMENT	02-06-18	8	1550-1551
CASE APPEAL STATEMENT	11-20-18	9	1864-1865
CASE APPEAL STATEMENT	11-20-18	9	1870-1871
CASE APPEAL STATEMENT	08-20-01	11	473-475
CASE APPEAL STATEMENT	11-12-02	12	507
CASE APPEAL STATEMENT	11-03-03	12	570-572
CASE APPEAL STATEMENT	01-28-05	14	977-979
CASE APPEAL STATEMENT	06-06-05	14	1006-1008
CASE ASSIGNMENT NOTIFICATION	02-16-18	8	1586-1587
CERTIFICATE OF CLERK	12-26-96	3	353
CERTIFICATE OF CLERK	08-20-01	11	478
CERTIFICATE OF CLERK	11-12-02	12	505

APPEAL INDEX  
 SUPREME COURT NO: 77505  
 DISTRICT CASE NO: CR96-1581  
 STATE OF NEVADA vs STEVEN FLOYD VOSS  
 DATE: JANUARY 25, 2019

PLEADING	DATE FILED	VOL.	PAGE NO.
CERTIFICATE OF CLERK	11-04-03	12	578
CERTIFICATE OF CLERK	12-12-03	12	586
CERTIFICATE OF CLERK	02-02-05	14	980
CERTIFICATE OF CLERK	06-09-05	14	1009
CERTIFICATE OF CLERK – RECORD ON APPEAL	03-17-05	14	985
CERTIFICATE OF CLERK – RECORD ON APPEAL	07-19-05	14	1027
CERTIFICATE OF CLERK AND TRANSMITTAL – NOTICE OF APPEAL	02-06-18	8	1552
CERTIFICATE OF CLERK AND TRANSMITTAL – NOTICE OF APPEAL	11-20-18	9	1866
CERTIFICATE OF CLERK AND TRANSMITTAL – NOTICE OF APPEAL	11-20-18	9	1872
CERTIFICATE OF INMATE’S INSTITUTIONAL ACCOUNT	04-21-03	12	546
CERTIFICATE OF TRANSMITTAL	12-26-96	3	354
CERTIFICATE OF TRANSMITTAL	08-20-01	11	479
CERTIFICATE OF TRANSMITTAL	11-12-02	12	506
CERTIFICATE OF TRANSMITTAL	11-04-03	12	579
CERTIFICATE OF TRANSMITTAL	12-12-03	12	587
CERTIFICATE OF TRANSMITTAL	02-02-05	14	981
CERTIFICATE OF TRANSMITTAL	06-09-05	14	1010
CERTIFICATE OF TRANSMITTAL – RECORD ON APPEAL	03-17-05	14	986
CERTIFICATE OF TRANSMITTAL – RECORD ON APPEAL	07-19-05	14	1028
DEFENDANT’S APPENDIX OF EXHIBITS IN SUPPORT OF DEFENDANT’S PRE-SENTENCING MOTION TO SET ASIDE JURY VERDICT (VOLUME ONE)	10-25-17	6, 7	1064-1237
DEFENDANT’S APPENDIX OF EXHIBITS IN SUPPORT OF DEFENDANT’S PRE-SENTENCING MOTION TO SET ASIDE JURY VERDICT (VOLUME TWO)	10-25-17	7, 8	1238-1456
DEFENDANT’S MOTIONS IN LIMINE	09-25-96	2	206-215

APPEAL INDEX  
SUPREME COURT NO: 77505  
DISTRICT CASE NO: CR96-1581  
STATE OF NEVADA vs STEVEN FLOYD VOSS  
DATE: JANUARY 25, 2019

<b>PLEADING</b>	<b>DATE FILED</b>	<b>VOL.</b>	<b>PAGE NO.</b>
DEFENDANT'S NOTICE OF STATES FAILURE TO COMPLY WITH THE COURT'S ORDER TO RESPOND; AND REQUEST THAT THE STATE'S FAILURE TO RESPOND AND TO FILE POINTS AND AUTHORITIES IN OPPOSITION TO THE PLEADINGS, BE CONSTRUED BY THE COURT AS A CONSENT TO THE GRANTING OF THE PLEADINGS, AND A CONFESSION OF ERROR AS TO THE CLAIMS RAISED THEREIN	08-31-18	9	1764-1770
DEFENDANT'S REPLY TO STATE'S OMNIBUS RESPONSE TO DEFENDANT'S FIRST AMENDED MOTION TO CONVERT PROCEEDINGS A PETITION FOR WRIT OF CORAM NOBIS, FIRST AMENDED PETITION FOR WRIT OF ERROR CORAM NOBIS, AND FIRST AMENDED MOTION FOR ORDER DIRECTING RESPONDENT TO FILE A RETURN TO PETITION FOR WRIT OF ERROR CORAM NOBIS.	09-04-18	9	1774-1793
DEFENDANT'S REPLY TO STATE'S OPPOSITION TO DEFENDANT'S PRE-SENTENCING MOTION TO SET ASIDE JURY VERDICTS	01-11-18	8	1472-1483
EMERGENCY EX PARTE MOTION FOR INJUNCTIVE RELIEF AND APPLICATION FOR TEMPORARY PROTECTIVE ORDER	08-15-07	6	1003-1014
EMERGENCY MOTION FOR WITHDRAWAL OF COURT APPOINTED COUNSEL	11-14-18	9	1846-1852
EX PARTE MOTION FOR ORDER ALLOWING PAYMENT OF ATTORNEY'S FEES AND COSTS TO APPOINTED COUNSEL & AFFIDAVIT OF COUNSEL (POST CONVICTION PROCEEDINGS IN DISTRICT COURT)	06-22-01	10	158-161
EX PARTE MOTION FOR ORDER ALLOWING PAYMENT OF ATTORNEY'S FEES AND COSTS TO APPOINTED COUNSEL & AFFIDAVIT OF COUNSEL (FAST TRACK APPEAL OF POST-CONVICTION PROCEEDINGS IN DISTRICT COURT)	10-09-01	15	17-20
FINDINGS OF FACT, CONCLUSIONS OF LAW AND JUDGMENT	08-09-01	11	455-462
FIRST AMENDED MOTION FOR ORDER DIRECTING RESPONDENT TO FILE A RETURN TO THE PETITIONER'S PETITION FOR A WRIT OF ERROR CORAM NOBIS WHICH SPECIFIES THE TRUE CAUSE OF THE PETITIONER'S RESTRAINT BY THE STATE OF NEVADA	05-10-18	9	1695-1703
FIRST AMENDED MOTION TO CONVERT PROCEEDINGS TO A PETITION FOR A WRIT OF ERROR CORAM NOBIS	05-10-18	8, 9	1672-1694
FIRST AMENDED PETITION FOR A WRIT OF ERROR CORAM NOBIS	05-10-18	8	1636-1671

APPEAL INDEX  
SUPREME COURT NO: 77505  
DISTRICT CASE NO: CR96-1581  
STATE OF NEVADA vs STEVEN FLOYD VOSS  
DATE: JANUARY 25, 2019

<b>PLEADING</b>	<b>DATE FILED</b>	<b>VOL.</b>	<b>PAGE NO.</b>
INDEX OF EXHIBITS IN SUPPORT OF PETITION FOR WRIT OF HABEAS CORPUS (POST CONVICTION) AND MOTION FOR LEAVE OF COURT TO FILE A SUCCESSIVE PETITION FOR WRIT OF HABEAS CORPUS	10-15-04	13	736-913
INFORMATION	07-16-96	2	1-5
JUDGMENT	11-27-96	3	325-326
JURY INSTRUCTIONS	10-10-96	3	249-288
JURY QUESTION, COURT RESPONSE	10-10-96	2	234-236
MINUTES – ARRAIGNMENT	07-19-96	2	7
MINUTES – ENTRY OF JUDGMENT AND IMPOSITION OF SENTENCE	11-17-96	3	318
MINUTES – EVIDENTIARY HEARING	06-08-01	5	925-926
MINUTES – MOTION FOR RELEASE ON O.R./BAIL REDUCTION	09-10-96	2	199
MINUTES – MOTION TO CONFIRM TRIAL DATE	08-06-96	2	186
MINUTES – MOTION TO CONFIRM TRIAL DATE	09-24-96	2	205
MINUTES – MOTION TO CONTINUE TRIAL DATE	09-03-96	2	193
MINUTES – MOTION TO SET ASIDE JURY VERDICT	05-20-98	5	897
MINUTES – MOTION TO SET ASIDE JURY VERDICT	05-21-98	5	898
MINUTES – SENTENCING OF REMAND BY NEVADA S.C. – CONTD.	11-29-18	9	1885-1886
MOTION	08-16-96	2	187-189
MOTION AND DEMAND FOR SPEEDY TRIAL (IMPOSITION OF SENTENCE)	02-02-18	8	1538-1543
MOTION FOR A JUDGMENT OF ACQUITTAL OR A NEW TRIAL	10-17-96	3	289-294
MOTION FOR APPOINTMENT OF TRIAL COUNSEL	02-02-18	8	1544-1547
MOTION FOR COMPLETE UN-REDACTED TRIAL TRANSCRIPTS AT PUBLIC EXPENSE	03-25-05	14	987-991
MOTION FOR CORRECTION OF TRIAL RECORD	09-26-05	6	988-994
MOTION FOR DISQUALIFICATION OF DISTRICT JUDGE ELLIOTT A SATTLER, AND FOR ADMINISTRATIVE REASSIGNMENT OF CASE BY CHIEF JUDGE	02-06-18	8	1555-1562

APPEAL INDEX  
SUPREME COURT NO: 77505  
DISTRICT CASE NO: CR96-1581  
STATE OF NEVADA vs STEVEN FLOYD VOSS  
DATE: JANUARY 25, 2019

<b>PLEADING</b>	<b>DATE FILED</b>	<b>VOL.</b>	<b>PAGE NO.</b>
MOTION FOR EVIDENTIARY HEARING IN REGARD TO THE DEFENDANT'S PRESENTENCING MOTION TO SET ASIDE JURY VERDICTS	01-11-18	8	1486-1489
MOTION FOR LEAVE OF COURT TO FILE (AMENDED) SUCCESSIVE POST-CONVICTION PETITION FOR WRIT OF HABEAS CORPUS	10-15-04	13	914-941
MOTION FOR LEAVE OF COURT TO FILE A SUCCESSIVE PETITION FOR WRIT OF HABEAS CORPUS (POST CONVICTION)	04-14-03	12	531-544
MOTION FOR LEAVE OF COURT TO FILE A SUCCESSIVE PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION), AND ALTERNATE; PRE-SENTENCING MOTION TO SET ASIDE JURY VERDICT	07-27-04	12	666-695
MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS	03-09-00	10	24
MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS	04-14-03	12	545
MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS	05-29-03	12	547
MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS	07-27-04	12	661-665
MOTION FOR ORDER DIRECTING THE RESPONDENT TO FILE A RETURN TO THE PETITIONER'S PETITION FOR WRIT OF CORAM NOBIS, WHICH SPECIFIES THE TRUE CAUSE OF THE STATE OF NEVADA'S PRESENT RESTRAINT OF THE PETITIONER	03-09-18	8	1627-1632
MOTION FOR ORDER TO PRODUCE PRISONER AT EVIDENTIARY HEARING RELATIVE TO MOTION TO SET ASIDE JURY VERDICTS	01-11-18	8	1490-1492
MOTION FOR PARTIAL STAY OF EXECUTION OF SENTENCE	10-07-02	12	499-502
MOTION FOR REHEARING OF PETITION FOR WRIT OF CORAM NOBIS, AND TO RECALL THE COURTS NOVEMBER 8, 2018 ORDER BASED ON JURISDICTIONAL DEFECT AND GROSS MISAPPREHENSION OF FACTS	11-19-18	9	1857-1861
MOTION FOR RELEASE ON OWN RECOGNIZANCE OR FOR REDUCTION IN BAIL	09-09-96	2	194-197
MOTION FOR TRANSCRIPT AT PUBLIC EXPENSE AND SPECIFICATION OF ERROR	11-03-03	12	575-577
MOTION FOR TRIAL TRANSCRIPT AT PUBLIC EXPENSE AND SPECIFICATION OF ERROR	01-07-97	3	355-356
MOTION FOR WITHDRAW OF ATTORNEY FOR PETITIONER	10-07-02	12	488-493

APPEAL INDEX  
 SUPREME COURT NO: 77505  
 DISTRICT CASE NO: CR96-1581  
 STATE OF NEVADA vs STEVEN FLOYD VOSS  
 DATE: JANUARY 25, 2019

<b>PLEADING</b>	<b>DATE FILED</b>	<b>VOL.</b>	<b>PAGE NO.</b>
MOTION REQUESTING RECONSIDERATION OF MOTION FOR LEAVE OF COURT TO FILE SUCCESSIVE POST-CONVICTION PETITION FOR WRIT OF HABEAS CORPUS, OR ALTERNATIVE, PRE-SENTENCING MOTION TO SET ASIDE VERDICT, UPON THE MERITS OF PETITIONER'S JURISDICTIONAL CLAIMS AND, REQUEST FOR REASSIGNMENT OF MOTION FOR LEAVE OF COURT TO FILE SUCCESSIVE PETITION FOR WRIT OF HABEAS CORPUS, OR ALTERNATIVE PRE-RESENTENCING MOTION TO SET ASIDE VERDICT TO CHIEF JUDGE FOR RE-HEARING UPON THE MERITS OF THE PETITION/MOTION	09-29-04	13	727-735
MOTION TO DISMISS	11-21-96	3	319-321
MOTION TO FORMALLY VACATE JUDGMENT OF CONVICTION AND TO DISMISS ACTION WITH PREJUDICE DUE TO THE STATE'S FAILURE TO PROSECUTE	01-12-18	8	1498-1512
MOTION TO INVALIDATE SEARCH WARRANTS AND SEIZURE ORDER	05-10-00	10	105-107
MOTION TO INVALIDATE SEARCH WARRANTS AND SEIZURE ORDER – SUPPORTING DOCUMENTATION	05-10-00	10	57-104
MOTION TO PRODUCE CASE RECORDS	09-26-03	12	551-557
MOTION TO PRODUCE SPECIFICALLY REQUESTED DISCOVERY INFORMATION	10-07-02	12	494-498
MOTION TO RELEASE EVIDENCE	08-22-97	5	869-872
MOTION TO SET ASIDE VERDICT	04-30-98	5	876-884
MOTION TO SET ASIDE VERDICT	05-10-00	10	108-110
MOTION TO STRIKE DATED AND PREJUDICIAL PRE-SENTENCING INVESTIGATIONAL REPORT AND SENTENCING RECOMMENDATIONS AND MOTION FOR NEW PRE-SENTENCING INVESTIGATION, AND REPROT WHICH DOES NOT MAKE REFERENCE TO UNCHARGED CRIMINAL CONDUCT OR TO ANY WRITTEN OR VERBAL STATEMENT OF THE DEFENDANT TO THE NEVADA DIVISION OF PAROLE AND PROBATIONS MADE DURING PRE-SENTENCING INVESTIGATION AND OUTSIDE THE PRESENCE OF TRIAL COUNSEL	04-01-05	6	944-985
NOTICE	01-25-08	6	1015-1020
NOTICE	01-09-18	8	1468-1471

APPEAL INDEX  
SUPREME COURT NO: 77505  
DISTRICT CASE NO: CR96-1581  
STATE OF NEVADA vs STEVEN FLOYD VOSS  
DATE: JANUARY 25, 2019

PLEADING	DATE FILED	VOL.	PAGE NO.
NOTICE AND MOTION	03-09-18	8	1597-1604
NOTICE OF APPEAL	12-24-96	3	350
NOTICE OF APPEAL	02-05-18	8	1548-1549
NOTICE OF APPEAL	11-19-18	9	1853-1854
NOTICE OF APPEAL	11-19-18	9	1855-1856
NOTICE OF APPEAL	11-03-03	12	573-574
NOTICE OF APPEAL	01-28-05	14	975-976
NOTICE OF APPEAL	06-06-05	14	1004-1005
NOTICE OF APPEAL TO SUPREME COURT	08-20-01	11	476-477
NOTICE OF APPEAL TO SUPREME COURT	11-07-02	12	503-504
NOTICE OF APPEARANCE	08-29-18	9	1737-1738
NOTICE OF APPEARANCE	08-31-18	9	1755-1756
NOTICE OF CHANGE IN MAILING ADDRESS	01-17-06	6	997-998
NOTICE OF CHANGE IN MAILING ADDRESS	07-05-18	9	1711-1712
NOTICE OF CHANGE OF MAILING ADDRESS	10-09-18	9	1801-1802
NOTICE OF ENTRY OF DECISION OR ORDER	08-14-01	11	463-472
NOTICE OF ENTRY OF ORDER	01-26-18	8	1530-1535
NOTICE OF ENTRY OF ORDER	11-08-18	9	1823-1829
NOTICE OF ENTRY OF ORDER	11-09-18	9	1833-1837
NOTICE OF ENTRY OF ORDER	01-04-19	9	1909-1913
NOTICE OF ENTRY OF ORDER	10-14-03	12	565-569
NOTICE OF STATE'S FAILURE TO FILE POINTS AND AUTHORITIES IN OPPOSITION TO DEFENDANT'S MOTION TO FORMALLY VACATE JUDGMENT OF CONVICTION AND TO DISMISS ACTION WITH PREJUDICE DUE TO THE STATE'S FAILURE TO PROSECUTE	01-24-18	8	1517-1521
OPPOSITION TO DEFENDANT'S MOTION TO PRODUCE SPECIFICALLY REQUESTED DISCOVERY INFORMATION	10-22-02	5	932-936



APPEAL INDEX  
SUPREME COURT NO: 77505  
DISTRICT CASE NO: CR96-1581  
STATE OF NEVADA vs STEVEN FLOYD VOSS  
DATE: JANUARY 25, 2019

<b>PLEADING</b>	<b>DATE FILED</b>	<b>VOL.</b>	<b>PAGE NO.</b>
OPPOSITION TO MOTION FOR ACQUITTAL OR A NEW TRIAL	10-21-96	3	301-309
OPPOSITION TO MOTION FOR PARTIAL STAY OF EXECUTION OF SENTENCE	10-22-02	5	927-931
OPPOSITION TO MOTION IN LIMINE	10-02-96	2	216-221
OPPOSITION TO MOTION TO DISMISS	11-27-96	3	322-324
OPPOSITION TO MOTION TO SET ASIDE VERDICT	05-11-98	5	885-892
OPPOSITION TO PRE-SENTENCING MOTION TO SET AISDE JURY VERDICT	01-04-18	8	1463-1465
ORDER	08-21-96	2	190-192
ORDER	01-13-97	3	357
ORDER	08-26-97	5	873
ORDER	01-25-18	8	1524-1527
ORDER	02-18-18	8	1581-1583
ORDER	03-05-18	8	1592-1594
ORDER	01-04-19	9	1903-1905
ORDER	05-23-05	14	997-1001
ORDER	03-27-06	14	1046-1047
ORDER	08-17-17	14	1048-1050
ORDER APPOINTING ALTERNATE PUBLIC DEFENDER	11-30-18	9	1881
ORDER APPOINTING COUNSEL	03-11-04	12	588-590
ORDER APPROVING FEES OF COURT-APPOINTED ATORNEY (FAST TRACK APPEAL OF POST-CONVICTION PETITION FOR WRIT OF HABEAS CORPUS)	10-15-01	15	21
ORDER APPROVING FEES OF COURT-APPOINTED ATTORNEY (POST CONVICTION PETITION FOR WRIT OF HABEAS CORPUS)	07-02-01	10	162
ORDER DENYING AMENDED PETITION	12-13-04	14	973-974
ORDER DENYING CORAM NOBIS PLEADINGS	11-08-18	9	1815-1819
ORDER DENYING MOTION FOR LEAVE OF COURT TO FILE A SUCCESSIVE PETITION FOR WRIT OF HABEAS CORPUS (POST CONVICTION)	10-13-03	12	562-564

APPEAL INDEX  
 SUPREME COURT NO: 77505  
 DISTRICT CASE NO: CR96-1581  
 STATE OF NEVADA vs STEVEN FLOYD VOSS  
 DATE: JANUARY 25, 2019

PLEADING	DATE FILED	VOL.	PAGE NO.
ORDER DENYING MOTION FOR LEAVE OF COURT TO FILE A SUCCESSIVE PETITION FOR WRIT OF HABEAS CORPUS (POST CONVCITION)	09-13-04	13	721-724
ORDER DENYING MOTION FOR TRANSCRIPT AT PUBLIC EXPENSE AND SPECIFICATION OF ERROR	11-12-03	12	581-583
ORDER DENYING PRE-SENTENCING MOTION TO DISMISS ACTION BASED ON WANT OF JURISDICTION	11-06-18	9	1809-1811
ORDER DIRECTING RESPONSE	12-05-17	8	1459-1460
ORDER FOR EVIDENTIARY HEARING APPOINTMENT OF COUNSEL	05-11-00	10	111-113
ORDER FOR RESENTENCING	08-29-18	9	1732-1734
ORDER FOR RESPONSE AND GRANTING MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS	03-21-00	10	29-31
ORDER REFERRING DISQUALIFYING QUESTION	02-14-18	8	1577-1578
ORDER REQUESTING INMATE FINANCIAL CERTIFICATE	04-25-03	5	942-943
ORDER TO PROCEED IN FORMA PAUPERIS	06-12-03	12	548-550
ORDER TO PROCEED IN FORMA PAUPERIS	08-30-04	13	718-720
ORDER TO PRODUCE PRISONER	09-05-18	9	1794-1795
ORDER TO PRODUCE PRISONER	07-05-00	10	153-155
ORDER TO RESPOND	07-09-18	9	1713-1715
ORDER VACATING SUBMISSION OF PETITION FOR WRIT OF HABEAS CORPUS	11-09-18	9	1841-1842
PETITION FOR WRIT OF CORAM NOBIS AND MOTION FOR JUDGMENT OF ACQUITTAL	03-09-18	8	1605-1626
PETITION FOR WRIT OF HABEAS CORPUS (POST CONVICTION)	03-08-00	10	1-23
PETITION FOR WRIT OF HABEAS CORPUS (POST CONVICTION)	04-14-03	12	515-530
PETITION FOR WRIT OF HABEAS CORPUS (SUCCESSIVE) (POST CONVICTION)	07-27-04	12	696-711
PETITIONER'S INDEX OF EXHIBIT IN SUPPORT OF MOTION FOR LEAVE OF COURT TO FILE SUCCESSIVE PETITION FOR WRIT OF HABEAS CORPUS, AND ALTERNATE, PRESENTENCING MOTION TO SET ASIDE JURY VERDICT	07-27-04	12	591-660

APPEAL INDEX  
SUPREME COURT NO: 77505  
DISTRICT CASE NO: CR96-1581  
STATE OF NEVADA vs STEVEN FLOYD VOSS  
DATE: JANUARY 25, 2019

<b>PLEADING</b>	<b>DATE FILED</b>	<b>VOL.</b>	<b>PAGE NO.</b>
PETITIONERS REPLY PETITION FOR WRIT OF HABEAS CORPUS (POST CONVICTION)	05-22-00	10	114-148
PETITIONERS RESPONSE TO RESPONDENTS OPPOSITION TO MOTION FOR PARTIAL STAY OF EXECUTION OF SENTENCE	11-01-02	5	937-941
PRESENTENCE INVESTIGATION	11-20-96	15	1-13
PRE-SENTENCING MOTION TO DISMISS ACTION BASED UPON WANT OF JURISDICTION	08-30-18	9	1744-1754
PRE-SENTENCING MOTION TO SET ASIDE JURY VERDICT	10-25-17	6	1024-1063
PROPOSED ORDER OF ACQUITTAL	01-12-18	8	1493-1497
RECEIPT	08-27-97	5	874
RECEIPT	08-28-97	5	875
REPLY TO MOTION TO SET ASIDE VERDICT	05-18-98	5	893-896
REQUEST FOR SUBMISSION OF MOTION	11-07-17	8	1457-1458
REQUEST FOR SUBMISSION	04-07-05	6	987
REQUEST FOR SUBMISSION	01-24-18	8	1522-1523
REQUEST FOR SUBMISSION	05-21-18	9	1708-1710
REQUEST FOR SUBMISSION	08-30-18	9	1742-1743
REQUEST FOR SUBMISSION	09-10-18	9	1799-1800
REQUEST FOR SUBMISSION	10-29-18	9	1807-1808
REQUEST FOR SUBMISSION	11-19-18	9	1862-1863
REQUEST FOR SUBMISSION OF MOTION	04-07-05	6	986
REQUEST FOR SUBMISSION OF MOTION	10-10-05	6	995
REQUEST FOR SUBMISSION OF MOTION	01-11-18	8	1484-1485
REQUEST FOR SUBMISSION OF MOTION	09-26-03	12	560-561
REQUEST FOR SUBMISSION OF MOTION	07-29-04	12	712
REQUEST FOR SUBMISSION OF MOTION	12-02-04	14	971
REQUEST FOR SUBMISSION OF MOTION	12-02-04	14	972
REQUEST FOR SUBMISSION OF MOTION	02-18-05	14	983-984

APPEAL INDEX  
SUPREME COURT NO: 77505  
DISTRICT CASE NO: CR96-1581  
STATE OF NEVADA vs STEVEN FLOYD VOSS  
DATE: JANUARY 25, 2019

<b>PLEADING</b>	<b>DATE FILED</b>	<b>VOL.</b>	<b>PAGE NO.</b>
REQUEST FOR SUBMISSION OF MOTION (SECOND REQUEST)	12-13-05	6	996
REQUEST FOR SUBMISSION OF PETITION	09-26-03	12	558-559
REQUEST FOR SUBMISSION TO CHIEF JUDGE	02-16-18	8	1590-1591
REQUEST FOR VOLUNTARY RECUSAL OF DISTRICT JUDGE	02-06-18	8	1563-1566
RETURN	05-05-00	10	35-42
RETURN OF ENF	01-23-18	8	1515-1516
RETURN OF NEF	10-18-17	6	1022-1023
RETURN OF NEF	12-05-17	8	1461-1462
RETURN OF NEF	01-04-18	8	1466-1467
RETURN OF NEF	01-25-18	8	1528-1529
RETURN OF NEF	01-26-18	8	1536-1537
RETURN OF NEF	02-06-18	8	1553-1554
RETURN OF NEF	02-07-18	8	1567-1568
RETURN OF NEF	02-09-18	8	1572-1573
RETURN OF NEF	02-12-18	8	1575-1576
RETURN OF NEF	02-14-18	8	1579-1580
RETURN OF NEF	02-16-18	8	1584-1585
RETURN OF NEF	02-16-18	8	1588-1589
RETURN OF NEF	03-05-18	8	1595-1596
RETURN OF NEF	04-12-18	8	1634-1635
RETURN OF NEF	05-11-18	9	1706-1707
RETURN OF NEF	07-09-18	9	1716-1717
RETURN OF NEF	08-16-18	9	1722-1723
RETURN OF NEF	08-23-18	9	1730-1731
RETURN OF NEF	08-29-18	9	1735-1736

APPEAL INDEX  
SUPREME COURT NO: 77505  
DISTRICT CASE NO: CR96-1581  
STATE OF NEVADA vs STEVEN FLOYD VOSS  
DATE: JANUARY 25, 2019

PLEADING	DATE FILED	VOL.	PAGE NO.
RETURN OF NEF	08-29-18	9	1739-1741
RETURN OF NEF	08-31-18	9	1758-1760
RETURN OF NEF	08-31-18	9	1761-1763
RETURN OF NEF	09-04-18	9	1771-1773
RETURN OF NEF	09-05-18	9	1796-1798
RETURN OF NEF	10-23-18	9	1804-1806
RETURN OF NEF	11-06-18	9	1812-1814
RETURN OF NEF	11-08-18	9	1820-1822
RETURN OF NEF	11-08-18	9	1830-1832
RETURN OF NEF	11-09-18	9	1838-1840
RETURN OF NEF	11-09-18	9	1843-1845
RETURN OF NEF	11-20-18	9	1867-1869
RETURN OF NEF	11-20-18	9	1873-1875
RETURN OF NEF	11-29-18	9	1878-1880
RETURN OF NEF	11-30-18	9	1882-1884
RETURN OF NEF	12-11-18	9	1887-1889
RETURN OF NEF	12-18-18	9	1891-1893
RETURN OF NEF	12-18-18	9	1896-1898
RETURN OF NEF	12-27-18	9	1900-1902
RETURN OF NEF	01-04-19	9	1906-1908
RETURN OF NEF	01-04-19	9	1914-1916
RETURN OF NEF	01-09-19	9	1921-1923
RETURN OF NEF	01-17-19	9	1926-1928
RETURN OF NEF	01-24-19	9	1930-1932

APPEAL INDEX  
SUPREME COURT NO: 77505  
DISTRICT CASE NO: CR96-1581  
STATE OF NEVADA vs STEVEN FLOYD VOSS  
DATE: JANUARY 25, 2019

<b>PLEADING</b>	<b>DATE FILED</b>	<b>VOL.</b>	<b>PAGE NO.</b>
STATE'S OMNIBUS RESPONSE TO "(FIRST AMENDED) MOTION TO CONVERT PROCEEDINGS TO A PETITION FOR WRIT OF ERROR CORAM NOBIS"; "(FIRST AMENDED)" PETITION FOR WRIT OF ERROR CORAM NOBIS"; AND "(FIRST AMENDED) MOTION FOR ORDER DIRECTING RESPONDENT TO FILE A RETURN TO THE PETITIONER'S PETITION FOR A WRIT OF ERROR CORAM NOBIS"	08-23-18	9	1724-1729
STIPULATION AND ORDER RE: DISCOVERY	07-25-96	2	8-12
SUBPOENA	10-21-96	3	297-298
SUBPOENA	10-21-96	3	299-300
SUBPOENA	05-24-01	10	157
SUPBOENA	10-21-96	3	295-296
SUPPLEMENTAL PETITION FOR WRIT OF HABEAS CORPUS (POST CONVICTION)	05-10-00	10	43-56
SUPREME COURT CLERK'S CERTIFICATE & JUDGMENT	04-08-99	5	921
SUPREME COURT CLERK'S CERTIFICATE & JUDGMENT	01-09-19	9	1918
SUPREME COURT CLERK'S CERTIFICATE & JUDGMENT	02-14-02	11	487
SUPREME COURT CLERK'S CERTIFICATE & JUDGMENT	01-13-03	12	508
SUPREME COURT CLERK'S CERTIFICATE & JUDGMENTS	10-10-04	14	970
SUPREME COURT CLERK'S CERTIFICATE & JUDGMENTS	06-23-05	14	1014
SUPREME COURT CLERK'S CERTIFICATE & JUDGMENTS	10-12-05	14	1039
SUPREME COURT NOTICE IN LIEU OF REMITTITUR	01-24-19	9	1929
SUPREME COURT NOTICE IN LIEU OF REMITTITUR	09-21-05	14	1037
SUPREME COURT NOTICE TO FILE CASE APPEAL STATEMENT	06-16-05	14	1012
SUPREME COURT ORDER	12-18-18	9	1894-1895
SUPREME COURT ORDER DENYING EN BANC RECONSIDERATION	11-01-05	14	1044
SUPREME COURT ORDER DENYING MOTION	05-16-06	6	1000
SUPREME COURT ORDER DENYING MOTION	05-11-18	9	1704-1705

APPEAL INDEX  
SUPREME COURT NO: 77505  
DISTRICT CASE NO: CR96-1581  
STATE OF NEVADA vs STEVEN FLOYD VOSS  
DATE: JANUARY 25, 2019

<b>PLEADING</b>	<b>DATE FILED</b>	<b>VOL.</b>	<b>PAGE NO.</b>
SUPREME COURT ORDER DENYING MOTION	09-15-05	14	1036
SUPREME COURT ORDER DENYING MOTION FOR RECONSIDERATION	07-06-06	6	1001-1002
SUPREME COURT ORDER DENYING MOTION TO RECALL REMITTITUR	05-01-06	6	999
SUPREME COURT ORDER DENYING PETITION	09-12-05	14	1033-1034
SUPREME COURT ORDER DENYING PETITION FOR REVIEW	12-27-18	9	1899
SUPREME COURT ORDER DENYING REHEARING	10-23-18	9	1803
SUPREME COURT ORDER DENYING REHEARING	09-20-04	13	725-726
SUPREME COURT ORDER DENYING REHEARING	10-18-04	14	967-969
SUPREME COURT ORDER DENYING REHEARING	06-03-05	14	1002-1003
SUPREME COURT ORDER DENYING REHEARING	06-23-05	14	1015-1017
SUPREME COURT ORDER DENYING REHEARING	09-14-05	14	1035
SUPREME COURT ORDER DENYING REHEARING	10-12-05	14	1040-1041
SUPREME COURT ORDER DENYING REQUEST	11-15-05	14	1045
SUPREME COURT ORDER DIRECTING ANSWER	01-23-18	8	1513-1514
SUPREME COURT ORDER DIRECTING TRANSMISSION OF RECORD	06-23-05	14	1024-1025
SUPREME COURT ORDER DIRECTING TRANSMISSION OF RECORD AND REGARDING BRIEFING	01-17-19	9	1924-1925
SUPREME COURT ORDER DIRECTING TRANSMISSION OF RECORDS	12-04-03	12	584-585
SUPREME COURT ORDER DISMISSING APPEAL	04-08-99	5	923-924
SUPREME COURT ORDER DISMISSING APPEAL	04-12-18	8	1633
SUPREME COURT ORDER DISMISSING APPEAL	12-18-18	9	1890
SUPREME COURT ORDER DISMISSING APPEAL	01-09-19	9	1919-1920
SUPREME COURT ORDER DISMISSING APPEAL	01-13-03	12	509-511
SUPREME COURT ORDER DISMISSING APPEAL	08-22-05	14	1030-1031
SUPREME COURT ORDER DISMISSING APPEAL	10-12-05	14	1042-1043

APPEAL INDEX  
SUPREME COURT NO: 77505  
DISTRICT CASE NO: CR96-1581  
STATE OF NEVADA vs STEVEN FLOYD VOSS  
DATE: JANUARY 25, 2019

<b>PLEADING</b>	<b>DATE FILED</b>	<b>VOL.</b>	<b>PAGE NO.</b>
SUPREME COURT ORDER GRANTING PETITION	08-16-18	9	1718-1721
SUPREME COURT ORDER OF AFFIRMANCE	02-14-02	11	480-485
SUPREME COURT ORDER OF AFFIRMANCE	08-02-04	13	713-717
SUPREME COURT ORDER OF AFFIRMANCE	10-18-04	14	961-966
SUPREME COURT ORDER OF AFFIRMANCE	04-25-05	14	992-996
SUPREME COURT ORDER OF AFFIRMANCE	06-23-05	14	1018-1023
SUPREME COURT RECEIPT FOR DOCUMENTS	10-18-17	6	1021
SUPREME COURT RECEIPT FOR DOCUMENTS	02-12-18	8	1574
SUPREME COURT RECEIPT FOR DOCUMENTS	11-29-18	9	1876
SUPREME COURT RECEIPT FOR DOCUMENTS	11-29-18	9	1877
SUPREME COURT RECEIPT FOR DOCUMENTS	11-10-03	12	580
SUPREME COURT RECEIPT FOR DOCUMENTS	02-07-05	14	982
SUPREME COURT RECEIPT FOR DOCUMENTS	06-16-05	14	1011
SUPREME COURT RECEIPT FOR DOCUMENTS	07-05-05	14	1026
SUPREME COURT RECEIPT FOR DOCUMENTS	07-29-05	14	1029
SUPREME COURT RECEIPT FOR DOCUMENTS	09-12-05	14	1032
SUPREME COURT REMITTITUR	04-08-99	5	922
SUPREME COURT REMITTITUR	01-09-19	9	1917
SUPREME COURT REMITTITUR	02-14-02	11	486
SUPREME COURT REMITTITUR	01-13-03	12	512
SUPREME COURT REMITTITUR	10-18-04	14	960
SUPREME COURT REMITTITUR	06-23-05	14	1013
SUPREME COURT REMITTITUR	10-12-05	14	1038
TRANSCRIPT – POST CONVICTION WRIT OF HABEAS CORPUS – JUNE 8, 2001	08-03-01	10, 11	163-454
TRANSCRIPT OF PRELIMINARY EXAMINATION	08-02-96	2	13-185



APPEAL INDEX  
SUPREME COURT NO: 77505  
DISTRICT CASE NO: CR96-1581  
STATE OF NEVADA vs STEVEN FLOYD VOSS  
DATE: JANUARY 25, 2019

<b>PLEADING</b>	<b>DATE FILED</b>	<b>VOL.</b>	<b>PAGE NO.</b>
TRANSCRIPT OF PROCEEDINGS – ARRAIGNMENT – JULY 19, 1996	10-04-96	2	227-233
TRANSCRIPT OF PROCEEDINGS – JURY TRIAL (APPEAL) – OCTOBER 7, 1996	01-29-97	3, 4	358-527
TRANSCRIPT OF PROCEEDINGS – JURY TRIAL (APPEAL) – OCTOBER 8, 1996	01-29-97	4	551-702
TRANSCRIPT OF PROCEEDINGS – JURY TRIAL (APPEAL) – OCTOBER 9, 1996	01-29-97	4, 5	703-868
TRANSCRIPT OF PROCEEDINGS – MOTION FOR RELEASE ON OR – SEPTEMBER 10, 1996	10-30-96	3	310-317
TRANSCRIPT OF PROCEEDINGS – MOTION TO CONFIRM TRIAL – AUGUST 6, 1996	09-16-96	2	200-204
TRANSCRIPT OF PROCEEDINGS – MOTION TO SET ASIDE JURY VERDICT – MAY 20, 1998	06-16-98	5	899-905
TRANSCRIPT OF PROCEEDINGS – MOTION TO SET ASIDE JURY VERDICT – MAY 21, 1998	06-18-98	5	906-920
TRANSCRIPT OF PROCEEDINGS – NOVEMBER 27, 1996 – SENTENCING	12-04-96	3	327-349
TRANSCRIPT OF PROCEEDINGS MOTION TO CONTINUE TRIAL – SEPTEMBER 3, 1996	10-04-96	2	222-226
TRANSCRIPT OF PROCEEDINGS- SENTENCING – NOVEMBER 27, 1996	01-29-97	4	528-550
UNUSED VERDICT FORMS	10-10-96	2	243
UNUSED VERDICT FORMS	10-10-96	2	244
UNUSED VERDICT FORMS	10-10-96	2	245
UNUSED VERDICT FORMS	10-10-96	2	246
UNUSED VERDICT FORMS	10-10-96	2	247
UNUSED VERDICT FORMS	10-10-96	2	248
VERDICT	10-10-96	2	237
VERDICT	10-10-96	2	238
VERDICT	10-10-96	2	239
VERDICT	10-10-96	2	240
VERDICT	10-10-96	2	241
VERDICT	10-10-96	2	242

CR98-1581 DC-09900086724-055  
STATE VS. STEVEN FLOYD VOSS 3 Pages  
District Court 05/10/2018 10:05 AM  
Washoe County 1120  
-v- 6/10/18

EXHIBIT # 1

EXHIBIT # 1

No. CR 96-1581

Dept. No. 10

FILED

11-27-96

JUDY BAILEY, Clerk

By

*[Signature]*

Deputy Clerk

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

---

STATE OF NEVADA,

Reporter: R. Walker

Plaintiff,

vs.

J U D G M E N T

STEVEN FLOYD VOSS

Defendant.

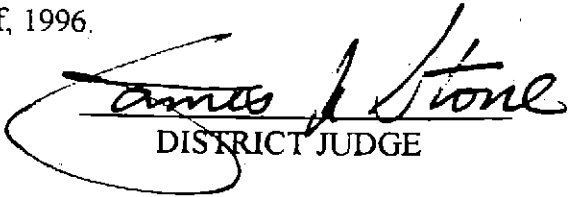
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No sufficient cause being shown by Defendant as to why judgment should not be pronounced against him, the Court rendered judgment as follows:

That Steven Floyd Voss is guilty of the crimes as charged in the Information that he be punished by imprisonment in the Nevada State Prison for a maximum term of one hundred twenty (120) months with a minimum term of forty-eight (48) months on Count I Burglary; Count II Uttering A Forged Instrument to a term of a maximum term of forty-eight (48) months with a minimum term of sixteen (16) months, consecutive to Count I; Count III Uttering A Forged Instrument to a term of a maximum of forty-eight (48) months with a minimum term of sixteen (16) months consecutive to Count I and II; Count IV Forgery to a term of a maximum of forty-eight (48) months with a term of a minimum of sixteen (16) months, consecutive to Count I, II and III; Count V Forgery to a term of a maximum term of forty eight (48) months with a minimum

term of sixteen (16) months consecutive to Count's I, II, III and IV; Count VI Attempted Theft to a term maximum of forty-eight (48) months with a minimum term of sixteen (16) months, consecutive to all Counts, with credit for one hundred thirty-seven (137) days time served. It is further ordered that the Defendant pay Seven Hundred Fifty Dollars (\$750.00) attorney fees and the statutory administrative assessment fee of Twenty-Five Dollars (\$25.00).

Dated 27th this November day of, 1996.

  
DISTRICT JUDGE

CR96-1581 DC-09000086724-056  
STATE VS. STEVEN FLOYD VOSS 9 Pages  
District Court 05/10/2018 10:05 AM  
Washoe County 1120  
CLM/EE

EXHIBIT #2

EXHIBIT #2

ORIGINAL

FILED

2001 AUG -9 AM 10:09

AMY HARVEY, CLERK

BY DEPUTY

1  
2  
3  
4  
5  
6 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,  
7 IN AND FOR THE COUNTY OF WASHOE

\* \* \*

8  
9 STEVEN FLOYD VOSS,

10 Petitioner,

11 v.

Case No. CR96P1581

12 THE STATE OF NEVADA,

Dept. No. 10

13 Respondent.  
14 \_\_\_\_\_/

15 FINDINGS OF FACT, CONCLUSIONS OF LAW  
16 AND JUDGMENT

17 This matter came before the court on Voss's Petition  
18 for Writ of Habeas Corpus (Post-Conviction). An evidentiary  
19 hearing on the petition has been held. The court, now being  
20 fully advised of the premises, denies the relief requested in  
21 part and grants the relief requested in part.

22 FINDINGS OF FACT

23 1. On or about June 28, 1996, Voss was arrested and charged with  
24 one count of burglary, two counts of forgery and two counts of  
25 uttering a forged instrument.

26 2. Following Voss's arrest, the Washoe County Public Defender's

1 Office was appointed to represent him.

2 a. Voss's defense was assigned to Deputy Public  
3 Defender Cotter Conway, who represented Voss at all  
4 relevant times.

5 b. Owing to his training and experience, Conway was  
6 well qualified to represent Voss in this case.

7 3. After pleading not guilty to all charges, Voss's case was set  
8 for trial in October of 1996.

9 4. Prior to trial, Conway conducted a reasonably complete  
10 investigation of Voss's case.

11 a. Conway discussed the case with Voss in sufficient  
12 depth and detail to formulate a defense consistent with  
13 Voss's version of the events. Voss's testimony to the  
14 contrary is not credible.

15 b. Conway received all requested and authorized  
16 discovery from the prosecution, including Voss's  
17 statements to the police, and discussed this matter  
18 with Voss. Voss's testimony to the contrary is not  
19 credible.

20 c. One item of information the defense did not receive  
21 from the State was a secret witness report submitted by  
22 Edward Villardi.

23 i. Villardi's report suggested that he had  
24 seen the victim, Beverly Ann Baxter, with  
25 another man, nearly 12 hours after Voss was  
26 caught allegedly uttering forged instruments.

1 (It is undisputed that Ms. Baxter's body was  
2 found many months later. Voss was charged  
3 and convicted of her murder. Villardi  
4 testified for the defense in the murder  
5 trial. Given the guilty verdict in the murder  
6 trial, it seems very clear that the jury did  
7 not believe Villardi in any particular).

8 ii. No credible evidence was presented in  
9 habeas proceeding proving that the prosecutor  
10 was in possession of or withheld the secret  
11 witness report, but it is clear that the  
12 Washoe County Sheriff's Office did possess  
13 it.

14 iii. Neither Conway nor any member of the  
15 Washoe County Public Defender's Office  
16 received this secret witness report until  
17 Voss's murder trial was underway  
18 approximately 18 months later.

19 iv. Villardi's secret witness report,  
20 insofar as the guilt phase of Voss's case is  
21 concerned, was neither material or  
22 exculpatory.

23 v. Despite Conway's testimony with respect  
24 to the perceived importance of Villardi's  
25 secret witness report in the burglary,  
26 forgery and uttering trial, the court is



1           confident that no reasonably competent trial  
2           attorney would have had, at least, serious  
3           reservations about premising Voss's defense  
4           in this case on evidence that would clearly  
5           open the door to a consideration of evidence  
6           implicating his or her client in the Baxter  
7           murder.

8   5. Prior to trial, Conway did not file and/or litigate a motion  
9   to suppress Voss's statements to the investigating detective, but  
10 this omission was reasonable under prevailing professional norms.

11       a. The record of the trial reveals that defense  
12       counsel stipulated to admission of redacted versions of  
13       Voss's pretrial statements. At the habeas proceeding,  
14       Conway testified credibly that he perceived no  
15       legitimate legal basis upon which to have the  
16       statements suppressed. Neither the evidence presented  
17       in the habeas proceeding or the applicable legal  
18       standard draw Conway's conclusion into question.

19       b. At no relevant time was Voss subjected to custodial  
20       interrogation without a Miranda warning, or where  
21       applicable, did not knowingly, voluntarily or  
22       intelligently waive his constitutional rights. Voss's  
23       testimony to the contrary is not credible.

24       c. None of Voss's statements were obtained by duress  
25       or coercion, nor can they be considered, as a matter of  
26       law, involuntary. Voss's testimony to the contrary is

1 not credible.

2 6. At various times, both before and during trial, Voss was  
3 dressed in jail garb and/or escorted while in plain clothes, by  
4 uniformed court personnel employed by the Washoe County Sheriff's  
5 Department.

6 a. Voss testified credibly that he arrived at the  
7 courthouse on the morning of his trial in a jail van  
8 along with several other prisoners, and that he was, at  
9 that time, dressed in jail garb issued to him at the  
10 jail.

11 i. His claim that he was seen by members of  
12 his jury venire is not credible.

13 ii. Voss's testimony that he mentioned to  
14 Conway that he had been seen by potential  
15 juror members or actual seated jurors in jail  
16 garb is not credible.

17 b. Voss testified credibly that he was routinely  
18 escorted between the courthouse to the holding cell  
19 and/or the elevator by a uniformed Sheriff's Deputy.

20 i. Voss's claim that he was seen by one of  
21 the seated jurors while being escorted as the  
22 juror was using a pay phone and/or that the  
23 juror or potential juror had heard an  
24 exchange between he and the deputy is not  
25 credible.

26 ii. In the habeas proceeding, Voss called

1 Deputy Gary Clifford, but Clifford could not  
2 remember any such incident(s) occurring  
3 during his watch, and it is undisputed that  
4 Clifford never reported the alleged incident.

5 iii. Voss did not report this incident to  
6 counsel.

7 c. Neither of the jurors involved in the alleged  
8 instances testified in the habeas proceeding.

9 7. Voss's claim that his sentence was based, at least in part,  
10 on Judge Stone's belief that Voss caused the murder or  
11 disappearance of Beverly Baxter, has merit. It is supported by  
12 the record. Even though Voss has not been charged for the murder  
13 of Ms. Baxter, Judge Stone made reference in his rendition of  
14 sentence, to his belief that she would not be found alive. He  
15 then imposed the maximum sentence on Voss, a sentence clearly  
16 outside the heartland of sentences for a person with Voss's  
17 criminal record being sentenced for forgery offenses.

18 CONCLUSIONS OF LAW

- 19 1. Voss was not deprived of the effective assistance of counsel.  
20 2. The State did not withhold exculpatory evidence within the  
21 contemplation of either Brady or Kyles and their progeny.  
22 3. Voss's right to due process as construed in Grooms v. State,  
23 96 Nev. 142, 605 P.2d 1145 (1980), and similar cases condemning  
24 convictions in which the accused was observed by potential jurors  
25 or seated jurors in jail garb was not violated.  
26 4. Because Judge Stone based Voss's onerous sentence, at least

1 in part, on the suspect and impalpable ground that Voss had  
2 murdered Ms. Baxter, Voss is entitled to a new sentencing  
3 hearing.

4 JUDGMENT

5 It is hereby the judgment and order of this court that  
6 Voss's Petition for Writ of Habeas Corpus (Post-Conviction) is  
7 granted, but only insofar as allowing for a new sentencing  
8 proceeding. In all other respects, the Petition is denied.

9 DATED this 6 day of August, 2001.

10   
11 DISTRICT JUDGE

CERTIFICATE OF MAILING

Pursuant to NRCP 5(b), I hereby certify that I am an employee of the Washoe County District Attorney's Office and that, on this date, I deposited for mailing through the U.S. Mail Service at Reno, Washoe County, Nevada, postage prepaid, a true copy of the foregoing document, addressed to:

Scott W. Edwards, Esq.  
1030 Holcomb Avenue  
Reno, Nevada 89502

DATED: August 9, 2001.

Linda Jackling



CR96-1581 DC-0900089724-057  
STATE VS. STEVEN FLOYD V055 2 Pages  
District Court 05/10/2018 10:05 AM  
Washoe County 1120  
-v-

EXHIBIT #3

EXHIBIT #3

## INMATE REQUEST FORM

1.) INMATE NAME	DOC #	2.) HOUSING UNIT	3.) DATE
VOSS, STEVEN F.	52094	2C - 6E	02-27-2018

4.) REQUEST FORM TO: (CHECK BOX)

☒ CASEWORKER      ☐ MEDICAL      ☐ MENTAL HEALTH      ☐ CANTEEN

☐ EDUCATION      ☐ VISITING      ☐ LAW LIBRARY      ☐ DENTAL

☐ LAUNDRY      ☐ PROPERTY ROOM      ☐ SHIFT COMMAND      ☐ OTHER \_\_\_\_\_

5.) NAME OF INDIVIDUAL TO CONTACT: Unit #2, Caseworker

6.) REQUEST: (PRINT BELOW) I am informed that on February 26, 2018, that I expired and discharged the last of the six (6) sentences imposed pursuant to the November 27, 1996 Judgment of Conviction entered in Washoe County District Court Case No. CR96-1581; and that at present date, I am restrained pursuant to Murder and Kidnapping convictions as set out within the January 30, 2004 Corrected Amended Judgment of Conviction entered in Washoe County District Court, Case No. CR97-2077.

Please verify whether such facts are true and correct.

7.) INMATE SIGNATURE [Signature] DOC # 52094

8.) RECEIVING STAFF SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

## 9.) RESPONSE TO INMATE

CR 961581 expired 3/4/18. -

Voss is serving time currently under CR97-2077. -

10.) RESPONDING STAFF SIGNATURE COS J. Buchanan DATE 3/5/18

DC-09900086724-052  
CR96-1581  
STATE VS. STEVEN FLOYD VOSS 7 Pages  
District Court 05/10/2018 10:07 AM  
Washoe County  
1120  
SJM/FF

1 STEVEN FLOYD VOSS #52094

FILED

2 Northern Nevada Corrections Center

2018 MAY 10 AM 10:07

3 Post office Box # 7000

4 Carson City, Nevada 89702-7000

JACQUELINE DRYANT  
CLERK OF THE COURT  
BY: *[Signature]*  
DEPUTY

6 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

7 IN AND FOR THE COUNTY OF WASHOE

9 STEVEN FLOYD VOSS,

Case No. CR96-1581

10 Petitioner,

Dept. No. 1

11 VS.

12 THE STATE OF NEVADA,

13 Respondent.

15 (First Amended)

16 MOTION FOR ORDER DIRECTING RESPONDENT TO FILE A  
17 RETURN TO THE PETITIONER'S PETITION FOR A WRIT OF  
18 ERROR CORAM NOBIS, WHICH SPECIFIES THE TRUE CAUSE OF  
19 THE PETITIONER'S RESTRAINT BY THE STATE OF NEVADA,

21 COMES NOW Petitioner, STEVEN FLOYD VOSS, on  
22 Petition For Writ of Error Coram Nobis, by and through  
23 his proper person, and hereby submits the instant  
24 Motion.

25 The instant Motion is made and predicated  
26 upon the attached memorandum of points and  
27 authorities, and all papers and pleadings on file  
28 in the above entitled action.



INDEX OF ATTACHED EXHIBITS

Exhibit #1: INMATE REQUEST FORM, Nevada  
Department of Corrections Form  
DOC 3012, Dated February 27, 2018  
(responded on March 5, 2018).

MEMORANDUM OF POINTS AND AUTHORITIESI. Nature of Motion:

Through the instant (Amended) Motion For  
Order Directing Respondent To File A Return To  
The Petitioner's Petition For A Writ Of Error Coram  
Nobis, which specifies the true cause of the  
Petitioner's restraint by the state of Nevada, the  
Petitioner for the first time and as a matter  
of course amends his prior pleading titled as  
same, filed on March 9, 2018, and the state  
not having filed a Response in opposition to said  
prior pleading. Where, the Defendant / Petitioner  
is informed and does believe that he has  
served his six (6), decidedly "onerous", sentences  
imposed in the context of the instant case to  
completion and discharge, (see, attached Exhibit #1)

Therefore, the states filing of a Return  
which specifies the true cause of the Petitioner's  
present restraint by the state of Nevada is

1 necessary in the premises of the Petitioner's  
2 Petition For A writ of Error Coram Nobis filed  
3 and submitted contemporaneously herewith.  
4

5 II. Argument;  
6

7 This Court's granting of the instant  
8 Motion is warranted, and necessary in the  
9 premises of the Petitioner's Petition For A  
10 writ of Error Coram Nobis, filed and submitted  
11 contemporaneously herewith.  
12

13 The Petitioner alleges that this Court's  
14 granting of the instant Motion is warranted, and  
15 necessary in the premises of his Petition For A  
16 writ of Error Coram Nobis filed contemporaneously  
17 herewith.

18 Specifically, in order for the Court to  
19 make a determination concerning the  
20 propriety of the Petitioner's filing of his  
Petition For A writ of Error Coram Nobis, this  
Court must first determine, whether the  
Petitioner is or is not presently restrained  
in the custody of the State of Nevada,  
pursuant to this Court's November 27, 1996  
Judgment of Conviction or upon a subsequently  
entered Amended Judgment of Conviction of this  
Court which has been entered in the context of the

1 instant case. Whereas, a Petition for writ of  
 2 Coram Nobis is a remedy which is only available  
 3 to a person who is no longer in-custody pursuant to  
 4 a judgment of the Trial Court. See, Harris v. State,  
 5 130 Nev.\_\_\_\_\_, 239 P.3d 619 (2011) (citing Trujillo v. State,  
 6 129 Nev.\_\_\_\_\_, 310 P. 3d 594, 595-596 (2013):

7 "Thus, any remedy that is available only to a  
 8 person who is no longer under a sentence of  
 9 imprisonment or death or allows a person to  
 10 raise a claim that is outside the scope of a  
 11 post-conviction petition for writ of habeas corpus  
 12 is not subject to the exclusive-remedy language  
 13 in NRS 34.724(2)(b) regardless of whether the  
 14 remedy is or is not incident to the proceedings  
 15 in the trial court. For example, the petition  
 16 for a writ of coram nobis was not superseded  
 17 by the post-conviction petition for a writ of  
 18 habeas corpus because the petition for a writ  
 19 of coram nobis is only available to a person who  
 20 is no longer in custody on the conviction  
 21 challenged." (Emphasis added)

22 Additional citations include: Hargrove, 100 Nev. 498, 686 P.2d  
 23 222; Bryant, 102 Nev. 268, 721 P. 2d 364; and Barajas v. State,  
 24 115 Nev. 446, 991 P. 2d 474 (1999).

25 Therefore, the question of whether the  
 26 Petitioner is, or is not, presently in-custody pursuant  
 27 to the Court's November 27, 1996 Judgment of Conviction (the  
 28 Judgment relative to the "conviction[s] challenged"), is

1 inherently material to the Court's determination  
2 of the propriety of the instant Petition For writ  
3 of Coram Nobis.

4 Therefore, the State's filing of a Return  
5 to the instant Petition For writ of Coram Nobis,  
6 which specifies the true cause of the Petitioner's  
7 present restraint, and specifically whether or  
8 not the Petitioner remains restrained pursuant to  
9 the November 27, 1996 Judgment of Conviction entered  
10 in the instant case (CR96-1581), would clearly  
11 assist the Court in determining whether the  
12 Petitioner remains in-custody pursuant to the  
13 challenged November 27, 1996 Judgment of Conviction;  
14 and whether or not, the instant Petition For writ of  
15 Coram Nobis is a procedurally correct vehicle  
16 to challenge the Court's November 27, 1996 Judgment  
17 of Conviction.

18 An Order To Show Cause or writ, directed to  
19 the person having custody of a person detained,  
20 directing such custodian to certify the true cause  
21 for the restraint of the person detained, is the  
22 usual and customary means utilized by a court  
23 to determine the true cause of restraint, relative  
24 to a petition for writ relief. Some statutory  
25 examples of such usual and customary procedure are:  
26 28 U.S.C. § 2243; and NRS 34.745 - NRS 34.770.

27

28

III. Conclusion:

The Court should grant the instant Motion, and enter an Order directing the State to file a Return certifying the true cause of the Petitioner's present restraint, and whether the Petitioner has been discharged from the six (6) sentences imposed in the instant case (Case# CR96-1581).

IV. Verification:

I, STEVEN FLOYD VOSS, do hereby verify, under penalty of perjury, that I have read the content of the foregoing Motion, and that same is true and correct of my own personal information, knowledge and belief,

The foregoing Motion does not contain the personal information or social security number of any person.

DATED this 8th day of May 2018.

By: 

STEVEN FLOYD VOSS,  
Petitioner, in pro. per.

CERTIFICATE OF SERVICE VIA U.S. MAIL


I, STEVEN FLOYD VOSS, do hereby certify that  
on this 8<sup>th</sup> day of May 2018, that I mailed  
a true and correct copy of the foregoing document,  
addressed to:

TERRENCE P. MCCARTHY, Esq. (DDA)

% Washoe County District Attorney

Post Office Box # 11130

Reno, Nevada 89520-0027

By: 

STEVEN FLOYD VOSS

///

///

///

CR96-1581 DC-C9900086724-053  
STATE VS. STEVEN FLOYD VOSS 2 Pages  
District Court 05/10/2018 10:07 AM  
Washoe County 1120  
SMC/F5

EXHIBIT #1

EXHIBIT #1

## INMATE REQUEST FORM

1.) INMATE NAME	DOC #	2.) HOUSING UNIT	3.) DATE
VOSS, STEVEN F.	52094	2C - 6E	08-27-2018

4.) REQUEST FORM TO: (CHECK BOX)

☒ CASEWORKER      ☐ MEDICAL      ☐ MENTAL HEALTH      ☐ CANTEEN

☐ EDUCATION      ☐ VISITING      ☐ LAW LIBRARY      ☐ DENTAL

☐ LAUNDRY      ☐ PROPERTY ROOM      ☐ SHIFT COMMAND      ☐ OTHER \_\_\_\_\_

5.) NAME OF INDIVIDUAL TO CONTACT: Unit #2, Caseworker

6.) REQUEST: (PRINT BELOW) I am informed that on February 26, 2018, that I expired and discharged the last of the six (6) sentences imposed pursuant to the November 27, 1996 Judgment of Conviction entered in Washoe County District Court Case No. CR96-1581; and that at present date, I am restrained pursuant to Murder and Kidnapping convictions as set out within the January 30, 2004 Corrected Amended Judgment of Conviction entered in Washoe County District Court, Case No. CR97-2077.

Please verify whether such facts are true and correct.

7.) INMATE SIGNATURE [Signature] DOC # 52094

8.) RECEIVING STAFF SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

## 9.) RESPONSE TO INMATE

CR 961581 expired 3/4/18. -

Voss is serving time currently under CR97-2077. -

10.) RESPONDING STAFF SIGNATURE CCS J. Buchanan DATE 3/5/18



## IN THE SUPREME COURT OF THE STATE OF NEVADA

STEVEN FLOYD VOSS,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

CRA-1581  
No. 75064 01

FILED

MAY 10 2018

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

## ORDER DENYING MOTION

This court dismissed this pro se appeal on April 11, 2018, pursuant to appellant's motion for voluntary dismissal. Appellant has filed a motion for "Issuance of Remittitur or Clerk's Certificate in Lieu of Remittitur," asking this court to issue a confirmation that jurisdiction has been returned to the district court. Pursuant to NRAP 41, when an appeal is dismissed at the request of the appellant, no remittitur issues. Accordingly, no remittitur is necessary to return jurisdiction to the district court. Jurisdiction returns to the district court immediately upon entry of the order dismissing the appeal. *See, e.g., Gonzales v. State*, 118 Nev. 590, 596 n.18, 53 P.3d 901, 904 n.18 (2002) (concluding that where a timely direct appeal is voluntarily dismissed, the one-year time period for filing a post-conviction petition for a writ habeas corpus commences from the date of entry of this court's order granting the motion to voluntarily dismiss the appeal). Accordingly the motion is denied.

It is so ORDERED.



C.J.

cc: Hon. Elliott A. Sattler, District Judge  
Steven Floyd Voss  
Attorney General/Carson City  
Washoe County District Attorney  
Washoe District Court Clerk

## Return Of NEF

### Recipients

**TERRENCE MCCARTHY, ESQ.** - Notification received on 2018-05-11 15:03:27.586.

**DIV. OF PAROLE & PROBATION** - Notification received on 2018-05-11 15:03:27.196.

**\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\***  
**PROOF OF SERVICE OF ELECTRONIC FILING**

-

**A filing has been submitted to the court RE:** CR96-1581

**Judge:**

HONORABLE KATHLEEN DRAKULICH

**Official File Stamp:**

05-11-2018:15:02:23

**Clerk Accepted:**

05-11-2018:15:02:55

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. STEVEN FLOYD VOSS (D1)

**Document(s) Submitted:**

Supreme Court Order Denying

**Filed By:**

Deputy Clerk YViloria

You may review this filing by clicking on the following link to take you to your cases.

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-

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**The following people were served electronically:**

DIV. OF PAROLE & PROBATION  
TERRENCE P. MCCARTHY, ESQ. for STATE  
OF NEVADA

**The following people have not been served electronically and must be served by traditional means** (see Nevada Electronic Filing Rules.):

EGAN K. WALKER, ESQ. for STATE OF  
NEVADA  
STATE OF NEVADA for STATE OF NEVADA  
STEVEN FLOYD VOSS for STEVEN FLOYD  
VOSS

CR06-1581  
DC-09600005814-074  
STATE VS. STEVEN FLOYD VOSS 3 Pages  
District Court 05/21/2018 12:25 PM  
Washoe County 3890  
Print

1 STEVEN FLOYD VOSS #520914  
2 Northern Nevada Corrections Center  
3 Post Office Box # 7000  
4 Carson City, Nevada 89702-7000

FILED

2018 MAY 21 PM 12:25

JACQUELINE BRYANT  
CLERK OF THE COURT  
BY *[Signature]*  
DEPUTY

5  
6 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
7 IN AND FOR THE COUNTY OF WASHOE

8  
9 STEVEN FLOYD VOSS,  
10 Defendant/Petitioner,  
11 VS.  
12 THE STATE OF NEVADA,  
13 Respondent.

Case No. CR96-1581

Dept. No. 1

REQUEST FOR SUBMISSION

14  
15  
16 COMES NOW Defendant/Petitioner, STEVEN FLOYD  
17 VOSS by and through his proper person, and hereby  
18 requests that his: (1) (First Amended) Motion To  
19 Convert Proceedings To A Petition For Writ Of Error  
20 Coram Nobis; (2) (First Amended) Petition For A Writ  
21 Of Error Coram Nobis; and (3) (First Amended) Motion  
22 For Order Directing Respondent To File A Return To The  
23 Petitioner's Petition For A Writ Of Error Coram Nobis,  
24 which were filed on May 10, 2018, be submitted to  
25 the Court for decision.

26 The foregoing Request For Submission being made  
27 pursuant to this Courts ORDER dated March 5, 2018,  
28 and the Nevada Supreme Court having entered its

Order Dismissing Appeal in the context of Case No. 75064, on April 11, 2018; the Nevada Supreme Court, further, on May 10, 2018 had entered an additional Order Denying Motion in the context of Case No. 75064. Wherein, the Court held that:

"Pursuant to NRAP 41, when an appeal is dismissed at the request of the appellant [as in the instant case], no remittitur issues. Accordingly, no remittitur is necessary to return jurisdiction to the district court. Jurisdiction returns to the district court immediately upon entry of the order dismissing the appeal."

and the State not having filed any Response to the aforementioned pleadings as of the present date.

The foregoing Request For Submission does not contain the social security number of any person.

DATED this 20th day of May 2018.

By: 

STEVEN FLOYD VOSS,

Defendant, in pro. per.

CERTIFICATE OF SERVICE VIA U.S. MAIL


I, STEVEN FLOYD VOSS, do hereby certify that  
on this 20th day of May 2018, that I mailed  
a true and correct copy of the foregoing,  
Request For Submission addressed to:

TERRENCE P. MCCARTHY, Esq. (DDA.)

% Washoe County District Attorney

Post Office Box # 11130

Reno, Nevada 89520-0027

By: 

STEVEN FLOYD VOSS,

CR96-1581  
STATE VS. STEVEN FLOYD VOSS  
District Court  
Washoe County  
DC-9900087084-033  
FLOYD VOSS 2 Pages  
07/05/2018 05:24 PM  
2525  
CINFER

STEVEN FLOYD VOSS #5209Y

FILED

2018 JUL -5 PM 5:24

JACQUELINE BRYANT  
CLERK OF THE COURTBY *[Signature]*  
DEPUTY

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF WASHOE

THE STATE OF NEVADA,

Case No. CR96-1581

Plaintiff,

Dept. No. 1

VS.

STEVEN FLOYD VOSS,

Defendant,

NOTICE OF CHANGE IN MAILING ADDRESS

NOTICE IS HEREBY GIVEN, that the Defendant above named  
has changed his mailing address, as he is presently  
confined at the High Desert State Prison, Post Office  
Box #650, Indian Springs, Nevada 89070.

Please send all future correspondence to the Defendant at  
the above referenced address, until further Notice.

DATED this 27th day of June 2018.

By: *[Signature]*

STEVEN FLOYD VOSS,

Defendant, in pro. per.



CERTIFICATE OF SERVICE VIA U.S. MAIL

I, STEVEN FLOYD VOSS, do hereby certify that on this  
27th day of June 2018, that I mailed a true and  
correct copy of the foregoing Notice of change in Mailing  
Address to:

TERRENCE P. MCCARTHY, Esq. (D.O.A.)

% Washoe County District Attorney

Post office Box # 11130

Reno, Nevada 89520-0027

By: 

STEVEN FLOYD VOSS

///

///

///

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

STEVEN FLOYD VOSS,

Petitioner,

v.

CASE NO.: CR96-1581

STATE OF NEVADA,

DEP. NO.: 1

Respondent.

ORDER TO RESPOND

Currently before the Court are the following pleadings filed by Steven Floyd Voss ("Petitioner") on May 10, 2018 and submitted to the Court for consideration on May 21, 2018:

1. *(First Amended) Motion to Convert Proceedings to a Petition for Writ of Error Coram Nobis;*
2. *(First Amended) Petition for a Writ of Error Coram Nobis; and*
3. *(First Amended) Motion for Order Directing Respondent to File a Return to the Petitioner's Petition for a Writ of Error Coram Nobis.*

The Petitioner's general argument asserted in the above-entitled motions is that he completed his sentence on March 4, 2018, is no longer permitted to challenge his Judgment of Conviction under NRS Chapter 34 (post-conviction habeas corpus) because he is no longer in custody, and therefore requests coram nobis relief.

The record indicates that the Petitioner filed a *Post-Conviction Petition for Writ of Habeas Corpus* ("Petition") and the Court conducted an evidentiary hearing on the Petition. On August 9, 2001, the Court denied the Petition with one exception, and found that the Petitioner was entitled to

1 a new sentencing hearing. Whether the Petitioner has received his re-sentencing is currently before  
2 the Nevada Court of Appeals. (See Order Directing Answer No. 74227, Jan. 22, 2018).

3 This Court has reviewed the record and has determined that a response would assist this  
4 Court in determining whether the forgoing motions have merit. The State shall inform the Court on  
5 the status of the Petitioner's re-sentencing hearing, and brief the merits of the arguments asserted in  
6 the Petitioner's motions.

7 Accordingly, and good cause appearing,

8 IT IS HEREBY ORDERED that the Respondent shall have forty-five (45) days from the  
9 date of this Order to answer or otherwise respond to the above-entitled motions. The motions shall  
10 thereafter be submitted to the Court for consideration.

11 Dated this 9<sup>th</sup> day of July, 2018.

12   
13 KATHLEEN DRAKULICH  
14 DISTRICT JUDGE  
15  
16  
17  
18  
19  
20  
21  
22  
23  
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26  
27  
28

**CERTIFICATE OF MAILING**

1 I certify that I am an employee of the SECOND JUDICIAL DISTRICT COURT of the  
2 STATE OF NEVADA, COUNTY OF WASHOE; and that on the 9<sup>th</sup> day of July, 2018, I did  
3 the following:


4 ☒ Electronically filed with the Clerk of the Court, using the eFlex system which constitutes  
5 effective service for all eFiled documents pursuant to the eFile User Agreement:

6 TERRENCE MCCARTHY, ESQ.

7 DIV. OF PAROLE & PROBATION

8 ☒ Transmitted document to the Second Judicial District Court mailing system in a sealed  
9 envelope for postage and mailing by Washoe County using the United States Postal Service in  
Reno, Nevada:

10 STEVEN FLOYD VOSS, #52094  
11 HIGH DESERT STATE PRISON  
12 P.O. BOX 650  
INDIAN SPRINGS, NV 89070-0650

13   
14 DANIELLE KENT  
15 Department One Judicial Assistant  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

## Return Of NEF

### Recipients

**TERRENCE MCCARTHY, ESQ.** - Notification received on 2018-07-09 13:57:43.047.

**DIV. OF PAROLE & PROBATION** - Notification received on 2018-07-09 13:57:42.969.

**\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\***  
**PROOF OF SERVICE OF ELECTRONIC FILING**

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**A filing has been submitted to the court RE:** CR96-1581

**Judge:**

HONORABLE KATHLEEN DRAKULICH

**Official File Stamp:**

07-09-2018:13:56:32

**Clerk Accepted:**

07-09-2018:13:57:09

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. STEVEN FLOYD VOSS (D1)

**Document(s) Submitted:**

Ord to File

**Filed By:**

Judicial Asst. DKent

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**The following people were served electronically:**

TERRENCE P. MCCARTHY, ESQ. for STATE  
OF NEVADA  
DIV. OF PAROLE & PROBATION

**The following people have not been served electronically and must be served by traditional means** (see Nevada Electronic Filing Rules.):

STEVEN FLOYD VOSS for STEVEN FLOYD  
VOSS  
STATE OF NEVADA for STATE OF NEVADA  
EGAN K. WALKER, ESQ. for STATE OF  
NEVADA

## IN THE COURT OF APPEALS OF THE STATE OF NEVADA

STEVEN FLOYD VOSS,  
Petitioner,  
vs.  
THE SECOND JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
WASHOE,  
Respondent,  
and  
THE STATE OF NEVADA,  
Real Party in Interest.

No. 74227

CR96-1581 D1

**FILED**

AUG 15 2018

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK*ORDER GRANTING PETITION*

This is a petition for extraordinary relief seeking an order directing the district court to vacate Steven Floyd Voss' November 27, 1996, judgment of conviction entered in district court case number CR96-1581 and enter an amended judgment of conviction in compliance with a district court order entered on August 9, 2001, that granted Voss' postconviction petition in part and ordered a new sentencing hearing. We ordered the real party in interest to file an answer on behalf of respondent.

The real party informs this court that although the district court granted Voss' petition in part and ordered a new sentencing hearing, Voss has not been resentenced. The real party, however, opposes the granting of extraordinary relief because Voss' petition "makes no sense" and he is seeking a non-existent remedy, and the district court improperly ordered a new sentencing hearing. The real party further asserts laches as a defense, asserting that on the face of the petition Voss "does not want a

new sentencing hearing due to the passage of time” and Voss has acquiesced in the conditions by waiting 17 years without ever showing any interest in getting a new sentencing hearing.

Voss filed a reply addressing the real party’s arguments. He also filed two other documents. Among other things, Voss informs this court that on February 26, 2018, he served to completion and discharged the sentences imposed in the November 27, 1996, judgment of conviction entered in district court case number CR96-1581. Voss asserts that because he never received a new sentencing hearing, the only equitable relief available is to vacate the judgment of conviction entered in CR96-1581 and enter a judgment of acquittal.

The record clearly demonstrates the district court did not conduct a resentencing as required by the August 9, 2001, order granting Voss’ petition in part or enter an amended judgment of conviction. As a result, there is currently no valid judgment of conviction entered in CR96-1581.<sup>1</sup> Further, it appears Voss does not have a plain, speedy, and adequate remedy available to him. Accordingly, we conclude mandamus relief is warranted. *See* NRS 34.160; NRS 34.170. We disagree, however, that entry of a judgment of acquittal is appropriate because, in granting Voss’ petition in part, the district court did not find the conviction itself was invalid; rather, the district court only determined there were errors at sentencing. Instead, we conclude resentencing, as originally ordered in the August 9, 2001, order, and entry of an amended judgment of conviction is the relief

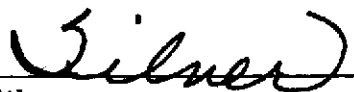
---


<sup>1</sup>We note that although there is no valid judgment in CR96-1581, Voss has not been subject to illegal restraint because since 1998 he has also been held and been serving a concurrent prison term of life without the possibility of parole pursuant to a judgment of conviction entered in district court case number CR97-2077.



warranted. We reject the real party's assertion that laches should preclude granting relief because it is the State's responsibility, not the defendant's, to ensure a defendant is legally convicted and sentenced. *See State v. Loveless*, 62 Nev. 17, 24, 136 P.2d 236, 239 (1943). Further, we conclude that any challenge to the district court's decision to grant a new sentencing hearing was waived by the State's failure to challenge this decision on cross-appeal in Docket No. 38373. Therefore, we

ORDER the petition GRANTED AND DIRECT THE CLERK OF THIS COURT TO ISSUE A WRIT OF MANDAMUS instructing the district court to resentence Voss and enter an amended judgment of conviction in CR96-1581.<sup>2</sup>

 C.J.  
Silver

 J.  
Tao

 J.  
Gibbons

cc: Chief Judge, Second Judicial District Court  
Steven Floyd Voss  
Attorney General/Carson City  
Washoe County District Attorney  
Washoe District Court Clerk

---

<sup>2</sup>Voss shall be credited with all time he has served pursuant to the invalid judgment of conviction entered in CR96-1581.

**ATTEST: A FULL, TRUE AND  
CORRECT COPY.**

**CLERK OF THE SUPREME COURT**

By   
Deputy Clerk

**Return Of NEF****Recipients**

**JENNIFER NOBLE, ESQ.** - Notification received on 2018-08-16 10:34:20.507.  
**DIV. OF PAROLE & PROBATION** - Notification received on 2018-08-16 10:34:20.476.

**\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\***  
**PROOF OF SERVICE OF ELECTRONIC FILING**

-

**A filing has been submitted to the court RE:** CR96-1581

**Judge:**

HONORABLE KATHLEEN DRAKULICH

**Official File Stamp:**

08-16-2018:10:33:17

**Clerk Accepted:**

08-16-2018:10:33:49

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. STEVEN FLOYD VOSS (D1)

**Document(s) Submitted:**

Supreme Ct Order Granting ...

**Filed By:**

Deputy Clerk YViloria

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**The following people were served electronically:**

DIV. OF PAROLE & PROBATION

JENNIFER P. NOBLE, ESQ. for STATE OF  
NEVADA

**The following people have not been served electronically and must be served by traditional means** (see Nevada Electronic Filing Rules.):

STATE OF NEVADA for STATE OF NEVADA

EGAN K. WALKER, ESQ. for STATE OF  
NEVADA

STEVEN FLOYD VOSS for STEVEN FLOYD  
VOSS

CODE No. 3880  
CHRISTOPHER J. HICKS  
#7747  
P. O. Box 11130  
Reno, Nevada 89520-0027  
(775) 328-3200  
Attorney for Respondent

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,

IN AND FOR THE COUNTY OF WASHOE

\* \* \*

STEVEN FLOYD VOSS,

Petitioner,

v.

Case No. CR96-1581

THE STATE OF NEVADA,

Dept. No. 1

Respondent.

\_\_\_\_\_ /

STATE'S OMNIBUS RESPONSE TO "(FIRST AMENDED) MOTION TO CONVERT PROCEEDINGS TO A PETITION FOR WRIT OF ERROR CORAM NOBIS"; "(FIRST AMENDED)" PETITION FOR WRIT OF ERROR CORAM NOBIS"; AND "(FIRST AMENDED) MOTION FOR ORDER DIRECTING RESPONDENT TO FILE A RETURN TO THE PETITIONER'S PETITION FOR A WRIT OF ERROR CORAM NOBIS"

COMES NOW, the State of Nevada, by and through Jennifer P. Noble, Chief Appellate Deputy, and responds to Petitioner Voss' 1) "(First Amended) Motion to Convert Proceedings to a Petition for Writ of Error Coram Nobis"; 2) "(First Amended) Petition for Writ of Error Coram Nobis"; and 3) "(First Amended) Motion for Order Directing Respondent to File a Return to the Petitioner's Petition for a Writ of Error Coram Nobis." This Response is based on the pleadings and papers on file with this Court, the Nevada Supreme Court's August 15, 2018 Order Granting Petition (Dkt. No. 74227), and the following points and authorities.

## POINTS AND AUTHORITIES

### I. Facts and Procedural Background

In 1996, Voss murdered Beverly Baxter. He burglarized her home, and tried to cash her checks. The fraud-related charges were charged and tried separately from the murder and kidnaping charges. The fraud case, CR96-1581, was tried and sentenced first. In 1996, Judge Stone sentenced Voss to 48-120 months on the burglary count, and 16-48 months on each of four fraud-related counts, running all of the counts consecutive to one another.

Before the trial for murder and kidnaping began, Ms. Baxter's remains were located. In 1998, a jury convicted Voss of first degree murder with a deadly weapon and kidnaping in CR97-2077. Justice Agosti sentenced Voss to life without on the murder, and life with the possibility of parole on the kidnaping charge. The sentence in CR97-2077 was run concurrent to the sentence imposed in CR96-1581.

Voss then filed a petition for writ of habeas corpus in CR96-1581 (post-conviction). It was largely denied, but Judge Elliott was persuaded by a single claim regarding sentencing. In 2001, Judge Elliott found that the sentencing transcript showed Judge Stone inappropriately imposed the maximum penalties because Judge Stone believed Voss killed Ms. Baxter. See August 9, 2001 Findings of Fact, Conclusions of Law and Judgment in CR96P1581A. Judge Elliott's order granted Voss a new sentencing hearing in that case. *Id.*

Voss appealed the rest of Judge Elliott's 2001 order to the Nevada Supreme Court. The Court affirmed Judge Elliott's decision and agreed a new sentencing hearing was in order. See January 17, 2002 Order of Affirmance (Dkt. No. 38373). But a new sentencing hearing was not ordered after the remittitur. Though it is not entirely clear as to why Voss was not resentenced, the substantial amount of petitions, motions, and appeals that followed may have helped delay things, because this Court was often

divested of jurisdiction. Voss sought a partial stay of his sentencing hearing on October 7, 2002. After the district court denied that motion, Voss appealed to the Nevada Supreme Court, thereby divesting the district court of jurisdiction. The Nevada Supreme Court dismissed that appeal. *See* December 12, 2002 Order Dismissing Appeal (Dkt. No. 40510). A series of successive petitions, amended petitions, motions and appeals to the Nevada Supreme Court followed for several years in CR96P1581A, some filed in proper person, and some with the assistance of appointed counsel.

After this Court changed its numbering approach for post-conviction cases, Voss filed additional pleadings under case number CR96-1581. Voss moved to set aside the verdict. Voss moved for injunctive relief. Voss moved for a new PSI. As late as the summer of 2007, Voss told this Court he was not ready to be sentenced. *See* August 15, 2007 Emergency Ex-Parte Motion for Injunctive Relief and Application for Temporary Protective Order.

Voss filed a petition for writ of mandamus in the Nevada Supreme Court on October 17, 2017. The State opposed that petition. While the petition for writ of mandamus was pending, he filed numerous other motions. On October 25, 2017, Voss filed a pre-sentencing motion to set aside the jury's verdict. The State filed an opposition, Voss filed a reply, and this Court denied the motion. *See* January 25, 2018 Order. Voss then filed additional motions, including one demanding that Judge Sattler recuse himself. Judge Sattler voluntarily did so and the case was randomly reassigned to the current department. *See* February 9, 2018 Answer to Motion for Disqualification and February 16, 2018 Case Assignment Notification.

Voss then filed the instant motions on May 10, 2018, all of which seek a writ of coram nobis. This Court allowed time for briefing, and before the time to respond expired, the Nevada Supreme Court issued a writ of mandamus. *See* August 15, 2018 Order Granting Petition and Writ of Mandamus (Dkt. No. 74227). The writ of

mandamus orders this Court to resentence Voss in CR96-181, and to enter an amended judgment of conviction. *Id.*

## II. Argument

### A. *The Writ of Mandamus Renders the Question of a Coram Nobis Writ Moot.*

In his three pleadings filed May 10, 2018, Voss asserts that he is entitled to resentencing. Based upon the writ of mandamus issued, that assertion appears to be correct. However, the writ of mandamus makes equally clear that Voss' assertion that this Court cannot exercise jurisdiction over the sentencing is incorrect. The Order Granting Petition prescribes a course of action for this Court:

...we conclude mandamus relief is warranted. *See* NRS 34.160; NRS 34.170. We disagree, however, that entry of a judgment of acquittal is appropriate because, in granting Voss' petition in part, the district court did not find the conviction itself was invalid; rather, the district court only determined there were errors at sentencing. Instead, we conclude resentencing, as originally ordered in the August 9, 2001, order, and entry of an amended judgment of conviction is the relief warranted.

Order Granting Petition, pp. 2-3. (Dkt. No. 74227).

The Nevada Supreme Court's latest order also makes clear that Voss has not been subject to illegal restraint because he has been serving a concurrent prison term of life without the possibility of parole in CR97-2077. *Id.*, fn. 1. The writ of coram nobis is a common law remedy available after all remedies have been exhausted to correct a mistake of fact. *Warden v. Peters*, 83 Nev. 298, 429 P.2d 549 (1967). Here, Voss sought the same relief—to enforce Judge Elliott's 2001 Order—via a petition for writ of mandamus. The Nevada Supreme Court has issued that writ, and fashioned the remedy it deems appropriate.

///

///

///



III. Conclusion

Based on the foregoing, the 1) “(First Amended) Motion to Convert Proceedings to a Petition for Writ of Error Coram Nobis”; 2) “(First Amended) Petition for Writ of Error Coram Nobis”; and 3) “(First Amended) Motion for Order Directing Respondent to File a Return to the Petitioner’s Petition for a Writ of Error Coram Nobis” should be denied as moot.

AFFIRMATION PURSUANT TO NRS 239B.030

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

DATED: August 23, 2018.

CHRISTOPHER J. HICKS  
District Attorney

By /s/ JENNIFER P. NOBLE  
JENNIFER P. NOBLE  
Chief Appellate Deputy

**CERTIFICATE OF MAILING**

Pursuant to NRCP 5(b), I hereby certify that I am an employee of the Washoe County District Attorney's Office and that, on August 23, 2018, I deposited for mailing through the U.S. Mail Service at Reno, Washoe County, Nevada, postage prepaid, a true copy of the foregoing document, addressed to:

Steven Voss #52094  
High Desert State Prison  
P.O. Box 650  
Indian Springs, NV 89070-0650

/s/ Margaret Ford  
MARGARET FORD

## Return Of NEF

### Recipients

**JENNIFER NOBLE, ESQ.** - Notification received on 2018-08-23 08:55:40.037.  
**DIV. OF PAROLE & PROBATION** - Notification received on 2018-08-23 08:55:40.022.

**\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\***  
**PROOF OF SERVICE OF ELECTRONIC FILING**

-

**A filing has been submitted to the court RE:** CR96-1581

**Judge:**

HONORABLE KATHLEEN DRAKULICH

**Official File Stamp:**

08-23-2018:08:43:49

**Clerk Accepted:**

08-23-2018:08:55:01

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. STEVEN FLOYD VOSS (D1)

**Document(s) Submitted:**

Response

**Filed By:**

Jennifer Patricia Noble

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

**The following people were served electronically:**

DIV. OF PAROLE & PROBATION

JENNIFER P. NOBLE, ESQ. for STATE OF  
NEVADA

**The following people have not been served electronically and must be served by traditional means** (see Nevada Electronic Filing Rules.):

STATE OF NEVADA for STATE OF NEVADA

EGAN K. WALKER, ESQ. for STATE OF  
NEVADA

STEVEN FLOYD VOSS for STEVEN FLOYD  
VOSS

1 **CODE 3242**  
2  
3  
4  
56 **IN THE SECOND JUDICIAL DISTRICT COURT OF**  
7 **THE STATE OF NEVADA IN AND FOR**  
8 **THE COUNTY OF WASHOE**9 **STEVEN FLOYD VOSS,**10 **Petitioner,**11 **vs.****Case No. CR96-1581****Dept. No. 1**12 **THE STATE OF NEVADA,**13 **Respondent.**  
14 \_\_\_\_\_/15 **ORDER FOR RESENTENCING**

16 On August 15, 2018, the Nevada Supreme Court issued its *Order Granting Petition* ("Order")  
17 directing the Clerk of the Court to issue a Writ of Mandamus instructing the district court to resentence  
18 Petitioner, Steven Floyd Voss and enter an amended judgment of conviction in CR96-1581 in  
19 compliance with the district court order entered on August 9, 2001 ("August 2001 Order"). The  
20 August 2001 Order granted Petitioner's post-conviction petition in part and ordered a new sentencing  
21 hearing. The Order notes that in spite of the August 2001 Order, Petitioner was never resented in  
22 CR96-1581. The Order further notes that the Petitioner "shall be credited with all time he has served  
23 pursuant to the invalid judgment of conviction entered in CR96-1581."

24 Accordingly, IT IS ORDERED that the Public Defender's Office is hereby appointed to  
25 represent STEVEN FLOYD FOSS in this matter.

26 IT IS FURTHER ORDERED that counsel for the Petitioner and the State of Nevada contact  
27 Department 1's Court Clerk within 30 days of the issuance of this order to set a date for resentencing  
28

1 Petitioner in CR96-1581. Thereafter, this Court will enter a valid judgment of conviction in CR96-  
2 1581.

3 IT IS HEREBY FURTHER ORDERED that the Nevada Department of Corrections in  
4 conjunction with counsel for the Petitioner, provide this Court, within 30 days of the issuance of this  
5 order, the number of days credit for time served that the Petitioner served pursuant to the invalid  
6 judgment of conviction entered in CR96-1581.

7 DATE this 29<sup>th</sup> day of August, 2018.

8   
9 KATHLEEN DRAKULICH  
10 DISTRICT JUDGE  
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CERTIFICATE OF SERVICE

I certify that I am an employee of the SECOND JUDICIAL DISTRICT COURT of the STATE OF NEVADA, COUNTY OF WASHOE; and that on the 29 day of August, 2018, I did the following:

☒ Electronically filed with the Clerk of the Court, using the eFlex system which constitutes effective service for all eFiled documents pursuant to the eFile User Agreement:

DIV. OF PAROLE & PROBATION


JENNIFER NOBLE, ESQ. for STATE OF NEVADA

MAIZIE PUSICH, ESQ.

☒ Transmitted document to the Second Judicial District Court mailing system in a sealed envelope for postage and mailing by Washoe County using the United States Postal Service in Reno, Nevada:

NEVADA DEPARTMENT OF CORRECTIONS  
OFFENDER MANAGEMENT DIVISION  
ATTN: SHELLY WILLIAMS  
PO BOX 7011  
CARSON CITY, NV 89701

STEVEN FLOYD VOSS (#52094)  
NORTHERN NEVADA CORRECTIONAL CENTER  
P.O. BOX 7000  
CARSON CITY, NV 89702

  
DANIELLE KENT  
Department One Judicial Assistant

**Return Of NEF****Recipients**

**JENNIFER NOBLE, ESQ.** - Notification received on 2018-08-29 10:37:49.702.

**MAIZIE PUSICH, ESQ.** - Notification received on 2018-08-29 10:37:49.718.

**DIV. OF PAROLE & PROBATION** - Notification received on 2018-08-29 10:37:49.671.



**\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\***

**PROOF OF SERVICE OF ELECTRONIC FILING**

-

**A filing has been submitted to the court RE:** CR96-1581

**Judge:**

HONORABLE KATHLEEN DRAKULICH

**Official File Stamp:**

08-29-2018:10:36:12

**Clerk Accepted:**

08-29-2018:10:36:58

**Court:**

Second Judicial District Court - State of Nevada

Criminal

**Case Title:**

STATE VS. STEVEN FLOYD VOSS (D1)

**Document(s) Submitted:**

Ord to Set

**Filed By:**

Judicial Asst. DKent

You may review this filing by clicking on the following link to take you to your cases.

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-

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**The following people were served electronically:**

DIV. OF PAROLE & PROBATION

JENNIFER P. NOBLE, ESQ. for STATE OF  
NEVADA

MAIZIE WHALEN PUSICH, ESQ.

**The following people have not been served electronically and must be served by traditional means** (see Nevada Electronic Filing Rules.):

STATE OF NEVADA for STATE OF NEVADA

EGAN K. WALKER, ESQ. for STATE OF  
NEVADA

STEVEN FLOYD VOSS for STEVEN FLOYD  
VOSS

1 CODE 2520  
2 WASHOE COUNTY PUBLIC DEFENDER  
3 MAIZIE PUSICH, #2808  
4 P.O. BOX 11130  
5 RENO, NV 89520-0027  
6 (775) 337-4800  
7 ATTORNEY FOR: Defendant

8  
9 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
10  
11 IN AND FOR THE COUNTY OF WASHOE

12 THE STATE OF NEVADA,

13 Plaintiff,

14 vs.

Case No. CR96-1581

15 STEVEN FLOYD VOSS,

Dept. No. 1

16 Defendant.

17  
18  
19 **NOTICE OF APPEARANCE**

20 PLEASE TAKE NOTICE that Washoe County Public Defender, MAIZIE  
21 PUSICH, hereby enters appearance for the Washoe County Public Defender's  
22 Office in the above entitled case.

23 **AFFIRMATION PURSUANT TO NRS 239B.030**

24 The undersigned does hereby affirm that the preceding document does not  
25 contain the social security number of any person.

26 DATED this 29th day of August, 2018.

JEREMY T. BOSLER  
WASHOE COUNTY PUBLIC DEFENDER

/s/ Maizie Pusich  
MAIZIE PUSICH  
Chief Deputy Public Defender

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**CERTIFICATE OF SERVICE**

I hereby certify that I am an employee of the Washoe County Public Defender's Office, Reno, Washoe County, Nevada, and that on this date electronically filed the foregoing with the Clerk of the Court by using the ECF system which will send a notice of electronic filing to the following:  
Deputy District Attorney

DATED this 29th day of August, 2018

/s/ WENDY LUCERO  
WENDY LUCERO

**Return Of NEF****Recipients**

**JENNIFER NOBLE, ESQ.** - Notification received on 2018-08-29 11:50:57.511.

**MAIZIE PUSICH, ESQ.** - Notification received on 2018-08-29 11:50:57.543.

**DIV. OF PAROLE & PROBATION** - Notification received on 2018-08-29 11:50:57.48.

**\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\***  
**PROOF OF SERVICE OF ELECTRONIC FILING**

-

**A filing has been submitted to the court RE:** CR96-1581

**Judge:**

HONORABLE KATHLEEN DRAKULICH

**Official File Stamp:**

08-29-2018:11:36:06

**Clerk Accepted:**

08-29-2018:11:50:28

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. STEVEN FLOYD VOSS (D1)

**Document(s) Submitted:**

Notice of Appearance

**Filed By:**

Maizie Pusich, Esq.

You may review this filing by clicking on the following link to take you to your cases.

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-

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**The following people were served electronically:**

DIV. OF PAROLE & PROBATION

JENNIFER P. NOBLE, ESQ. for STATE OF  
NEVADA

MAIZIE WHALEN PUSICH, ESQ. for STEVEN  
FLOYD VOSS

**The following people have not been served electronically and must be served by traditional means** (see Nevada Electronic Filing Rules.):

STATE OF NEVADA for STATE OF NEVADA  
EGAN K. WALKER, ESQ. for STATE OF  
NEVADA

STEVEN FLOYD VOSS for STEVEN FLOYD  
VOSS

CR96-1581  
STATE VS. STEVEN FLOYD VOSS  
District Court  
Washoe County  
DC-09900087346-068  
2 Pages  
08/30/2018 12:23 PM  
3860  
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b7C

1 STEVEN FLOYD VOSS # 52094

2 High Desert State Prison

3 Post Office Box #650

4 Indian Springs, Nevada 89070-

2018 AUG 30 PM 12:23

5  
6 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
7 IN AND FOR THE COUNTY OF WASHOE

8  
9 THE STATE OF NEVADA,  
10 Plaintiff,

Case No. CR96-1581

Dept. No. 1

11 VS

12 STEVEN FLOYD VOSS,  
13 Defendant.

REQUEST FOR SUBMISSION

14  
15 COMES NOW Defendant, STEVEN FLOYD VOSS, by  
16 and through his proper person, and hereby  
17 requests that his Petition For Writ of Error  
18 Coram Nobis, be submitted to the Court for  
19 decision, the State not having filed a Response  
20 and points and authorities in opposition to the  
21 Petition pursuant to this Court's July 9, 2018  
22 Order To Respond. The State thereby confessing  
23 error and consenting to the Court's granting  
24 of the Petition under District Court Rule.

25 The foregoing document does not contain the social  
26 Security Number of any person.

27 DATED this 26th day of August 2018.

28 By: Steven Floyd Voss  
STEVEN FLOYD VOSS V9.1742

CERTIFICATE OF SERVICE VIA U.S. MAIL

I, STEVEN FLOYD VOSS, do hereby certify  
that on this 26th Day of August 2018, that  
I mailed a true and correct copy of the  
forgoing, Request For Submission, addressed to:

TERRENCE P. MCCARTHY, ESQ (DDA)  
% Washoe County District Attorney  
Post Office Box # 11130  
Reno, Nevada 89520-0027

By: ~~Steven Floyd Voss~~  
STEVEN FLOYD VOSS.

///

///

///



DC-0990087348-069  
CR96-1581  
STATE VS. STEVEN FLOYD VOSS 9 Pages  
District Court 08/30/2018 01:56 PM  
Washoe County 2490

1 STEVEN FLOYD VOSS #52094

2 High Desert State Prison

3 Post Office Box # 650

2018 AUG 30 PM 1:56

4 Indian Springs, Nevada 89070 -

5  
6 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
7 IN AND FOR THE COUNTY OF WASHOE

9 THE STATE OF NEVADA,  
10 Plaintiff,

Case No. CR96-1581  
Dept. No. 1

11 VS.

12 STEVEN FLOYD VOSS,  
13 Defendant.

14  
15  
16 PRE-SENTENCING MOTION TO DISMISS ACTION  
17 BASED UPON WANT OF JURISDICTION  
18

19 COMES NOW Defendant, STEVEN FLOYD VOSS,  
20 by and through his proper person and hereby  
21 submits the instant Motion.

22 The instant Motion is made and predicated  
23 upon the attached memorandum of points  
24 and authorities, and all papers and  
25 pleadings on file in the above entitled  
26 case.  
27  
28

MEMORANDUM OF POINTS AND AUTHORITIESI. Nature of Motion:

Through the instant Motion, the Defendant alleges a want of jurisdiction by this Court to enter an Amended Judgment of Conviction in the instant case. Despite this Court's prior August 9, 2001 entry of Order and Judgment (Writ of Habeas Corpus) in the context of Post-Conviction Habeas Corpus Proceedings in Case No. CR96-P-1581, and the Writ of Mandamus entered by the Court of Appeals of The State of Nevada on August 15, 2018. Where, the Defendant had served to completion and discharge each of the six (6) consecutive sentences imposed upon him pursuant to this Court's November 27, 1996 Judgment of Conviction entered in the instant case.

II. Argument:

There exists a want of jurisdiction relative to the instant case which precludes this Court from conducting Re-Sentencing Proceedings and from entering an Amended Judgment of Conviction.

1 On August 15, 2018 the Court of Appeals  
2 of the State of Nevada had made and filed  
3 a written decision and Order directing  
4 that a Writ of Mandamus issue. Said  
5 Writ of Mandamus was issued and filed  
6 that same date, and served upon (1) Honorable  
7 Scott Freeman, Chief Judge of the Second  
8 Judicial District Court; (2) Clerk of the Second  
9 Judicial District Court; (3) Washoe County District  
10 Attorney; (4) Nevada Attorney General; and (5)  
11 Defendant Steven Floyd Voss, along with copies  
12 of the August 15, 2018 Order and Clerk's  
13 Certificate,

14 Said Writ of Mandamus which had  
15 instructed this Court to resentence the  
16 Defendant and to enter an Amended Judgment  
17 of Conviction relative to the instant case.

18 However, despite the Appellate Court's  
19 Order and Mandate, jurisdiction to  
20 carry through the Appellate Court's Mandate  
21 and instructions simply is not maintained  
22 by this Court subsequent to March 4, 2018.  
23 When the Defendant had effectively served  
24 to completion and discharge each of the  
25 Six (6) sentences imposed upon him pursuant  
26 to this Court's November 27, 1996 Judgment of  
27 Conviction, see, attached Exhibit #1.

28

1 The Defendant is entitled to challenge this  
2 Court's jurisdiction, at the present juncture,  
3 despite the mandate imposed upon this  
4 Court via the August 15, 2018 Writ of  
5 Mandamus issued by the Court of Appeals  
6 of the State of Nevada. Whereas, under  
7 a long standing exception to the contemporaneous  
8 objection rule, a party may assert  
9 jurisdictional claims at any time. See,  
10 United States v. Cotton, 535 U.S. 625, 630  
11 (2002). Therefore, any claims that a Court  
12 is without jurisdiction are not subject to  
13 the contemporaneous objection rule. See,  
14 United States v. Toliver, 61 F. 3d 1189, 1199  
15 (1995). Also see, United States v. Phillips,  
16 367 F. 3d 846, 855 (9th Cir. 2004);  
17 United States v. Lo, 231 F. 3d 971 (9th Cir. 2000);  
18 United States v. Barragan - Mendoza, 174 F. 3d  
19 1026 (9th Cir. 1999); Sanchez v. Pacific -  
20 Powder Co., 147 F. 3d 1057 (9th Cir. 1998);  
21 and Conforte v. United States, 979 F. 2d  
22 1375 (9th Cir. 1992).

23  
24 Jurisdiction to conduct resentencing  
25 proceedings and to enter an Amended  
26 Judgment of Conviction has not been  
27 effectively conferred upon this Court via  
28 the August 15, 2018 Writ of Mandamus issued

1 by the Court of Appeals of the state of Nevada.  
2 Whereas, the Appellate Court cannot confer  
3 jurisdiction upon this court. See, Harris -  
4 V. United States, 149 F.3d 1308 (1998).

5 Because, the jurisdiction of this court  
6 is expressly conferred pursuant to Article 6§6  
7 of the Nevada State Constitution, and the  
8 exercise of that jurisdiction is controlled  
9 by statutory and constitutional law.  
10 There quite simply does not exist any  
11 law which provides this court the  
12 authority to conduct resentencing  
13 proceedings or to enter an Amended  
14 Judgment of Conviction in the instant case,  
15 where the Defendant has served to  
16 completion and discharge each of the six (6)  
17 sentences previously imposed upon him via  
18 this court's November 27, 1996 Judgment of  
19 Conviction. Despite the August 15, 2018  
20 invalidation of the original Judgment of  
21 Conviction by the Court of Appeals of the  
22 State of Nevada. In fact, even if Nevada  
23 state law did provide this court such  
24 authority and discretion, the court's  
25 exercise of same would be prohibited  
26 under principles of Double Jeopardy under  
27 the Fifth Amendment to the United States  
28 Constitution. In plain and simple terms,

1 the Court of Appeals of the State of Nevada  
2 cannot confer jurisdiction upon this  
3 court where none exists. See, Old Wayne v. -  
4 McDonough, 204 U.S. 8 (1907).

5 This Court is bound by law to assure  
6 it-self of its jurisdiction even had the  
7 Defendant not asserted the instant  
8 jurisdictional challenge. See, Ins. Corp. of -  
9 Ireland v. Compagne Des Bauxites, 456 U.S. at 702.

10 Thus, this Court not only has the power but  
11 also the obligation, at any time, to inquire  
12 into its jurisdiction whenever there exists  
13 a possibility that jurisdiction does not exist  
14 arises. See, Philbrook v. Gladjet, 421 U.S. 707.  
15 Also see, City of Kenosha v. Bruno, 412 U.S. 507 (1973).

16 Whereas, once state or federal jurisdiction  
17 has been challenged it must be proven to  
18 exist. See, Maine v. Thiboutot, 100 S.Ct. 250;  
19 and the burden is shifted onto the court  
20 to prove jurisdiction. See, Reschman v. -  
21 Lambert, 469 F. 2d 916. All jurisdictional  
22 facts must be proven on the record. See,  
23 Lantana v. Hopper, 102 F. 2d 188. There  
24 quite simply exists no discretion for this  
25 Court to ignore allegations of the lack of  
26 jurisdiction. See, Joyce v. United States,  
27 474 F. 2d 215.

1 It is a recognized principle of law  
2 that a court should decide jurisdictional  
3 questions at the earliest possible stage  
4 of the proceedings. Therefore, the  
5 Defendant submits that the Court should,  
6 at its first available opportunity, consider  
7 the instant Motion, and in light of  
8 same evaluate its merits and whether  
9 this Court maintains jurisdiction to conduct  
10 resentencing proceedings and to enter an  
11 Amended Judgment of Conviction as directed  
12 by the August 15, 2018 Writ of Mandamus  
13 issued by the Court of Appeals of the State of  
14 Nevada.

### 15 16 III. Conclusion:


17  
18 The Court should grant the instant  
19 Motion, and enter a Judgment of Acquittal  
20 effectuating a dismissal of the instant  
21 action. Such a Judgment of Acquittal which  
22 would be effective to satisfy the written  
23 Judgment requirement of NRS 176.105.  
24 Where, the prior November 27, 1996 Judgment of  
25 Conviction has been invalidated and rendered  
26 void, and the operative circumstances  
27 involved preclude the entry of an Amended  
28 Judgment of Conviction.

1 IV. Verification:

2  
3 Under penalty of perjury the undersigned  
4 does hereby verify that he has read the content  
5 of the foregoing Motion, and that same is  
6 true and correct of his own personal  
7 information, knowledge and belief,

8 The foregoing document does not  
9 contain the Social Security Number of any  
10 person.

11 DATED this 24th day of August 2018.

12 By: 

13 STEVEN FLOYD VOSS,

14 Defendant, in pro. per.

15 CERTIFICATE OF SERVICE VIA U.S. MAIL


16  
17 I Steven Floyd Voss, do hereby certify  
18 that on this 24th day of August 2018,  
19 that I mailed a true and correct copy  
20 of the foregoing Motion, addressed to:

21  
22 TERENCE P. MCCARTHY, ESQ (DDA)

23 % Washoe County District Attorney

24 Post office Box # 11130

25 Reno, Nevada 89520-0027

26  
27 By:   
28 STEVEN FLOYD VOSS



1

## INDEX OF ATTACHED EXHIBITS

2

3

EXHIBIT #1: NEVADA DEPARTMENT OF CORRECTIONS  
INMATE REQUEST FORM

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CR96-1581  
DC-09900087348-070  
STATE VS. STEVEN FLOYD VOSS 2 Pages  
District Court 08/30/2018 01:56 PM  
Washoe County 2490  
BRI NUCU

EXHIBIT #1

EXHIBIT #1

## INMATE REQUEST FORM

1.) INMATE NAME	DOC #	2.) HOUSING UNIT	3.) DATE
VOSS, STEVEN F.	52094	2C - 6E	02-27-2018

4.) REQUEST FORM TO: (CHECK BOX)

☒ CASEWORKER      ☐ MEDICAL      ☐ MENTAL HEALTH      ☐ CANTEEN

☐ EDUCATION      ☐ VISITING      ☐ LAW LIBRARY      ☐ DENTAL

☐ LAUNDRY      ☐ PROPERTY ROOM      ☐ SHIFT COMMAND      ☐ OTHER \_\_\_\_\_

5.) NAME OF INDIVIDUAL TO CONTACT: Unit #2, Caseworker

6.) REQUEST: (PRINT BELOW) I am informed that on February 26, 2018, that I expired and discharged the last of the six (6) sentences imposed pursuant to the November 27, 1996 Judgment of Conviction entered in Washoe County District Court Case No. CR96-1581; and that at present date, I am restrained pursuant to Murder and Kidnapping Convictions as set out within the January 30, 2004 Corrected Amended Judgment of Conviction entered in Washoe County District Court, Case No. CR97-2077.

Please verify whether such facts are true and correct.

7.) INMATE SIGNATURE [Signature] DOC # 52094

8.) RECEIVING STAFF SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

## 9.) RESPONSE TO INMATE

CR 961581 expired 3/4/18. -

Voss is serving time currently under CR97-2077. -

10.) RESPONDING STAFF SIGNATURE CCJ J. Buchanan DATE 3/5/18

CODE 2520  
Christopher J. Hicks  
#7747  
P.O. Box 11130  
Reno, NV 89520  
(775) 328-3200

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

\* \* \*

THE STATE OF NEVADA,

Plaintiff,

Case No. CR96-1581

v.

Dept. No. D01

STEVEN FLOYD VOSS,

Defendant.

\_\_\_\_\_ /

NOTICE OF APPEARANCE

PLEASE TAKE NOTICE that Washoe County Deputy District Attorney, AMOS STEGE, hereby enters appearance for the Washoe County District Attorney's Office in the above entitled case.

AFFIRMATION PURSUANT TO NRS 239B.030

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

Dated this 31<sup>st</sup> day of August, 2018.

CHRISTOPHER J. HICKS  
District Attorney  
Washoe County, Nevada

By/s/ Amos Stege  
AMOS STEGE  
9200  
DEPUTY DISTRICT ATTORNEY

CERTIFICATE OF SERVICE BY E-FILING

I certify that I am an employee of the Washoe County District Attorney's Office and that, on this date, I electronically filed the foregoing with the Clerk of the Court by using the ECF system which will send a notice of electronic filing to the following:

Maizie Pusich  
Deputy Public Defender

DATED this 31<sup>st</sup> day of August, 2018.

/s/Destinee Allen  
DESTINEE ALLEN

CODE 1250  
Christopher J. Hicks  
#7747  
P.O. Box 11130  
Reno, NV 89520  
(775) 328-3200

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

\* \* \*

THE STATE OF NEVADA,

Plaintiff,

Case No.: CR96-1581

v.

Dept. No.: D01

STEVEN FLOYD VOSS,

Defendant.

\_\_\_\_\_ /

APPLICATION FOR SETTING

<u>TYPE OF ACTION:</u>	CRIMINAL
<u>MATTER TO BE HEARD:</u>	Re-Sentencing
<u>DATE OF APPLICATION:</u>	August 31 2018      MADE BY PLAINTIFF
<u>COUNSEL FOR PLAINTIFF:</u>	AMOS STEGE, D.D.A.
<u>COUNSEL FOR DEFENDANT:</u>	MAIZIE PUSICH ESQ
<u>CUSTODY STATUS:</u>	IN CUSTODY

Setting for November 20, 2018, at 1:30 PM

**Return Of NEF****Recipients**

**JENNIFER NOBLE, ESQ.** - Notification received on 2018-08-31 09:14:11.907.  
**MAIZIE PUSICH, ESQ.** - Notification received on 2018-08-31 09:14:11.938.  
**DIV. OF PAROLE & PROBATION** - Notification received on 2018-08-31 09:14:11.891.

**\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\***

**PROOF OF SERVICE OF ELECTRONIC FILING**

-

**A filing has been submitted to the court RE:** CR96-1581

**Judge:**

HONORABLE KATHLEEN DRAKULICH

**Official File Stamp:**

08-31-2018:08:50:29

**Clerk Accepted:**

08-31-2018:09:13:37

**Court:**

Second Judicial District Court - State of Nevada

Criminal

**Case Title:**

STATE VS. STEVEN FLOYD VOSS (D1)

**Document(s) Submitted:**

Application for Setting

**Filed By:**

Amos Stege

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

**The following people were served electronically:**

DIV. OF PAROLE & PROBATION

JENNIFER P. NOBLE, ESQ. for STATE OF  
NEVADA

MAIZIE WHALEN PUSICH, ESQ. for STEVEN  
FLOYD VOSS

**The following people have not been served electronically and must be served by traditional means** (see Nevada Electronic Filing Rules.):

STATE OF NEVADA for STATE OF NEVADA

EGAN K. WALKER, ESQ. for STATE OF  
NEVADA



STEVEN FLOYD VOSS for STEVEN FLOYD  
VOSS

**Return Of NEF****Recipients**

**JENNIFER NOBLE, ESQ.** - Notification received on 2018-08-31 09:25:37.547.

**MAIZIE PUSICH, ESQ.** - Notification received on 2018-08-31 09:25:37.874.

**AMOS STEGE, ESQ.** - Notification received on 2018-08-31 09:25:37.843.

**DIV. OF PAROLE & PROBATION** - Notification received on 2018-08-31 09:25:37.235.

**\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\***  
**PROOF OF SERVICE OF ELECTRONIC FILING**

-

**A filing has been submitted to the court RE:** CR96-1581

**Judge:**

HONORABLE KATHLEEN DRAKULICH

**Official File Stamp:**

08-31-2018:08:50:09

**Clerk Accepted:**

08-31-2018:09:24:00

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. STEVEN FLOYD VOSS (D1)

**Document(s) Submitted:**

Notice of Appearance

**Filed By:**

Amos Stege

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-

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**The following people were served electronically:**

JENNIFER P. NOBLE, ESQ. for STATE OF  
NEVADA

AMOS R. STEGE, ESQ. for STATE OF NEVADA  
DIV. OF PAROLE & PROBATION

MAIZIE WHALEN PUSICH, ESQ. for STEVEN  
FLOYD VOSS

**The following people have not been served electronically and must be served by traditional means** (see Nevada Electronic Filing Rules.):

EGAN K. WALKER, ESQ. for STATE OF  
NEVADA

STATE OF NEVADA for STATE OF NEVADA

STEVEN FLOYD VOSS for STEVEN FLOYD  
VOSS

CR96-1581  
DC-09900067348-087  
STATE VS. STEVEN FLOYD VOSS 7 Pages  
District Court 08/31/2018 01:49 PM  
Washoe County 2610

1 STEVEN FLOYD VOSS #520914  
2 High Desert State Prison  
3 Post Office Box #650  
4 Indian Springs, Nevada 89070  
5

2018 AUG 31 PM 1:49

*[Signature]*

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

9 THE STATE OF NEVADA,  
10 Plaintiff,

Case No. CR96-1581  
Dept. No. 1

11 VS.

12 STEVEN FLOYD VOSS,  
13 Defendant,  
14

15  
16 DEFENDANT'S NOTICE OF STATES FAILURE TO  
17 COMPLY WITH THE COURT'S ORDER TO RESPOND;  
18 AND REQUEST THAT THE STATES FAILURE TO RESPOND  
19 AND TO FILE POINTS AND AUTHORITIES IN OPPOSITION  
20 TO THE PLEADINGS, BE CONSTRUED BY THE COURT AS  
21 A CONSENT TO THE GRANTING OF THE PLEADINGS, AND  
22 A CONFESSION OF ERROR AS TO THE CLAIMS RAISED THEREIN.

23 COMES NOW Defendant, by and through his proper  
24 person, and hereby submits the instant Notice and  
25 Request.

26 The instant Notice and Request are made and  
27 predicated upon the attached memorandum of points  
28 and authorities and all paper and pleading on file herein.

MEMORANDUM OF POINTS AND AUTHORITIES

I. NOTICE IS HEREBY GIVEN, that the Respondent (The State of Nevada) has failed to comply with this Court's August 8, 2018 ORDER TO RESPOND to the Defendant's:

1. (First Amended) Motion To Convert Proceedings to a Petition For Writ of Error Coram Nobis;
2. (First Amended) Petition For Writ of Error Coram Nobis; and
3. (First Amended) Motion For Order Directing Respondent To File A Return To The Petitioner's Petition For Writ of Error Coram Nobis.

II. The Defendant hereby requests that the Court interpret the state's failure to file a Response and Points and Authorities in opposition to the above listed pleadings as:

- (a) a consent to the Court's granting of the above listed Motions and Petition, pursuant to District Court Rule; and
- (b) as a confession of error relative to the claims raised within said Petition For Writ of Error Coram Nobis.

### III. Arguments:

A. The August 15, 2018 ORDER GRANTING Petition, and Writ of Mandamus, entered by The Court of Appeals of the State of Nevada, in Case No. 74227, does not function to render the instant Petition For Writ of Error Coram Nobis and the claims raised therein moot.

The finding of the Court of Appeals that a Judgment of Acquittal is not the appropriate relief to correct the Court's failure to conduct resentencing proceedings and to enter an Amended Judgment of Conviction, pursuant to this Court's August 9, 2001 Order (Writ of Habeas Corpus), does not render the instant Petition For Writ of Error Coram Nobis moot. Because, despite that Court's entry of a Writ of - Mandamus directing this Court to enter an Amended Judgment of Conviction in this case, that Order and directive are not binding upon this Court. Whereas, the Appellate Court's reasoning is flawed. Because, that Court failed to recognize that subsequent to March 4, 2018 when the Defendant had served the last of the six (6) "onerous" sentences imposed via the November 27, 1996 Judgment of - Conviction to completion and discharge, this

1 Court no longer maintains personal jurisdiction  
 2 to draw the Defendant into its adjudicative  
 3 means, and to impose an Amended Judgment  
 4 of Conviction upon him.

5 Nonetheless, even if this Court's jurisdiction  
 6 was maintained at this juncture to conduct  
 7 resentencing proceedings and to enter an  
 8 Amended Judgment of Conviction, the Appellate  
 9 Court's Order and Writ of Mandamus at best  
 10 would only preclude relief relative to  
 11 the Defendant's Argument-C claim of the  
 12 Petition.

13  
 14 (2) The Order and Writ of Mandamus  
 15 entered by the Court of Appeals does not  
 16 function to preclude relief relative to  
 17 Defendant's Argument-A, Argument-B,  
 18 Argument-D, and Argument-E claims.  
 19 The Appellate Court has not rejected any  
 20 of these claims. In regard to such claims  
 21 the Court of Appeals:

22 (i) has already effectively  
 23 addressed the Defendant's Argument-A claim  
 24 within its August 15, 2018 Order finding same  
 25 to be meritorious. The court finding that:

26 "we reject the [State's] assertion, which  
 27 should preclude granting relief because  
 28 it is the State's responsibility and not the



1 defendant's to ensure a defendant is  
2 legally convicted and sentenced."

3 (ii) has not addressed to any  
4 degree the Defendant's Argument-B claims  
5 regarding this Court's lack of jurisdiction  
6 to conduct re-sentencing proceedings and to  
7 enter an Amended Judgment of Conviction at  
8 this juncture;

9 (iii) has not addressed to any  
10 degree the Defendant's Argument-D claims,  
11 and whether the Jury's Guilty Verdicts are  
12 reliable and predicated upon competent  
13 constitutionally admissible evidence; and

14 (iv) has already effectively  
15 addressed the Defendant's Argument-E claims,  
16 finding same to be meritorious. The Court  
17 finding that:

18 "Further, we conclude that any challenge  
19 to the district Court's decision to grant  
20 a new sentencing hearing was waived  
21 by the state's failure to challenge  
22 this decision on cross-appeal in Docket  
23 No. 38373."

24  
25 Therefore, it remains for this Court to  
26 determine the merits of the Defendant's: (a)  
27 Argument-B and whether this Court maintains  
28 jurisdiction to conduct resentencing proceedings

1 and to enter an Amended Judgment of -  
2 Conviction ; (b) Argument-D and whether  
3 the Jury's Guilty Verdicts are reliable  
4 and are founded upon competent and  
5 Constitutionally admissible evidence.

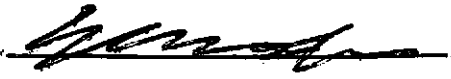
6 Further, it is for this Court to determine  
7 whether the Defendant is entitled to relief  
8 based upon his Argument-A, Argument-B,  
9 Argument-D, and Argument-E claims, alone  
10 or cumulatively ; and to determine  
11 if any the proper relief to grant. In this  
12 regard, the Defendant submits that not only  
13 is the entry of a Judgment of Acquittal  
14 an available remedy, but that such is the  
15 only reasonable remedy available to the  
16 Court.

17  
18 IV. Verification :

19  
20 Under penalty of perjury the undersigned  
21 verifies that he has read the content of  
22 the foregoing document, and that same is  
23 true and correct of his own personal information,  
24 knowledge and belief.

25 The foregoing document does not contain  
26 the personal information or Social Security  
27 number of any person.  
28

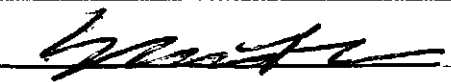
1 RESPECTFULLY Submitted: DATED this  
2 28th day of August 2018.

3 By:   
4 STEVEN FLOYD VOSS,  
5 Defendant, in pro per.  
6

7 CERTIFICATE OF SERVICE VIA U.S. MAIL  
8

9 I, STEVEN FLOYD VOSS, do hereby certify,  
10 that on this 28th day of August 2018,  
11 that I mailed a true and correct copy  
12 of the foregoing Notice and Request,  
13 addressed to:

14 TERRENCE P. MCCARTHY, ESQ (DDA)  
15 % Washoe County District Attorney  
16 Post Office Box # 11130  
17 Reno, Nevada 89520-0027  
18

19 By:   
20 STEVEN FLOYD VOSS

21 ///

22 ///

23 ///

24

25

26

27

28

**Return Of NEF****Recipients**

**JENNIFER NOBLE, ESQ.** - Notification received on 2018-09-04 10:13:46.045.

**MAIZIE PUSICH, ESQ.** - Notification received on 2018-09-04 10:13:46.092.

**AMOS STEGE, ESQ.** - Notification received on 2018-09-04 10:13:46.076.

**DIV. OF PAROLE & PROBATION** - Notification received on 2018-09-04 10:13:45.998.

**\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\***  
**PROOF OF SERVICE OF ELECTRONIC FILING**

-

**A filing has been submitted to the court RE:** CR96-1581

**Judge:**

HONORABLE KATHLEEN DRAKULICH

**Official File Stamp:**

09-04-2018:09:15:30

**Clerk Accepted:**

09-04-2018:10:13:07

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. STEVEN FLOYD VOSS (D1)

**Document(s) Submitted:**

Application Produce Prisoner

**Filed By:**

Amos Stege

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-

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NEVADA

AMOS R. STEGE, ESQ. for STATE OF NEVADA  
DIV. OF PAROLE & PROBATION

MAIZIE WHALEN PUSICH, ESQ. for STEVEN  
FLOYD VOSS

**The following people have not been served electronically and must be served by traditional means** (see Nevada Electronic Filing Rules.):

EGAN K. WALKER, ESQ. for STATE OF  
NEVADA

STATE OF NEVADA for STATE OF NEVADA

STEVEN FLOYD VOSS for STEVEN FLOYD  
VOSS

PC-00800087378-004  
CR96-1581  
STATE VS. STEVEN FLOYD VOSS 11 Pages  
DISTRICT Court  
Washoe County  
3795  
Washoe

FILED

2018 SEP -4 PM 4:52

JACQUELINE STANLEY  
CLERK OF THE COURT

OFFICE

1 STEVEN FLOYD VOSS #52094

2 High Desert State Prison

3 Post Office Box #650

4 Indian Springs, Nevada 89070-

5  
6 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

7 IN AND FOR THE COUNTY OF WASHOE

8  
9 THE STATE OF NEVADA,

10 Plaintiff,

11 VS.

12 STEVEN FLOYD VOSS,

13 Defendant.

Case No. CR96-1581

Dept. No. 1

14  
15  
16 DEFENDANT'S REPLY TO STATES OMNIBUS RESPONSE17 TO DEFENDANT'S FIRST AMENDED MOTION TO CONVERT18 PROCEEDINGS A PETITION FOR WRIT OF CORAM NOBIS,19 FIRST AMENDED PETITION FOR WRIT OF ERROR CORAM20 NOBIS, AND FIRST AMENDED MOTION FOR ORDER21 DIRECTING RESPONDENT TO FILE A RETURN TO22 PETITION FOR WRIT OF ERROR CORAM NOBIS.

23 COMES NOW Defendant, STEVEN FLOYD VOSS, by and

24 through his paper person and hereby submits the

25 Instant Reply.

26 The Instant Reply is made and predicated

27 upon the attached memorandum of points and authorities,

28 and all papers and pleadings of file herein.

## MEMORANDUM OF POINTS AND AUTHORITIES

## I. Nature of Reply:

The Defendant hereby replies to the State's "Omnibus Response" filed on or about August 23, 2018 pursuant to this Court's July 9, 2018 Order To Respond

II. Argument:

A. The State asserts several irrelevant and factually unsupported allegations

The State within their "Omnibus Response" assert matters of unsupported factual allegations and irrelevant matters. The State has not presented any evidence in this matter, and misrepresents certain facts in the record.

The Defendant hereby denies all unsupported allegations of fact, and alleged judicial facts not expressly determined by a Court of competent jurisdiction.

B. The State's allegation that the writ of Mandamus issued by the Nevada Court of appeals in the context of Case No. 74227 renders the -



1 the question of Coram Nobis relief moot,  
2 is without merit.

3  
4 (1) The State's allegation that the  
5 Nevada Court of Appeals through its writ  
6 of Mandamus makes clear that the Defendants  
7 claim that the District Court lacks jurisdiction  
8 to conduct resentencing proceeding and to  
9 enter an Amended Judgment of Conviction  
10 is incorrect; is wholly without merit.

11 It is clear on the face of the  
12 August 15, 2018 Order Granting Petition (attached  
13 Exhibit #1), that the Court of Appeals  
14 failed to address the issue of this Court's  
15 jurisdiction subsequent to March 4, 2018 when  
16 the Defendant had served to completion and  
17 discharge the last of the six (6) decidedly  
18 "onerous" sentences imposed pursuant to the  
19 original, and now decidedly invalid and void,  
20 November 27, 1996 Judgment of Conviction.

21 Therefore, contrary to the State's  
22 assertion the Nevada Court of Appeals has  
23 not affirmatively decided the question of  
24 whether this Court's jurisdiction is maintained  
25 subsequent to the Defendants expiration and  
26 discharge by the Nevada Department of Corrections  
27 on March 4, 2018. See, attached Exhibit #2.

28 Thus, the August 15, 2018 Writ of Mandamus

(attached Exhibit #3) and its directive thereby that this Court conduct a resentencing proceeding and enter an Amended Judgment of Conviction is not binding upon this Court. Where, the Defendant has challenged this Court's jurisdiction. Thereby, shifting the burden onto this Court to prove jurisdiction, on the record. See, Maine v. Thiboutot, 100 S. Ct. 250 (once state or federal jurisdiction has been challenged it must be proven to exist; and Rosemond v. Lambert, 969 F.2d 916 (once jurisdiction has been challenged the burden is shifted onto the court to prove jurisdiction); and Lantana v. Hopper, 102 F.2d 188 (all jurisdictional facts must be proven on the record).

The instant Petition For Writ of Error Coram Nobis is a procedurally correct forum in which to challenge this Court's jurisdiction following the expiration of the Defendant's sentence and his discharge from state custody relative to the discharged sentence. See, Warden v. Peters, 83 Nev. 298, 429 P.2d 549 (1967), cited in Trujillo v. State, 129 Nev. 316 P. 3d 594, 595-596 (2013) (the petition for writ of error coram nobis is a remedy which is only available to a person who is no longer in custody pursuant to the challenged conviction or sentence);

1 United States v. Cotton, 535 U.S. 625, 630 (2002)  
 2 (under a long standing objection to the  
 3 contemporaneous objection rule, a party  
 4 may assert jurisdictional claims at any time).  
 5 Also see, United States v. Lo, 231 F.3d 971 (9th cir  
 6 2000), United States v. Barragan-Mendoza,  
 7 174 F.3d 1026 (9th Cir. 1999), and Sanchez v.  
 8 Pacific Powder Co., 147 F.3d 1057 (9th cir 1998).  
 9 (jurisdictional claims may be raised at any  
 10 time and at any stage of the proceedings).

11  
 12 Jurisdiction has not been conferred upon  
 13 this Court to conduct resentencing proceedings and  
 14 to enter an Amended Judgment of Conviction,  
 15 via the Writ of Mandamus (attached exhibit #),  
 16 entered by the Nevada Court of Appeals. Whereas,  
 17 no action can confer jurisdiction on a court  
 18 where none exists, see, Old Wayne v. McDonough,  
 19 204 U.S. 8 (1907),

20 Therefore, this Court "not only has the power  
 21 but also the obligation, at any time, to  
 22 inquire into jurisdiction whenever there exists  
 23 a possibility that jurisdiction does not exist  
 24 arises." See, Philbrook v. Gladgett, 421 U.S.  
 25 707.

26 Nonetheless, the Court of Appeals  
 27 Writ of Mandamus, at best, would only  
 28 preclude relief relative to the Defendants

1 Argument-C claims of his instant  
2 Petition For Writ of Error Coram Nobis.

3  
4 (2) Coram Nobis relief remains  
5 available to the Defendant in regard to  
6 his Argument-D claims, plead within the  
7 Instant Petition For Writ of Error Coram Nobis.  
8 Despite the August 15, 2018 Writ of Mandamus  
9 entered by the Nevada Court of Appeals.

10  
11 The August 15, 2018 Order Granting Petition  
12 (attached Exhibit #1), and Writ of -  
13 Mandamus (attached Exhibit #3), in no  
14 way impact, let alone render moot, the  
15 Defendant's Argument-D claims plead within  
16 the Instant Petition For Writ of Error Coram  
17 Nobis. Further, the State advances  
18 absolutely no argument, presents no evidence  
19 or authority relative to Defendant's  
20 Argument-D claims. Thus, the State has  
21 not shown that said Argument-D claims  
22 are either moot or without merit.

23 Nonetheless, each of the Defendant's  
24 Argument-D, subground claims are substantially  
25 supported by the record and are largely  
26 undisputable. The errors underlying the claims  
27 had rendered the Trial proceedings fundamentally  
28 unfair. Thus, relief is due the Defendant.

1 B. A Judgment of Acquittal remains  
2 the appropriate relief to apply, despite  
3 the findings of the Court of Appeals and its  
4 entry of a Writ of Mandamus.  
5

6 (1) Due to this Court's lack of  
7 personal jurisdiction which precludes this  
8 Court from drawing the Defendant into its  
9 adjudicative means, subsequent to the  
10 Defendant serving to completion and discharge  
11 on March 4, 2018, each of the six (6) decidedly  
12 "onerous" sentences imposed via this Court's  
13 now, decidedly invalid, November 27, 1996  
14 Judgment of Conviction. Therefore, in the  
15 absence of a valid Judgment of Conviction  
16 at this juncture and the Court's inability  
17 to enter an Amended Judgment of Conviction  
18 due to want of jurisdiction. The only  
19 reasonable way for this Court to comply  
20 with the requirements of NRS 176.105  
21 is to enter a Judgment of Acquittal.  
22

23 (2) A Judgment of Acquittal is the  
24 appropriate relief to grant relative to the  
25 Defendant's Argument-D claims. Whereas,  
26 a finding by this Court that said Argument-D  
27 claims are meritorious, would render the  
28 Writ of Mandamus entered by the Court of

Appeals to be utterly moot.

C. The state merely asserts bald allegations that the Defendants' Motion To Convert Proceedings To A Petition For Writ of Error Coram Nobis, and his Motion For Order Directing The State To File A Return, are moot.

The state fails to recognize that whether or not the Court converts the sentencing proceedings to a Petition For Writ of Error Coram Nobis or not, the Defendants' instant Petition For Writ of Error Coram Nobis has already been filed and must be considered by the Court. Therefore, such Motion is moot only in the sense that the Petition will proceed with or without the Courts granting of the motion.

The state further fails to see that despite their allegations regarding the Defendants' restraint in Case No. CR97-2077, the state has proffered no proof to support their claims. The filing of a Return setting out the true cause of the Petitioners restraint, is simply the accepted method to demonstrate whether a Petitioner is or is not in state custody, and the basis of current restraint if any. Of course such a Return would also serve to

1 prove whether or not the Defendant is  
 2 currently under restraint in the instant  
 3 case, whether the Defendant's claims that  
 4 his sentences imposed in the instant case  
 5 have been served to completion and discharge,  
 6 and whether the instant Petition For Writ of  
 7 Error Coram Nobis is an available remedy to  
 8 the Defendant,

9  
 10 III. Conclusion:

11  
 12 This Court must first explore its own  
 13 jurisdiction in this matter, and determine  
 14 whether it maintains jurisdiction to conduct  
 15 resentencing proceedings and to enter an  
 16 Amended Judgment of Conviction. Nonetheless,  
 17 the Defendant asserts that the entry of such  
 18 an Amended Judgment of Conviction would be  
 19 the only truly meet action for the Court  
 20 to undertake. Whereas, at this juncture there  
 21 is absolutely no benefit to be gained by such an  
 22 action by this Court. Because, at this juncture  
 23 this Court cannot possibly afford the  
 24 Defendant the relief or benefit contemplated  
 25 by the Post-Conviction Court, of the application  
 26 of fair and proportionate sentencing.  
 27 Nevertheless, this Court must consider  
 28 the Defendant's Coram Nobis claims and


1 determine the merits thereof, and  
 2 then fashion appropriate relief.

3  
 4 IV. Verification:

5  
 6 Under penalty of perjury the undersigned  
 7 hereby verifies that he has read the content  
 8 of the foregoing Reply, and that same is  
 9 true and correct  
 10 knowledge and belief of his own personal information.

11 The foregoing Reply does not contain  
 12 the Social Security Number of any person.

13 DATED this 30th day of August 2016.

14 By:   
 15 STEVEN FLOYD VOSS,  
 16 Defendant, in pro per.

17  
 18 CERTIFICATE OF SERVICE VIA U.S. MAIL

19  
 20 I, STEVEN FLOYD VOSS, do hereby certify that  
 21 on this 30th day of August 2016, that I mailed a  
 22 true and correct copy of the foregoing Reply,  
 23 addressed to:

24 JENNIFER P. NOBLE, ESQ (DDA)  
 25 % Washoe County District Attorney  
 26 Post Office Box # 11130

27 Reno, Nevada 89520-0027

28 By:   
 STEVEN FLOYD VOSS



INDEX OF ATTACHED EXHIBITS

1  
2  
3 Exhibit #1: ORDER GRANTING PETITION  
4 Court of Appeals of The State  
5 of Nevada, Case No. 74227,  
6  
7 filed August 15, 2018.

8  
9 Exhibit #2: NEVADA DEPARTMENT OF  
10 CORRECTIONS, INMATE REQUEST  
11 FORM, Dated February 27, 2018.

12  
13 Exhibit #3: WRIT OF MANDAMUS, Court of  
14 Appeals of The State of Nevada,  
15 Case No. 74227, filed  
16 August 15, 2018.

17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

EXHIBIT #1

## IN THE COURT OF APPEALS OF THE STATE OF NEVADA

STEVEN FLOYD VOSS,  
Petitioner,

vs.

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

Respondent,

and

THE STATE OF NEVADA,  
Real Party in Interest.

No. 74227

**FILED**

AUG 15 2018

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

*ORDER GRANTING PETITION*

This is a petition for extraordinary relief seeking an order directing the district court to vacate Steven Floyd Voss' November 27, 1996, judgment of conviction entered in district court case number CR96-1581 and enter an amended judgment of conviction in compliance with a district court order entered on August 9, 2001, that granted Voss' postconviction petition in part and ordered a new sentencing hearing. We ordered the real party in interest to file an answer on behalf of respondent.

The real party informs this court that although the district court granted Voss' petition in part and ordered a new sentencing hearing, Voss has not been resentenced. The real party, however, opposes the granting of extraordinary relief because Voss' petition "makes no sense" and he is seeking a non-existent remedy, and the district court improperly ordered a new sentencing hearing. The real party further asserts laches as a defense, asserting that on the face of the petition Voss "does not want a

new sentencing hearing due to the passage of time” and Voss has acquiesced in the conditions by waiting 17 years without ever showing any interest in getting a new sentencing hearing.

Voss filed a reply addressing the real party’s arguments. He also filed two other documents. Among other things, Voss informs this court that on February 26, 2018, he served to completion and discharged the sentences imposed in the November 27, 1996, judgment of conviction entered in district court case number CR96-1581. Voss asserts that because he never received a new sentencing hearing, the only equitable relief available is to vacate the judgment of conviction entered in CR96-1581 and enter a judgment of acquittal.


The record clearly demonstrates the district court did not conduct a resentencing as required by the August 9, 2001, order granting Voss’ petition in part or enter an amended judgment of conviction. As a result, there is currently no valid judgment of conviction entered in CR96-1581.<sup>1</sup> Further, it appears Voss does not have a plain, speedy, and adequate remedy available to him. Accordingly, we conclude mandamus relief is warranted. *See* NRS 34.160; NRS 34.170. We disagree, however, that entry of a judgment of acquittal is appropriate because, in granting Voss’ petition in part, the district court did not find the conviction itself was invalid; rather, the district court only determined there were errors at sentencing. Instead, we conclude resentencing, as originally ordered in the August 9, 2001, order, and entry of an amended judgment of conviction is the relief

---


<sup>1</sup>We note that although there is no valid judgment in CR96-1581, Voss has not been subject to illegal restraint because since 1998 he has also been held and been serving a concurrent prison term of life without the possibility of parole pursuant to a judgment of conviction entered in district court case number CR97-2077.

warranted. We reject the real party's assertion that laches should preclude granting relief because it is the State's responsibility, not the defendant's, to ensure a defendant is legally convicted and sentenced. *See State v. Loveless*, 62 Nev. 17, 24, 136 P.2d 236, 239 (1943). Further, we conclude that any challenge to the district court's decision to grant a new sentencing hearing was waived by the State's failure to challenge this decision on cross-appeal in Docket No. 38373. Therefore, we

ORDER the petition GRANTED AND DIRECT THE CLERK OF THIS COURT TO ISSUE A WRIT OF MANDAMUS instructing the district court to resentence Voss and enter an amended judgment of conviction in CR96-1581.<sup>2</sup>

 C.J.  
Silver

 J.  
Tao

 J.  
Gibbons

cc: Chief Judge, Second Judicial District Court  
Steven Floyd Voss  
Attorney General/Carson City  
Washoe County District Attorney  
Washoe District Court Clerk

---

<sup>2</sup>Voss shall be credited with all time he has served pursuant to the invalid judgment of conviction entered in CR96-1581.





EXHIBIT #2

EXHIBIT #2



## INMATE REQUEST FORM

1.) INMATE NAME	DOC #	2.) HOUSING UNIT	3.) DATE
VOSS, STEVEN F.	52094	2C - 6E	08-27-2018

4.) REQUEST FORM TO: (CHECK BOX)

☒ CASEWORKER      ☐ MEDICAL      ☐ MENTAL HEALTH      ☐ CANTEEN

☐ EDUCATION      ☐ VISITING      ☐ LAW LIBRARY      ☐ DENTAL

☐ LAUNDRY      ☐ PROPERTY ROOM      ☐ SHIFT COMMAND      ☐ OTHER \_\_\_\_\_

5.) NAME OF INDIVIDUAL TO CONTACT: Unit #2, Caseworker

6.) REQUEST: (PRINT BELOW) I am informed that on February 26, 2018, that I expired and discharged the last of the six (6) sentences imposed pursuant to the November 27, 1996 Judgment of Conviction entered in Washoe County District Court Case No. CR96-1581; and that at present date, I am restrained pursuant to Murder and Kidnapping Convictions as set out within the January 30, 2004 Corrected Amended Judgment of Conviction entered in Washoe County District Court, Case No. CR97-2077.

Please verify whether such facts are true and correct.

7.) INMATE SIGNATURE [Signature] DOC # 52094

8.) RECEIVING STAFF SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

## 9.) RESPONSE TO INMATE

CR 961581 expired 3/4/18. -

Voss is serving time currently under CR97-2077. -

10.) RESPONDING STAFF SIGNATURE C. J. Buchanan DATE 3/5/18





EXHIBIT #3

EXHIBIT #3



## IN THE COURT OF APPEALS OF THE STATE OF NEVADA

STEVEN FLOYD VOSS,  
Petitioner,

No. 74227

vs.

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

Respondent,

and

THE STATE OF NEVADA,  
Real Party in Interest.

WRIT OF MANDAMUS

TO: The Honorable Scott Freeman, Chief Judge of the Second  
Judicial District Court:

WHEREAS, this Court having made and filed its written decision  
that a writ of mandamus issue,

NOW, THEREFORE, you are instructed to resentence Voss and enter  
an amended judgment of conviction, in the case entitled Steven Floyd Voss  
v. The State of Nevada, case no. CR961581.

WITNESS The Honorables Abbi Silver, Chief Judge, Jerome Tao, and  
Michael Gibbons, Associate Judges of the Court of Appeals of the State of  
Nevada, and attested by my hand and seal this 15th day of August, 2018.



*Harriet*  
*summers*  
Chief Assistant Clerk



SUPREME COURT OF NEVADA  
OFFICE OF THE CLERK  
ELIZABETH A. BROWN, CLERK  
201 SOUTH CARSON STREET, SUITE 201  
CARSON CITY, NEVADA 89701-4702

Telephone  
(775) 684-1600

***IN THE COURT OF APPEALS OF THE STATE OF NEVADA***  
***CLERK'S CERTIFICATE***

***STATE OF NEVADA, ss.***

***I, ELIZABETH A. BROWN, the duly appointed and qualified Clerk of the  
Supreme Court of said State of Nevada, do hereby certify that***

***I served upon the honorable Scott Freeman, Chief Judge of the Second  
Judicial District Court, the Writ of Mandamus issued by the Court of Appeals in Docket  
No. 74227, Steven Floyd Voss v. The State of Nevada, by mailing a copy thereof by first  
class mail to the following address:***

***Hon. Scott Freeman, Chief Judge***

***Second Judicial District Court***

***75 Court Street***

***Reno, NV 89501***

***IN WITNESS WHEREOF, I have hereunto set my hand  
and affixed the seal of said Supreme Court, at my office  
in Carson City, Nevada, this 15th day of August, 2018.***

***ELIZABETH A. BROWN***  
***Clerk of the Supreme Court of the State of Nevada***

***By:***

***Chief Assistant Clerk***

A handwritten signature in cursive script, appearing to read "Harriet", is written over a horizontal line. The signature is in dark ink.

1 CODE #3340  
CHRISTOPHER J. HICKS  
2 #7747  
P.O. Box 11130  
3 Reno, Nevada 89520-0027  
(775) 328-3200  
4 Attorney for Plaintiff

5 IN THE SECOND JUDICIAL DISTRICT OF THE STATE OF NEVADA  
6  
7 IN AND FOR THE COUNTY OF WASHOE

8 \*\*\*

9 THE STATE OF NEVADA,

10 Plaintiff,

11 v.

Case No. CR96-1581

12 STEVEN FLOYD VOSS,

Dept. No. 01

13 Defendant.

14 \_\_\_\_\_/  
15 ORDER TO PRODUCE PRISONER

16 IT APPEARING to the satisfaction of the above-entitled  
17 Court that it is necessary that the Defendant above named,  
18 STEVEN FLOYD VOSS #52094, presently incarcerated in the High  
19 Desert State Prison, Indian Springs, Nevada, be brought before  
20 the Second Judicial District Court for a hearing in the above-  
21 entitled action.

22 NOW, THEREFORE, IT IS HEREBY ORDERED that the Warden of the  
23 High Desert State Prison, Indian Springs, Nevada, bring the said  
24 STEVEN FLOYD VOSS before the Second Judicial District Court on

1 November 20, 2018, at 1:30 p.m., for a hearing in the above-  
2 entitled action, and from time to time thereafter at such time  
3 and places as may be ordered and directed by the Court for such  
4 proceedings as thereafter may be necessary and proper in the  
5 premises.

6  
7 DATED this 4<sup>th</sup> day of September, 2018.

8  
9   
10 DISTRICT JUDGE  
11  
12  
13  
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17  
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20  
21  
22  
23  
24

**Return Of NEF****Recipients**

**JENNIFER NOBLE, ESQ.** - Notification received on 2018-09-05 10:34:55.764.

**MAIZIE PUSICH, ESQ.** - Notification received on 2018-09-05 10:34:55.826.

**AMOS STEGE, ESQ.** - Notification received on 2018-09-05 10:34:55.795.

**DIV. OF PAROLE & PROBATION** - Notification received on 2018-09-05 10:34:55.732.

**\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\***  
**PROOF OF SERVICE OF ELECTRONIC FILING**

-

**A filing has been submitted to the court RE:** CR96-1581

**Judge:**

HONORABLE KATHLEEN DRAKULICH

**Official File Stamp:**

09-05-2018:10:33:44

**Clerk Accepted:**

09-05-2018:10:34:22

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. STEVEN FLOYD VOSS (D1)

**Document(s) Submitted:**

Ord to Produce Prisoner

**Filed By:**

Judicial Asst. DKent

You may review this filing by clicking on the following link to take you to your cases.

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-

If service is not required for this document (e.g., Minutes), please disregard the below language.

**The following people were served electronically:**

AMOS R. STEGE, ESQ. for STATE OF NEVADA  
JENNIFER P. NOBLE, ESQ. for STATE OF  
NEVADA  
DIV. OF PAROLE & PROBATION  
MAIZIE WHALEN PUSICH, ESQ. for STEVEN  
FLOYD VOSS

**The following people have not been served electronically and must be served by traditional means** (see Nevada Electronic Filing Rules.):

EGAN K. WALKER, ESQ. for STATE OF  
NEVADA  
STATE OF NEVADA for STATE OF NEVADA

STEVEN FLOYD VOSS for STEVEN FLOYD  
VOSS

DC-0900097445-004  
CR96-1581  
STATE VS. STEVEN FLOYD VOSS  
District Court  
Washoe County  
09/10/2018 11:57 AM  
3860

1 STEVEN FLOYD VOSS #52094

FILED

2 High Desert State Prison

2018 SEP 10 AM 11:57

3 Post Office Box #650

4 Indian Springs, Nevada 89070

JACQUELINE BRYANT  
CLERK OF THE COURT  
BY: *[Signature]*  
DEPUTY

5  
6 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
7 IN AND FOR THE COUNTY OF WASHOE  
8

9 THE STATE OF NEVADA,

Case No. CR96-1581

10 Plaintiff,

Dept. No. 1

11 V.

12 STEVEN FLOYD VOSS,

REQUEST FOR SUBMISSION13 Defendant,  
14

15 COMES NOW Defendant, STEVEN FLOYD VOSS, by and through  
16 his proper person, and hereby requests that his Motion  
17 titled as: Pre-Sentencing Motion To Dismiss Act Based upon Want  
18 of Jurisdiction filed on August 28, 2018, be  
19 submitted to the Court for decision, the Respondent not  
20 having filed a Response in opposition to said Motion,  
21 or served same upon the Defendant.


22 The foregoing Request For Submission does not  
23 contain the Social Security Number of any person.  
24 DATED this 7th day of ~~August~~ <sup>September</sup> 2018.

25 By: *[Signature]*  
26 STEVEN FLOYD VOSS,  
27 Defendant, in Pro. Per.  
28



CERTIFICATE OF SERVICE VIA U.S. MAIL

I, STEVEN FLOYD VOSS, do hereby certify  
that on this 7th day of September 2018, that  
I mailed a true and correct copy of the  
foregoing, Request For Submission, addressed to:  
TERENCE P. MCCARTHY, ESQ (DDA)  
% Washoe County District Attorney  
Post Office Box # 11130  
Reno, Nevada 89520 - 0027

By:   
STEVEN FLOYD VOSS

11/

11/

11/

CR96-1581  
DC-09900087462-142  
STATE VS. STEVEN FLOYD VOSS 2 Pages  
District Court 10/09/2018 03:56 PM  
Washoe County 2525

FILED

OCT-9 PM 3:56

JACQUELINE BRYANT  
CLERK OF THE COURT

BY

DEPUTY

1 STEVEN FLOYD VOSS #52094

2 Northern Nevada Correctional Center

3 Post Office Box #7000

4 Carson City, Nevada 89702-7000

5

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

8

9 THE STATE OF NEVADA,  
10 Plaintiff,

Case No. CR96-1581  
Dept. No 1.

11 VS.

12 STEVEN FLOYD VOSS,  
13 Defendant.

NOTICE OF CHANGE OF  
MAILING ADDRESS

14

15

16 NOTICE IS HEREBY GIVEN, that there has been  
17 a change in the Defendants place of confinement,  
18 and that he is presently incarcerated at the  
19 Northern Nevada Correctional Center, Post Office Box  
20 #7000, Carson City, Nevada 89702-7000.

21 Please send all future correspondence to  
22 the Defendant to said address.

23 The foregoing document does not contain the  
24 Social Security Number of any person.

25 DATED this 3rd day of September 2018.

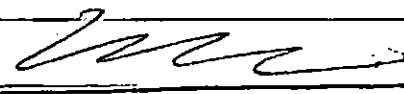
26 By: 

27 STEVEN FLOYD VOSS,  
28 Defendant.

CERTIFICATE OF SERVICE VIA U.S. MAIL

I, STEVEN FLOYD VOSS, do hereby certify that on this 3rd day of September 2018, that I mailed a true and correct copy of the foregoing Notice of Change of Mailing Address, addressed to:

TERRENCE P. MCCARTHY, Esq.  
% Washoe County District Attorney  
Post Office Box # 11136  
Reno, Nevada 89520-0027

By:   
STEVEN FLOYD VOSS

## IN THE COURT OF APPEALS OF THE STATE OF NEVADA

STEVEN FLOYD VOSS,  
Petitioner,  
vs.  
THE SECOND JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
WASHOE,  
Respondent,  
and  
THE STATE OF NEVADA,  
Real Party in Interest.

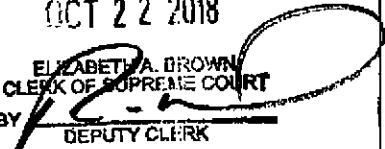
No. 74227

CR96-1581

D1

FILED

OCT 22 2018

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

## ORDER DENYING REHEARING

Rehearing denied. NRAP 40(c).

It is so ORDERED.<sup>1</sup>

C.J.

Silver



J.

Tao



J.

Gibbons

cc: Steven Floyd Voss  
Attorney General/Carson City  
Washoe County District Attorney  
Washoe District Court Clerk

<sup>1</sup>We deny petitioner's emergency motion to stay issuance of the writ of mandamus.

**Return Of NEF****Recipients**

**JENNIFER NOBLE, ESQ.** - Notification received on 2018-10-23 14:30:49.921.

**MAIZIE PUSICH, ESQ.** - Notification received on 2018-10-23 14:30:50.233.

**AMOS STEGE, ESQ.** - Notification received on 2018-10-23 14:30:49.952.

**DIV. OF PAROLE & PROBATION** - Notification received on 2018-10-23 14:30:49.874.

**\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\***  
**PROOF OF SERVICE OF ELECTRONIC FILING**

-

**A filing has been submitted to the court RE:** CR96-1581

**Judge:**

HONORABLE KATHLEEN DRAKULICH

**Official File Stamp:**

10-23-2018:14:29:07

**Clerk Accepted:**

10-23-2018:14:30:05

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. STEVEN FLOYD VOSS (D1)

**Document(s) Submitted:**

Supreme Court Order Denying

**Filed By:**

Deputy Clerk YViloria

You may review this filing by clicking on the following link to take you to your cases.

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-

If service is not required for this document (e.g., Minutes), please disregard the below language.

**The following people were served electronically:**

AMOS R. STEGE, ESQ. for STATE OF NEVADA  
MAIZIE WHALEN PUSICH, ESQ. for STEVEN  
FLOYD VOSS  
DIV. OF PAROLE & PROBATION  
JENNIFER P. NOBLE, ESQ. for STATE OF  
NEVADA

**The following people have not been served electronically and must be served by traditional means** (see Nevada Electronic Filing Rules.):

STEVEN FLOYD VOSS for STEVEN FLOYD  
VOSS  
STATE OF NEVADA for STATE OF NEVADA

EGAN K. WALKER, ESQ. for STATE OF  
NEVADA

CR96-1581  
DC-0900087568-014  
STATE VS. STEVEN FLOYD VOSS 2 Pages  
District Court 10/29/2018 04:26 PM  
Washoe County 3860

STEVEN FLOYD VOSS #52094  
Northern Nevada Corrections Center  
Post Office Box 7000 7000  
Carson City, Nevada 89702-7000

FILED

2018 OCT 29 PM 4:26

JACQUELINE GUYANT  
CLERK OF THE COURT

DEPUTY

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

STEVEN FLOYD VOSS

Plaintiff  
Petitioner

vs

ISIDRO BAEZ et al

Respondent

Respondent

Case No: CR96-1581 D1REQUEST FOR SUBMISSIONComes now, Plaintiff, Petitioner (hereinafter "Plaintiff"),

appearing in proper person, and files this Request for Submission, in the above entitled action.

This Request is made pursuant to District Court Rules, whereas, Plaintiff respectfully  
request that his Petition for Writ of Habeas Corpus  
filed on October 18, 2018, be

submitted to the appropriate Honorable Court for a review and a decision.

Dated this 28th day of October, 2018

STEVEN FLOYD VOSS  
Proper Person Plaintiff  
Petitioner



AFFIRMATION

Pursuant to NRS 239-030, I STEVEN FLOYD VOSS, do hereby affirm that the foregoing, REQUEST FOR SUBMISSION, filed in Case No. GR97-2077, does not contain the Social Security Number of any person.

DATED this 28th day of October 2018

By: [Signature]  
STEVEN FLOYD VOSS,  
Petitioner, in pro per.

CERTIFICATE OF SERVICE VIA U.S. MAIL

I, STEVEN FLOYD VOSS, do hereby certify that on this 28th day of October 2018, that I mailed a true and correct copy of the foregoing Request For Submission, addressed to:

TERRENCE P. McARTHUR (DDA)  
% Washoe County District Attorney  
Post Office Box # 11130  
Reno, Nevada 89520-0027

By: [Signature]  
STEVEN FLOYD VOSS

1  
2  
3  
4  
5  
6 **IN THE SECOND JUDICIAL DISTRICT COURT OF**  
7 **THE STATE OF NEVADA IN AND FOR THE**  
8 **COUNTY OF WASHOE**

9 STATE OF NEVADA,

10 Plaintiff,

11 v.

CASE NO.: CR96-1581

12 STEVEN FLOYD VOSS,

DEP. NO.: 1

13 Defendant.  
14 \_\_\_\_\_/

15 **ORDER DENYING PRE-SENTENCING MOTION TO DISMISS ACTION**  
16 **BASED ON WANT OF JURISDICTION**

17 Currently before the Court is a *Pre-Sentencing Motion to Dismiss Action Based on Want of*  
18 *Jurisdiction* ("Motion") filed by Steven Floyd Voss ("Voss") on August 30, 2018. Voss submitted  
19 the Motion to the Court for consideration on September 10, 2018.

20 Prior to the filing of the Motion, on August 29, 2018, Washoe County Public Defender  
21 Maizie Pusich entered an appearance on behalf of Voss. Accordingly, Voss is represented by  
22 counsel and the Motion is a fugitive document and improperly filed. The Motion can be refiled by  
23 Defendant's counsel or refiled by Defendant following a showing that he is no longer represented  
24 by counsel.

25 ///

26 ///

27 ///

Accordingly, and good cause appearing,

IT IS HEREBY ORDERED that the Pre-Sentencing Motion to Dismiss Action Based on  
Want of Jurisdiction is hereby DENIED.

Dated this 6<sup>th</sup> day of November, 2018.

  
KATHLEEN DRAKULICH  
DISTRICT JUDGE

**CERTIFICATE OF SERVICE**

CASE NO. CR96-1581

I certify that I am an employee of the SECOND JUDICIAL DISTRICT COURT of the STATE OF NEVADA, COUNTY OF WASHOE; that on the 16<sup>th</sup> day of November, 2018, I electronically filed the **ORDER DENYING PRE-SENTENCING MOTION TO DISMISS ACTION BASED ON WANT OF JURISDICTION** with the Clerk of the Court by using the ECF system.

I further certify that I transmitted a true and correct copy of the foregoing document by the method(s) noted below:

**Electronically filed with the Clerk of the Court by using the ECF system which will send a notice of electronic filing to the following:**

DIV. OF PAROLE &amp; PROBATION

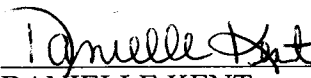
MAIZIE PUSICH, ESQ. for STEVEN FLOYD VOSS

AMOS STEGE, ESQ. for STATE OF NEVADA

JENNIFER NOBLE, ESQ. for STATE OF NEVADA

**Deposited to the Second Judicial District Court mailing system in a sealed envelope for postage and mailing by Washoe County using the United States Postal Service in Reno, Nevada:**

STEVEN FLOYD VOSS (#52094)  
NNCC  
P.O. BOX 7000  
CARSON CITY, NEVADA 89702

  
DANIELLE KENT  
Department 1 Judicial Assistant

**Return Of NEF****Recipients**

**JENNIFER NOBLE, ESQ.** - Notification received on 2018-11-06 13:18:50.982.

**MAIZIE PUSICH, ESQ.** - Notification received on 2018-11-06 13:18:51.028.

**AMOS STEGE, ESQ.** - Notification received on 2018-11-06 13:18:51.013.

**DIV. OF PAROLE & PROBATION** - Notification received on 2018-11-06 13:18:50.935.

**\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\***  
**PROOF OF SERVICE OF ELECTRONIC FILING**

-

**A filing has been submitted to the court RE:** CR96-1581

**Judge:**

HONORABLE KATHLEEN DRAKULICH

**Official File Stamp:**

11-06-2018:13:16:11

**Clerk Accepted:**

11-06-2018:13:18:17

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. STEVEN FLOYD VOSS (D1)

**Document(s) Submitted:**

Ord Denying Motion

**Filed By:**

Judicial Asst. DKent

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

**The following people were served electronically:**

DIV. OF PAROLE & PROBATION  
AMOS R. STEGE, ESQ. for STATE OF NEVADA  
JENNIFER P. NOBLE, ESQ. for STATE OF  
NEVADA  
MAIZIE WHALEN PUSICH, ESQ. for STEVEN  
FLOYD VOSS

**The following people have not been served electronically and must be served by traditional means** (see Nevada Electronic Filing Rules.):

EGAN K. WALKER, ESQ. for STATE OF  
NEVADA  
STATE OF NEVADA for STATE OF NEVADA

STEVEN FLOYD VOSS for STEVEN FLOYD  
VOSS

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

STEVEN FLOYD VOSS,

Petitioner,

v.

CASE NO.: CR96-1581

STATE OF NEVADA,

DEPT. NO.: 1

Respondent.

**ORDER DENYING CORAM NOBIS PLEADINGS**

Currently before the Court are the following pleadings filed by Steven Floyd Voss ("Petitioner") on May 10, 2018:

1. *(First Amended) Motion to Convert Proceedings to a Petition for Writ of Error Coram Nobis* ("Motion");
2. *(First Amended) Petition for a Writ of Error Coram Nobis* ("Petition"); and
3. *(First Amended) Motion for Order Directing Respondent to File a Return to the Petitioner's Petition for a Writ of Error Coram Nobis.*

These pleadings are collectively referred to as the "Coram Nobis Pleadings."

**I. Relevant Procedural History**

On July 9, 2018, this Court issued an *Order to Respond* providing Respondent, State of Nevada, with forty-five (45) days to answer or otherwise respond. On August 23, 2018, the State filed its *Omnibus Response* to "*(First Amended) Motion to Convert Proceedings to a Petition for Writ of Error Coram Nobis*"; "*(First Amended) Petition for a Writ of Error Coram Nobis*"; and "*(First Amended) Motion for Order Directing Respondent to File a Return to the Petitioner's*



1 *Petition for a Writ of Error Coram Nobis* ("Response"). On August 30, 2018, Petitioner submitted  
2 his *Petition for Writ of Error Coram Nobis* to this Court for consideration indicating that the State  
3 had not filed a response, but thereafter, on September 4, 2018, the Petitioner filed *Defendant's Reply*  
4 *to State's Omnibus Response to Defendant's (sic) First Amended Motion to Convert Proceedings to*  
5 *a Petition for Writ of Coram Nobis, First Amended Petition for Writ of Error Coram Nobis, and*  
6 *First Amended Motion for Order Directing Respondent to File a Return to Petition for Writ of Error*  
7 *Coram Nobis*. Petitioner has not resubmitted the Coram Nobis Pleadings, but since they are fully  
8 briefed this Court undertakes consideration of them.

9 In 1996, Petitioner was convicted by a jury of six (6) felonies as follows: Burglary, two  
10 counts of Uttering a Forged Instrument, two counts of Forgery and Attempted Theft. Thereafter,  
11 Petitioner was sentenced and on November 27, 1996 a judgment of conviction was entered. On  
12 August 9, 2001, the district court granted in part Petitioner's request for an amended judgment of  
13 conviction requiring that the Petitioner be resentenced. On August 15, 2018, the Court of Appeals  
14 of the State of Nevada ("Court of Appeals") in its Order Granting Petition, found that Petitioner had  
15 never been resentenced, granted Petitioner's request for extraordinary relief and ordered the district  
16 court to vacate the November 27, 1996 judgment of conviction, resentence Petitioner and enter an  
17 amended judgment of conviction to reflect the new sentence. Nev. App. Ct. Case No. 74227. In  
18 his request for relief, Petitioner asserted that because he never received a new sentencing hearing,  
19 the only equitable relief available was to vacate the judgment of conviction entered in CR96-1581  
20 and enter a judgment of acquittal. The Court of Appeals disagreed that a judgment of acquittal is  
21 appropriate since, when issuing its order on August 9, 2001, the district court did not find that the  
22 conviction itself was invalid; rather, the district court only determined there were errors at  
23 sentencing. *Id.* at 2. Accordingly, the Court of Appeals concluded that resentencing, as originally  
24 ordered on August 9, 2001, and entry of an amended judgment of conviction is the relief warranted.  
25 *Id.* The Court of Appeals further noted that Petitioner had not been subject to illegal restraint  
26 because since 1998, he was serving a concurrent prison term of life without the possibility of parole  
27 pursuant to a judgment of conviction entered in district court case number CR97-2077. *Id.*

28 ///

1           **II.     Discussion**

2           The Motion and Petition are based on the same argument, namely that this Court lacks  
3 jurisdiction because Petitioner has “served to completion” the sentence in this case and been  
4 “discharged” by the Nevada Department of Corrections on “each of the six (6), decidedly ‘onerous’,  
5 [sic] sentences imposed upon him in the instant case, via this Court’s now infamous November 27,  
6 1996 *Judgment of Conviction*...Thus, the Defendant no longer being restrained pursuant to said  
7 Judgment of Conviction, hereby moves the Court to convert the presently pending re-sentencing  
8 Proceedings and Motions...to a Petition For Writ of Error Coram Nobis.” Mot. at 3:2-17. The  
9 Motion and Petition further aver that even though this Court has lost jurisdiction due to Petitioner  
10 having served the underlying sentence, this Court retains jurisdiction for the purpose of granting  
11 Petitioner’s request for equitable relief, namely vacating with prejudice the November 27, 1996,  
12 judgment of conviction and entering a judgment of acquittal. Mot. at 7:1-20.

13           In the Response, the State argues that because the Court of Appeal’s Order Granting Petition  
14 addresses the issues set forth in the Coram Nobis Pleadings, this Court should deny the Coram Nobis  
15 Pleadings as moot. Resp. at 5:1-7. In particular, the State refers to the Court of Appeal’s findings  
16 that 1) judgment of acquittal is not appropriate since the district court did not find Petitioner’s  
17 conviction invalid; 2) resentencing and entry of an amended judgment of acquittal is warranted; and  
18 3) the Petitioner was not illegally restrained given his conviction in another case in which he is  
19 serving a sentence of life without the possibility of parole. Resp. at 4:2-24.

20           In the Reply, Petitioner contends that the State’s Response is based on unsupported factual  
21 allegations and irrelevant matters, but does not identify any such language in the Response. Reply  
22 at 2:12-24. The Reply further states that the Court of Appeals failed to address Petitioner’s argument  
23 that the district court is divested of jurisdiction since there has been an “expiration and discharge”  
24 of the underlying sentence in this case and the State had not addressed this either. Reply at 6:11-  
25 28. The Reply contends that without jurisdiction, the district court must enter a judgment of  
26 acquittal. Reply at 7:1-28.


27           This Court finds that the issues raised in the Coram Nobis Pleadings are the same issues that  
28 Petitioner raised in his petition for extraordinary relief that was the subject of the Order Granting

1 Petition rendered by the Court of Appeals. As such, the Court of Appeals has previously considered  
2 each of these issues and therefore, this Court finds the issues raised in the Coram Nobis Pleadings  
3 moot. In accordance with the direction from the Court of Appeals, this Court will resentence the  
4 Petitioner and enter an amended judgment of conviction.

5 Accordingly, and good cause appearing,

6 IT IS HEREBY ORDERED that the relief sought by Petitioner in his *(First Amended)*  
7 *Motion to Convert Proceedings to a Petition for Writ of Error Coram Nobis, (First Amended)*  
8 *Petition for a Writ of Error Coram Nobis and (First Amended) Motion for Order Directing*  
9 *Respondent to File a Return to the Petitioner's Petition for a Writ of Error Coram Nobis* is  
10 DENIED.

11 Dated this 8<sup>th</sup> day of November, 2018.

12  
13   
14 KATHLEEN DRAKULICH  
15 DISTRICT JUDGE  
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**CERTIFICATE OF SERVICE**

CASE NO. CR96-1581

I certify that I am an employee of the SECOND JUDICIAL DISTRICT COURT of the STATE OF NEVADA, COUNTY OF WASHOE; that on the 8<sup>th</sup> day of November, 2018, I electronically filed the **ORDER DENYING CORAM NOBIS PLEADINGS** with the Clerk of the Court by using the ECF system.

I further certify that I transmitted a true and correct copy of the foregoing document by the method(s) noted below:

**Electronically filed with the Clerk of the Court by using the ECF system which will send a notice of electronic filing to the following:**

DIV. OF PAROLE &amp; PROBATION

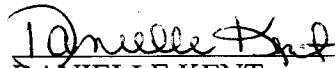
MAIZIE PUSICH, ESQ. for STEVEN FLOYD VOSS

AMOS STEGE, ESQ. for STATE OF NEVADA

JENNIFER NOBLE, ESQ. for STATE OF NEVADA

**Deposited to the Second Judicial District Court mailing system in a sealed envelope for postage and mailing by Washoe County using the United States Postal Service in Reno, Nevada:**

STEVEN FLOYD VOSS (#52094)  
NNCC  
P.O. BOX 7000  
CARSON CITY, NEVADA 89702

  
DANIELLE KENT  
Department 1 Judicial Assistant

**Return Of NEF****Recipients**

**JENNIFER NOBLE, ESQ.** - Notification received on 2018-11-08 12:17:02.543.

**MAIZIE PUSICH, ESQ.** - Notification received on 2018-11-08 12:17:02.59.

**AMOS STEGE, ESQ.** - Notification received on 2018-11-08 12:17:02.574.

**DIV. OF PAROLE & PROBATION** - Notification received on 2018-11-08 12:17:02.496.

**\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\***  
**PROOF OF SERVICE OF ELECTRONIC FILING**

-

**A filing has been submitted to the court RE:** CR96-1581

**Judge:**

HONORABLE KATHLEEN DRAKULICH

**Official File Stamp:**

11-08-2018:12:15:52

**Clerk Accepted:**

11-08-2018:12:16:32

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. STEVEN FLOYD VOSS (D1)

**Document(s) Submitted:**

Ord Denying

**Filed By:**

Judicial Asst. DKent

You may review this filing by clicking on the following link to take you to your cases.

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-

If service is not required for this document (e.g., Minutes), please disregard the below language.

**The following people were served electronically:**

DIV. OF PAROLE & PROBATION  
AMOS R. STEGE, ESQ. for STATE OF NEVADA  
JENNIFER P. NOBLE, ESQ. for STATE OF  
NEVADA  
MAIZIE WHALEN PUSICH, ESQ. for STEVEN  
FLOYD VOSS

**The following people have not been served electronically and must be served by traditional means** (see Nevada Electronic Filing Rules.):

EGAN K. WALKER, ESQ. for STATE OF  
NEVADA  
STATE OF NEVADA for STATE OF NEVADA

STEVEN FLOYD VOSS for STEVEN FLOYD  
VOSS

**CODE 2540**

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

**STATE OF NEVADA,**

**Plaintiff,**

**Case No: CR96-1581**

**vs.**

**Dept. No: 1**

**STEVEN FLOYD VOSS,**

**Defendant.**

\_\_\_\_\_ /

**NOTICE OF ENTRY OF ORDER**

PLEASE TAKE NOTICE that on November 8, 2018 the Court entered a decision or order in this matter, a true and correct copy of which is attached hereto.

You may appeal to the Supreme Court from the decision or Order of the Court. If you wish to appeal, you must file a Notice of Appeal with the Clerk of this Court within thirty-three (33) days after the date this notice is mailed to you.

Dated November 8, 2018.

\_\_\_\_\_  
JACQUELINE BRYANT

Clerk of the Court

\_\_\_\_\_  
/s/N. Mason

Deputy Clerk



**CERTIFICATE OF SERVICE**

Case No. CR96-1581

Pursuant to NRCP 5 (b), I certify that I am an employee of the Second Judicial District Court; that on November 8, 2018, I electronically filed the Notice of Entry of Order with the Court System which will send a notice of electronic filing to the following:

DIV. OF PAROLE & PROBATION

AMOS R. STEGE, ESQ. for STATE OF NEVADA

JENNIFER P. NOBLE, ESQ. for STATE OF NEVADA

MAIZIE WHALEN PUSICH, ESQ. for STEVEN FLOYD VOSS

I further certify that on November 8, 2018, I deposited in the Washoe County mailing system for postage and mailing with the U.S. Postal Service in Reno, Nevada, a true copy of the attached document, addressed to:

Attorney General's Office  
100 N. Carson Street  
Carson City, NV 89701-4717

Steven Floyd Voss #52094  
Northern Nevada Correctional Center  
P. O. Box 7000  
Carson City, NV 89702

The undersigned does hereby affirm that pursuant to NRS 239B.030 and NRS 603A.040, the preceding document does not contain the personal information of any person.

Dated November 8, 2018.

\_\_\_\_\_  
/s/N. Mason  
Deputy Clerk

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

STEVEN FLOYD VOSS,

Petitioner,

v.

CASE NO.: CR96-1581

STATE OF NEVADA,

DEPT. NO.: 1

Respondent.

**ORDER DENYING CORAM NOBIS PLEADINGS**

Currently before the Court are the following pleadings filed by Steven Floyd Voss ("Petitioner") on May 10, 2018:

1. *(First Amended) Motion to Convert Proceedings to a Petition for Writ of Error Coram Nobis* ("Motion");
2. *(First Amended) Petition for a Writ of Error Coram Nobis* ("Petition"); and
3. *(First Amended) Motion for Order Directing Respondent to File a Return to the Petitioner's Petition for a Writ of Error Coram Nobis.*

These pleadings are collectively referred to as the "Coram Nobis Pleadings."

**I. Relevant Procedural History**

On July 9, 2018, this Court issued an *Order to Respond* providing Respondent, State of Nevada, with forty-five (45) days to answer or otherwise respond. On August 23, 2018, the State filed its *Omnibus Response* to "*(First Amended) Motion to Convert Proceedings to a Petition for Writ of Error Coram Nobis*"; "*(First Amended) Petition for a Writ of Error Coram Nobis*"; and "*(First Amended) Motion for Order Directing Respondent to File a Return to the Petitioner's*

1 *Petition for a Writ of Error Coram Nobis* ("Response"). On August 30, 2018, Petitioner submitted  
2 his *Petition for Writ of Error Coram Nobis* to this Court for consideration indicating that the State  
3 had not filed a response, but thereafter, on September 4, 2018, the Petitioner filed *Defendant's Reply*  
4 *to State's Omnibus Response to Defendant's (sic) First Amended Motion to Convert Proceedings to*  
5 *a Petition for Writ of Coram Nobis, First Amended Petition for Writ of Error Coram Nobis, and*  
6 *First Amended Motion for Order Directing Respondent to File a Return to Petition for Writ of Error*  
7 *Coram Nobis*. Petitioner has not resubmitted the Coram Nobis Pleadings, but since they are fully  
8 briefed this Court undertakes consideration of them.

9 In 1996, Petitioner was convicted by a jury of six (6) felonies as follows: Burglary, two  
10 counts of Uttering a Forged Instrument, two counts of Forgery and Attempted Theft. Thereafter,  
11 Petitioner was sentenced and on November 27, 1996 a judgment of conviction was entered. On  
12 August 9, 2001, the district court granted in part Petitioner's request for an amended judgment of  
13 conviction requiring that the Petitioner be resentenced. On August 15, 2018, the Court of Appeals  
14 of the State of Nevada ("Court of Appeals") in its Order Granting Petition, found that Petitioner had  
15 never been resentenced, granted Petitioner's request for extraordinary relief and ordered the district  
16 court to vacate the November 27, 1996 judgment of conviction, resentence Petitioner and enter an  
17 amended judgment of conviction to reflect the new sentence. Nev. App. Ct. Case No. 74227. In  
18 his request for relief, Petitioner asserted that because he never received a new sentencing hearing,  
19 the only equitable relief available was to vacate the judgment of conviction entered in CR96-1581  
20 and enter a judgment of acquittal. The Court of Appeals disagreed that a judgment of acquittal is  
21 appropriate since, when issuing its order on August 9, 2001, the district court did not find that the  
22 conviction itself was invalid; rather, the district court only determined there were errors at  
23 sentencing. *Id.* at 2. Accordingly, the Court of Appeals concluded that resentencing, as originally  
24 ordered on August 9, 2001, and entry of an amended judgment of conviction is the relief warranted.  
25 *Id.* The Court of Appeals further noted that Petitioner had not been subject to illegal restraint  
26 because since 1998, he was serving a concurrent prison term of life without the possibility of parole  
27 pursuant to a judgment of conviction entered in district court case number CR97-2077. *Id.*

28 ///

1           **II.     Discussion**

2           The Motion and Petition are based on the same argument, namely that this Court lacks  
3 jurisdiction because Petitioner has “served to completion” the sentence in this case and been  
4 “discharged” by the Nevada Department of Corrections on “each of the six (6), decidedly ‘onerous’,  
5 [sic] sentences imposed upon him in the instant case, via this Court’s now infamous November 27,  
6 1996 *Judgment of Conviction*...Thus, the Defendant no longer being restrained pursuant to said  
7 Judgment of Conviction, hereby moves the Court to convert the presently pending re-sentencing  
8 Proceedings and Motions...to a Petition For Writ of Error Coram Nobis.” Mot. at 3:2-17. The  
9 Motion and Petition further aver that even though this Court has lost jurisdiction due to Petitioner  
10 having served the underlying sentence, this Court retains jurisdiction for the purpose of granting  
11 Petitioner’s request for equitable relief, namely vacating with prejudice the November 27, 1996,  
12 judgment of conviction and entering a judgment of acquittal. Mot. at 7:1-20.

13           In the Response, the State argues that because the Court of Appeal’s Order Granting Petition  
14 addresses the issues set forth in the Coram Nobis Pleadings, this Court should deny the Coram Nobis  
15 Pleadings as moot. Resp. at 5:1-7. In particular, the State refers to the Court of Appeal’s findings  
16 that 1) judgment of acquittal is not appropriate since the district court did not find Petitioner’s  
17 conviction invalid; 2) resentencing and entry of an amended judgment of acquittal is warranted; and  
18 3) the Petitioner was not illegally restrained given his conviction in another case in which he is  
19 serving a sentence of life without the possibility of parole. Resp. at 4:2-24.

20           In the Reply, Petitioner contends that the State’s Response is based on unsupported factual  
21 allegations and irrelevant matters, but does not identify any such language in the Response. Reply  
22 at 2:12-24. The Reply further states that the Court of Appeals failed to address Petitioner’s argument  
23 that the district court is divested of jurisdiction since there has been an “expiration and discharge”  
24 of the underlying sentence in this case and the State had not addressed this either. Reply at 6:11-  
25 28. The Reply contends that without jurisdiction, the district court must enter a judgment of  
26 acquittal. Reply at 7:1-28.


27           This Court finds that the issues raised in the Coram Nobis Pleadings are the same issues that  
28 Petitioner raised in his petition for extraordinary relief that was the subject of the Order Granting

1 Petition rendered by the Court of Appeals. As such, the Court of Appeals has previously considered  
2 each of these issues and therefore, this Court finds the issues raised in the Coram Nobis Pleadings  
3 moot. In accordance with the direction from the Court of Appeals, this Court will resentence the  
4 Petitioner and enter an amended judgment of conviction.

5 Accordingly, and good cause appearing,

6 IT IS HEREBY ORDERED that the relief sought by Petitioner in his *(First Amended)*  
7 *Motion to Convert Proceedings to a Petition for Writ of Error Coram Nobis, (First Amended)*  
8 *Petition for a Writ of Error Coram Nobis and (First Amended) Motion for Order Directing*  
9 *Respondent to File a Return to the Petitioner's Petition for a Writ of Error Coram Nobis* is  
10 DENIED.

11 Dated this 8<sup>th</sup> day of November, 2018.

12  
13   
14 KATHLEEN DRAKULICH  
15 DISTRICT JUDGE  
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**CERTIFICATE OF SERVICE**

CASE NO. CR96-1581

I certify that I am an employee of the SECOND JUDICIAL DISTRICT COURT of the STATE OF NEVADA, COUNTY OF WASHOE; that on the 8<sup>th</sup> day of November, 2018, I electronically filed the **ORDER DENYING CORAM NOBIS PLEADINGS** with the Clerk of the Court by using the ECF system.

I further certify that I transmitted a true and correct copy of the foregoing document by the method(s) noted below:

**Electronically filed with the Clerk of the Court by using the ECF system which will send a notice of electronic filing to the following:**

DIV. OF PAROLE &amp; PROBATION

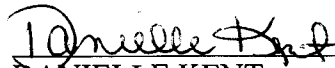
MAIZIE PUSICH, ESQ. for STEVEN FLOYD VOSS

AMOS STEGE, ESQ. for STATE OF NEVADA

JENNIFER NOBLE, ESQ. for STATE OF NEVADA

**Deposited to the Second Judicial District Court mailing system in a sealed envelope for postage and mailing by Washoe County using the United States Postal Service in Reno, Nevada:**

STEVEN FLOYD VOSS (#52094)  
NNCC  
P.O. BOX 7000  
CARSON CITY, NEVADA 89702

  
DANIELLE KENT  
Department 1 Judicial Assistant

**Return Of NEF****Recipients**

**JENNIFER NOBLE, ESQ.** - Notification received on 2018-11-08 12:36:37.995.

**MAIZIE PUSICH, ESQ.** - Notification received on 2018-11-08 12:36:38.041.

**AMOS STEGE, ESQ.** - Notification received on 2018-11-08 12:36:38.026.

**DIV. OF PAROLE & PROBATION** - Notification received on 2018-11-08 12:36:37.948.

**\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\***  
**PROOF OF SERVICE OF ELECTRONIC FILING**

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**A filing has been submitted to the court RE:** CR96-1581

**Judge:**

HONORABLE KATHLEEN DRAKULICH

**Official File Stamp:**

11-08-2018:12:33:21

**Clerk Accepted:**

11-08-2018:12:36:05

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. STEVEN FLOYD VOSS (D1)

**Document(s) Submitted:**

Notice of Entry of Ord

**Filed By:**

Deputy Clerk NMason

You may review this filing by clicking on the following link to take you to your cases.

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**The following people were served electronically:**

DIV. OF PAROLE & PROBATION  
AMOS R. STEGE, ESQ. for STATE OF NEVADA  
JENNIFER P. NOBLE, ESQ. for STATE OF  
NEVADA  
MAIZIE WHALEN PUSICH, ESQ. for STEVEN  
FLOYD VOSS

**The following people have not been served electronically and must be served by traditional means** (see Nevada Electronic Filing Rules.):

EGAN K. WALKER, ESQ. for STATE OF  
NEVADA  
STATE OF NEVADA for STATE OF NEVADA



STEVEN FLOYD VOSS for STEVEN FLOYD  
VOSS

**CODE 2540**

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

**STATE OF NEVADA,**

**Plaintiff,**

**Case No: CR96-1581**

**vs.**

**Dept. No: 1**

**STEVEN FLOYD VOSS,**

**Defendant.**

\_\_\_\_\_ /

**NOTICE OF ENTRY OF ORDER**

PLEASE TAKE NOTICE that on November 6, 2018 the Court entered a decision or order in this matter, a true and correct copy of which is attached hereto.

You may appeal to the Supreme Court from the decision or Order of the Court. If you wish to appeal, you must file a Notice of Appeal with the Clerk of this Court within thirty-three (33) days after the date this notice is mailed to you.

Dated November 9, 2018.

\_\_\_\_\_  
JACQUELINE BRYANT

Clerk of the Court

\_\_\_\_\_  
/s/N. Mason

Deputy Clerk

**CERTIFICATE OF SERVICE**

Case No. CR96-1581

Pursuant to NRCP 5 (b), I certify that I am an employee of the Second Judicial District Court; that on November 9, 2018, I electronically filed the Notice of Entry of Order with the Court System which will send a notice of electronic filing to the following:

DIV. OF PAROLE & PROBATION

AMOS R. STEGE, ESQ. for STATE OF NEVADA

JENNIFER P. NOBLE, ESQ. for STATE OF NEVADA

MAIZIE WHALEN PUSICH, ESQ. for STEVEN FLOYD VOSS

I further certify that on November 9, 2018, I deposited in the Washoe County mailing system for postage and mailing with the U.S. Postal Service in Reno, Nevada, a true copy of the attached document, addressed to:

Attorney General's Office  
100 N. Carson Street  
Carson City, NV 89701-4717

Steven Floyd Voss #52094  
Northern Nevada Correctional Center  
P. O. Box 7000  
Carson City, NV 89702

The undersigned does hereby affirm that pursuant to NRS 239B.030 and NRS 603A.040, the preceding document does not contain the personal information of any person.

Dated November 9, 2018.

\_\_\_\_\_  
/s/N. Mason  
Deputy Clerk

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

9 STATE OF NEVADA,

10 Plaintiff,

11 v.

CASE NO.: CR96-1581

12 STEVEN FLOYD VOSS,

DEP. NO.: 1

13 Defendant.  
14 \_\_\_\_\_/

15 **ORDER DENYING PRE-SENTENCING MOTION TO DISMISS ACTION**  
16 **BASED ON WANT OF JURISDICTION**

17 Currently before the Court is a *Pre-Sentencing Motion to Dismiss Action Based on Want of*  
18 *Jurisdiction* ("Motion") filed by Steven Floyd Voss ("Voss") on August 30, 2018. Voss submitted  
19 the Motion to the Court for consideration on September 10, 2018.

20 Prior to the filing of the Motion, on August 29, 2018, Washoe County Public Defender  
21 Maizie Pusich entered an appearance on behalf of Voss. Accordingly, Voss is represented by  
22 counsel and the Motion is a fugitive document and improperly filed. The Motion can be refiled by  
23 Defendant's counsel or refiled by Defendant following a showing that he is no longer represented  
24 by counsel.

25 ///

26 ///

27 ///

Accordingly, and good cause appearing,

IT IS HEREBY ORDERED that the Pre-Sentencing Motion to Dismiss Action Based on  
Want of Jurisdiction is hereby DENIED.

Dated this 6<sup>th</sup> day of November, 2018.

  
KATHLEEN DRAKULICH  
DISTRICT JUDGE

**CERTIFICATE OF SERVICE**

CASE NO. CR96-1581

I certify that I am an employee of the SECOND JUDICIAL DISTRICT COURT of the STATE OF NEVADA, COUNTY OF WASHOE; that on the 16<sup>th</sup> day of November, 2018, I electronically filed the **ORDER DENYING PRE-SENTENCING MOTION TO DISMISS ACTION BASED ON WANT OF JURISDICTION** with the Clerk of the Court by using the ECF system.

I further certify that I transmitted a true and correct copy of the foregoing document by the method(s) noted below:

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DIV. OF PAROLE &amp; PROBATION

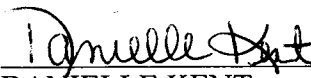
MAIZIE PUSICH, ESQ. for STEVEN FLOYD VOSS

AMOS STEGE, ESQ. for STATE OF NEVADA

JENNIFER NOBLE, ESQ. for STATE OF NEVADA

**Deposited to the Second Judicial District Court mailing system in a sealed envelope for postage and mailing by Washoe County using the United States Postal Service in Reno, Nevada:**

STEVEN FLOYD VOSS (#52094)  
NNCC  
P.O. BOX 7000  
CARSON CITY, NEVADA 89702

  
DANIELLE KENT  
Department 1 Judicial Assistant

**Return Of NEF****Recipients**

**JENNIFER NOBLE, ESQ.** - Notification received on 2018-11-09 09:45:40.177.

**MAIZIE PUSICH, ESQ.** - Notification received on 2018-11-09 09:45:41.409.

**AMOS STEGE, ESQ.** - Notification received on 2018-11-09 09:45:40.801.

**DIV. OF PAROLE & PROBATION** - Notification received on 2018-11-09 09:45:39.771.

**\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\***  
**PROOF OF SERVICE OF ELECTRONIC FILING**

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**A filing has been submitted to the court RE:** CR96-1581

**Judge:**

HONORABLE KATHLEEN DRAKULICH

**Official File Stamp:**

11-09-2018:09:41:22

**Clerk Accepted:**

11-09-2018:09:44:22

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. STEVEN FLOYD VOSS (D1)

**Document(s) Submitted:**

Notice of Entry of Ord

**Filed By:**

Deputy Clerk NMason

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

**The following people were served electronically:**

DIV. OF PAROLE & PROBATION  
AMOS R. STEGE, ESQ. for STATE OF NEVADA  
JENNIFER P. NOBLE, ESQ. for STATE OF  
NEVADA  
MAIZIE WHALEN PUSICH, ESQ. for STEVEN  
FLOYD VOSS

**The following people have not been served electronically and must be served by traditional means** (see Nevada Electronic Filing Rules.):

EGAN K. WALKER, ESQ. for STATE OF  
NEVADA  
STATE OF NEVADA for STATE OF NEVADA



STEVEN FLOYD VOSS for STEVEN FLOYD  
VOSS

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

STEVEN FLOYD VOSS,

Petitioner,

v.

CASE NO.: CR96-1581

STATE OF NEVADA,

DEPT. NO.: 1

Respondent.

**ORDER VACATING SUBMISSION OF**  
**PETITION FOR WRIT OF HABEAS CORPUS**

On October 29, 2018, Petitioner, Steven Floyd Voss ("Petitioner") filed a Request for Submission requesting that his "Petition for Writ of Habeas Corpus filed October 18, 2018, be submitted...for a review and a decision." This Court has reviewed the documents on file in this case and a Petition for Writ of Habeas Corpus was not filed with this Court on October 18, 2018.

Accordingly, and good cause appearing,

IT IS HEREBY ORDERED that the Request for Submission of the Petition for Writ of Habeas Corpus is VACATED. Petitioner may submit any further filed petitions for writ of habeas corpus

Dated this 9<sup>th</sup> day of November, 2018.

  
KATHLEEN DRAKULICH  
DISTRICT JUDGE

**CERTIFICATE OF SERVICE**

CASE NO. CR96-1581

I certify that I am an employee of the SECOND JUDICIAL DISTRICT COURT of the STATE OF NEVADA, COUNTY OF WASHOE; that on the 9 day of November, 2018, I electronically filed the **ORDER VACATING SUBMISSION OF PETITION FOR WRIT OF HABEAS CORPUS** with the Clerk of the Court by using the ECF system.

I further certify that I transmitted a true and correct copy of the foregoing document by the method(s) noted below:

**Electronically filed with the Clerk of the Court by using the ECF system which will send a notice of electronic filing to the following:**

DIV. OF PAROLE &amp; PROBATION


MAIZIE PUSICH, ESQ. for STEVEN FLOYD VOSS

AMOS STEGE, ESQ. for STATE OF NEVADA

JENNIFER NOBLE, ESQ. for STATE OF NEVADA

**Deposited to the Second Judicial District Court mailing system in a sealed envelope for postage and mailing by Washoe County using the United States Postal Service in Reno, Nevada:**

STEVEN FLOYD VOSS (#52094)  
NNCC  
P.O. BOX 7000  
CARSON CITY, NEVADA 89702

  
DANIELLE KENT  
Department 1 Judicial Assistant

**Return Of NEF****Recipients**

**JENNIFER NOBLE, ESQ.** - Notification received on 2018-11-09 15:05:30.65.  
**MAIZIE PUSICH, ESQ.** - Notification received on 2018-11-09 15:05:30.744.  
**AMOS STEGE, ESQ.** - Notification received on 2018-11-09 15:05:30.712.  
**DIV. OF PAROLE & PROBATION** - Notification received on 2018-11-09 15:05:30.588.

**\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\***  
**PROOF OF SERVICE OF ELECTRONIC FILING**

-

**A filing has been submitted to the court RE:** CR96-1581

**Judge:**

HONORABLE KATHLEEN DRAKULICH

**Official File Stamp:**

11-09-2018:15:02:45

**Clerk Accepted:**

11-09-2018:15:04:28

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. STEVEN FLOYD VOSS (D1)

**Document(s) Submitted:**

Ord Vacating

**Filed By:**

Judicial Asst. DKent

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

**The following people were served electronically:**

DIV. OF PAROLE & PROBATION  
AMOS R. STEGE, ESQ. for STATE OF NEVADA  
JENNIFER P. NOBLE, ESQ. for STATE OF  
NEVADA  
MAIZIE WHALEN PUSICH, ESQ. for STEVEN  
FLOYD VOSS

**The following people have not been served electronically and must be served by traditional means** (see Nevada Electronic Filing Rules.):

EGAN K. WALKER, ESQ. for STATE OF  
NEVADA  
STATE OF NEVADA for STATE OF NEVADA

STEVEN FLOYD VOSS for STEVEN FLOYD  
VOSS

CR96-1581 DC-09900087582-207  
STATE VS. STEVEN FLOYD VOSS 7 Pages  
District Court 11/14/2018 03:09 PM  
Washoe County 2490

FILED

2018 NOV 14 PM 3:09

JACQUELINE BRYANT  
CLERK OF THE COURTBY DEPUTY

1 STEVEN FLOYD VOSS #52091

2 Northern Nevada Correctional Center

3 Post Office Box # 7000

4 Carson City, Nevada 89702-7000

6 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

7 IN AND FOR THE COUNTY OF WASHOE

9 THE STATE OF NEVADA,

Case No. CR96-1581

10 Plaintiff,

Dept. No. 1

11 VS.

12 STEVEN FLOYD VOSS,

13 Defendant.

14 EMERGENCY15 MOTION FOR WITHDRAWAL OF COURT APPOINTED COUNSEL

16 (Expedited Review Requested)

17 COMES NOW, Defendant, STEVEN FLOYD VOSS,

18 by and through his proper person and  
19 hereby submits the instant Motion.

20 The instant Motion is made and  
21 predicated upon the attached memorandum  
22 of points and authorities, all papers and  
23 pleadings on file in the above entitled  
24 case, matters to be judicially noticed by  
25 the Court, and matters to be addressed  
26 at a hearing upon the instant Motion.

# MEMORANDUM OF POINTS AND AUTHORITIES

## I. Nature of Motion:

Through the instant Motion the Defendant seeks the Court's withdrawal of Court appointed Counsel of record: Maizie Pusich, Esq.; and the Washoe County Public Defenders' office based upon continuing conflict.

## II. Statement of relevant facts:

(1) The Defendant was previously represented (a) at Trial and the original sentencing proceedings by Catter C. Conway, Esq., who was then employed by the Washoe County Public Defenders' office, and (b) on Direct Appeal by Mary Lou Wilson and Jennifer Lunt, Esq., who were then employed by the Washoe County Public Defenders' office;

(2) During Habeas Corpus proceedings in Case No. CR96-P-1581 relative to the instant case the Defendant raised claims of the ineffective assistance of counsel against Catter C. Conway, Esq., Mary Lou Wilson, Esq., and Jennifer Lunt, Esq.



1 (3) In the context of Trial proceedings  
2 in the related case No. CR97-2077 the  
3 Defendant was represented by Cetter C.  
4 Conway, Esq., and presently appointed  
5 counsel Maizie Pusch, Esq., who were  
6 each employed at that time by the  
7 Washoe County Public Defenders office,  
8 and the Defendant was represented on  
9 Direct Appeal by Cheryl Bond, Esq., who  
10 was then employed by the Washoe County  
11 Public Defenders office;

12 (4) During habeas Corpus proceedings  
13 in Case No. CR97-P-2077, the Defendant  
14 had raised claims of the ineffective  
15 assistance of counsel against, Cetter C.  
16 Conway, Esq., Maizie Pusch, Esq., and  
17 Cheryl Bond, Esq., who were then  
18 employed by the Washoe County Public  
19 Defenders office. During the course  
20 of such proceedings each of said  
21 counsel were found to have provided  
22 deficient performance;

23 (5) During habeas Corpus proceedings  
24 in Case No. CR96-P-1581 the Defendant was  
25 represented by Scott W. Edwards, Esq., who  
26 had stipulated without the Defendant's  
27 consent to postponing the Resentencing  
28 proceeding ordered by the Post-Conviction

1 Court in Case No. CR96-P-1581;

2 (6) During the course of Habeas Corpus  
3 proceedings in the related Case No.

4 CR97-P-2077, the Defendant was

5 represented at various times during the

6 pendency of his Petition by, Scott W.

7 Edwards, Esq., Carter R. King, Esq.,

8 Richard Cornell, Esq., and Thomas Qualls,

9 Esq., who had each withdrawn from

10 their representation of the Defendant

11 due to conflict;

12 (7) During subsequent Habeas Corpus

13 proceedings relative to Case No. CR97-2077

14 the Defendant had been represented

15 by Robert Story, Esq., and Troy

16 Jordan, Esq., who had each withdrawn

17 due to conflicts.

18

### 19 III. Arguments:

20

21 A. Due to substantial conflicts

22 the Court must withdraw Counsel of

23 record Maizie Pusich, Esq., and the office

24 of the Washoe County Public Defenders

25 office, and any employee present or

26 former, from representing the Defendant in

27 these proceedings.

28

1 Nevada Supreme Court Rules, Rule 46 and  
2 Rule 166, provide that the court may  
3 withdraw counsel at this juncture  
4 for good cause. The conflict which  
5 exists between the Defendant and  
6 Maizie Pusch, Esq., as well as the  
7 Washoe County Public Defender's office  
8 is well documented.

9 Therefore, the Court should order  
10 that Maizie Pusch, Esq., and the office  
11 of the Washoe County Public Defender  
12 shall be immediately withdrawn,  
13 and that the Defendant be permitted  
14 to proceed in proper person until the  
15 Court appoints replacement counsel  
16 suitable to the Defendant, and the  
17 Defendant acknowledges in writing  
18 his acceptance of suitable  
19 replacement counsel.

20  
21 B. The Defendant requests that the  
22 Court not appoint replacement counsel  
23 who have previously represented the  
24 Defendant relative to the instant case  
25 on appeal, or in habeas corpus  
26 proceeding relative thereto; and that  
27 not appoint replacement counsel who have  
28 previously represented the Defendant relative

1 to the related case No. CR97-2077,  
 2 on appeal, or in habeas corpus proceedings  
 3 relative thereto.

4  
 5 Specifically, the Defendant requests  
 6 that the Court appoint replacement  
 7 counsel to represent him, other than:  
 8 Cetter C. Conway, Esq.; The Washoe County  
 9 Public Defenders' Office or any present  
 10 or former employee of said office;  
 11 Scott W. Edwards, Esq.; Carter R. King, Esq.;  
 12 Richard Cornell, Esq.; Thomas Qualls, Esq.;  
 13 Robert Story, Esq.; or Troy Jordan, Esq.  
 14 Due to continuing conflicts involving  
 15 said former counsel.

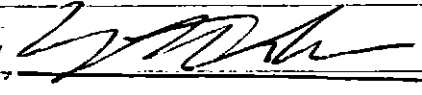
#### 16 17 IV. Conclusion:

18  
 19 The Court should grant the instant  
 20 Motion in its entirety.

#### 21 22 V. Verification:

23  
 24 Under penalty of perjury, the  
 25 undersigned hereby verifies that he has read  
 26 the content of the foregoing Motion, and that  
 27 same is true and correct of his own personal  
 28 information, knowledge and belief.

1 DATED this 7th day of November 2018.

2  
3 By:   
4 STEVEN FLOYD VOSS,  
5 Defendant, in pro, per  
6

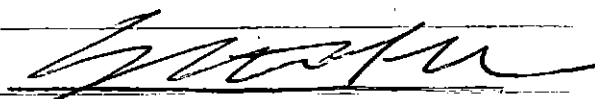
7 CERTIFICATE OF SERVICE VIA U.S. MAIL  
8

9 I, STEVEN FLOYD VOSS, do hereby certify  
10 that on this 7th day of November 2018,  
11 that I mailed a true and correct copy  
12 of the foregoing Motion, addressed to:

13 Maizie Pusich, Esq. (DPD)  
14 % Washoe County Public Defender  
15 Post Office Box # 11130  
16 Reno, Nevada 89520-0027

17 and

18 JENNIFER NOBLES, Esq. (DDA)  
19 % Washoe County District Attorney  
20 Post Office Box # 11130  
21 Reno, Nevada 89520-0027  
22

23 By:   
24 STEVEN FLOYD VOSS,  
25  
26  
27  
28

FILED

STEVEN FLOYD VOSS #5209Y

Northern Nevada Corrections 2018 NOV 13 PM 12:43

Post office Box # 7000

Carson City, Nevada 89702-7000

JACQUELINE BRYANT  
CLERK OF THE COURT

DEPUTY

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

THE STATE OF NEVADA,  
Plaintiff,

Case No. CR96-1581

Dept. No. 1

VS.

STEVEN FLOYD VOSS,

Defendant.

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that the Defendant  
above named appeals to the Nevada  
Supreme Court from the ORDER of the  
above named Court, entered on November 6,  
2018, denying his proper person  
jurisdictional Challenge Motion, titled as  
Motion To Dismiss Action Based Upon Want of  
jurisdiction filed on August 30, 2018.

The foregoing document does not contain  
the Social Security Number of any person.

DATED this 9th day of November 2018.

By: 

STEVEN FLOYD VOSS,  
Defendant in pro. per. V9. 1853

CR96-1581  
STATE VS. STEVEN FLOYD VOSS 2 Pages  
District Court 11/19/2018 12:43 PM 2515  
Washoe County

CERTIFICATE OF SERVICE VIA U.S. MAIL

I, STEVEN FLOYD VOSS, do hereby certify that on this 9th day of November 2018, that I mailed a true and correct copy of the foregoing NOTICE OF APPEAL, addressed to:

JENNIFER NOBLES, ESQ (DDA)  
% Washoe County District Attorney  
Post Office Box # 11130  
Reno, Nevada 89520-0027

By: Steven Floyd Voss  
STEVEN FLOYD VOSS

///

///

///

FILED

STEVEN FLOYD VOSS #52094

Northern Nevada Correctional Center 2018 NOV 19 PM 2:56

Post Office Box # 7000

Carson City, Nevada 89702-7000

JACQUELINE BRYANT  
CLERK OF THE COURTBY [Signature]  
DEPUTY

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

THE STATE OF NEVADA,  
Plaintiff,

CASE NO. CR96-1581  
Dept. No. 1.

VS.

STEVEN FLOYD VOSS,  
Defendant,

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN, that the Defendant  
STEVEN FLOYD VOSS, hereby appeals to the  
Nevada Supreme Court, from the Order  
of the above named Court, denying  
coram nobis pleadings, entered on  
November 8, 2018.

The foregoing document does not  
contain the social security number of  
any person.

DATED this 14th day of November  
2018.

By: [Signature]

STEVEN FLOYD VOSS



CERTIFICATE OF SERVICE VIA U.S. MAIL

I, STEVEN FLOYD VOSS, do hereby  
certify that on this 14th day of  
November 2018, that I mailed a  
true and correct copy of the  
foregoing document, addressed to:

JENNIFER NORGES, ESQ, (VDA)  
% Washoe County District Attorney  
Post Office Box # 11130  
Reno, Nevada 89520-0027

By: Steven Floyd Voss  
STEVEN FLOYD VOSS

lll  
lll  
lll



1 STEVEN FLOYD VOSS #52094 **FILED**

2 Northern Nevada Corrections Center

3 Post Office Box # 7000

4 Carson City, Nevada 89702-7000

2018 NOV 19 PM 3:15

JACQUELINE BRYANT  
CLERK OF THE COURT

BY [Signature]  
DEPUTY

5  
6 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
7 IN AND FOR THE COUNTY OF WASHOE

8  
9 THE STATE OF NEVADA,

10 Plaintiff

Case No. CR96-1581

Dept. No. 1

27

11 vs.

12 STEVEN FLOYD VOSS,

13 Defendant.

14  
15  
16 MOTION FOR REHEARING OF PETITION FOR WRIT  
17 OF CORAM NOBIS, AND TO RECALL THE COURT'S

18 November 8, 2018 ORDER BASED ON JURISDICTIONAL  
19 DEFECT AND GROSS MISAPPREHENSION OF FACTS  
20

21 COMES NOW Defendant and hereby  
22 submits the instant Motion.

23 The instant Motion is made and  
24 predicated upon the attached  
25 Memorandum of Points And Authorities,  
26 all papers and pleadings on file in the  
27 above entitled action, and matters  
28 to be judicially noticed.

MEMORANDUM OF POINTS AND AUTHORITIESI. Nature of Motion:

Through the instant Motion the Defendant Moves the Court to Recall its November 8, 2018 ORDER Denying Coram Nobis Pleadings, based upon a jurisdictional defect. This Court has premised its aforementioned ORDER upon the August 15, 2018 ORDER of the Nevada Court of Appeals, relative to the Defendants Petition For Extraordinary Relief Writ. However, this Court has failed to recognize that the aforementioned Order of the Court of Appeals is not final, where a Petition For Review of the decision of the Court of Appeals is presently pending in the Nevada Supreme Court, Case No. 74227. Thus, this Court lacks jurisdiction over the subject matter involved.

Further, this Court has misapprehended and failed to consider several of the claims raised by the Defendant within his Petition For Writ of Coram Nobis which if true warrant relief.

Moreover, the Court has failed to explore

whether the Court maintains jurisdiction in the face of the fact that the Defendant has served to completion and discharge by the Nevada Department of Corrections, each of the six sentences imposed via the Courts November 27, 1996 Judgment of Conviction, thereby, failing to prove jurisdiction is maintained, on the record.

## II. Arguments

A. This Court is without jurisdiction over the subject matter involved in the pendency of Defendants Petition For Review, filed in Nevada Supreme Court Case No. 74227

B. This Court has neglected to consider the Defendants substantive claims of trial error. Such claims if proven would entitle the Defendant to relief.

## III. Conclusion

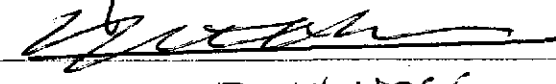
1 This Court must Recall its November  
 2 8, 2018 ORDER DENYING CORAM NOBIS  
 3 PLEADINGS, based upon jurisdictional  
 4 defect, and must review all claims  
 5 raised within the Defendants Petition  
 6 For Writ of Error Coram Nobis upon  
 7 their merits following the Nevada  
 8 Supreme Court's decision in Case No.  
 9 74227, relative to Defendants Petition For  
 10 Review and said Court's Issuance of  
 11 Remittitur.

#### 12 13 IV. Verification:

14  
 15 I, STEVEN FLOYD VOSS, do hereby  
 16 verify that I have read the content  
 17 of the foregoing Motion, and that same  
 18 is true and correct of my own  
 19 personal information, knowledge and  
 20 belief.

21 The foregoing document does not  
 22 contain the Social Security Number of  
 23 any person.

24 DATED this 14th day of November 2018.

25 By:   
 26 STEVEN FLOYD VOSS.

CERTIFICATE OF SERVICE VIA U.S. MAIL

I, STEVEN FLOYD VOSS, do hereby certify that on this 14<sup>th</sup> day of November 2018 that I mailed a true and correct copy of the foregoing document, addressed to:

JENNIFER NOBLES, ESQ. (DDA)

% Washoe County District Attorney

Post Office Box #11130

Reno, Nevada 89520-0027

CR96-1581  
DC-09900087582-260  
STATE VS STEVEN FLOYD VOSS 2 Pages  
District Court 11/19/2018 03:15 PM  
Washoe County 3860

1 STEVEN FLOYD VOSS #5209Y  
2 Northern Nevada Correctional Center  
3 Post Office Box # 7000  
4 Carson City, Nevada 89702-7000

FILED

2018 NOV 19 PM 3:15

JACQUELINE BRYANT  
CLERK OF THE COURT

BY

5  
6 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
7 IN AND FOR THE COUNTY OF WASHOE  
8

9 THE STATE OF NEVADA,  
10 Plaintiff,  
11 VS.  
12 STEVEN FLOYD VOSS,  
13 Defendant

Case No. CR96-1581  
Dept. No. 1.

REQUEST FOR SUBMISSION

14  
15  
16 COMES NOW Defendant, STEVEN FLOYD VOSS,  
17 by and through his proper person, and  
18 hereby requests that his: (1) Emergency  
19 Motion For Withdrawal of Court Appointed  
20 Counsel, filed on or about the 9th day of  
21 November 2018; and (2) Pre-Sentencing Motion  
22 To Dismiss Action Based on Want of  
23 Jurisdiction, filed on August 30, 2018, be  
24 submitted to the court for decision.

25 The foregoing document does not contain  
26 the Social Security Number of any person.  
27 DATED this 14th day of November 2018.

28 By: [Signature]  
STEVEN FLOYD VOSS Defendant

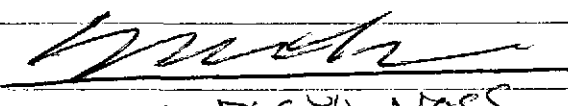
CERTIFICATE OF SERVICE VIA U.S. MAIL

I, STEVEN FLOYD VOSS, do hereby certify that on this 14th day of November 2018, that I mailed true and correct copies of the foregoing Request For Submission addressed to:

JENNIFER NOBLES, ESQ (DDA)  
% Washoe County District Attorney  
Post Office Box # 11130  
Reno, Nevada 89520-0027

and,

MAZIE PUSICH, ESQ (DPD)  
% Washoe County Public Defender  
Post Office Box # 11130  
Reno, Nevada 89520-0027

By:   
STEVEN FLOYD VOSS



Code 1310

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF WASHOE

STATE OF NEVADA,

Plaintiff,

Case No. CR96-1581

vs.

Dept. No. 1

STEVEN FLOYD VOSS,

Defendant.

\_\_\_\_\_ /

**CASE APPEAL STATEMENT**

This case appeal statement is filed pursuant to NRAP 3(f).

1. Appellant is Steven Floyd Voss.
2. This appeal is from an order entered by the Honorable Judge Kathleen Drakulich.
3. Appellant is representing himself in Proper Person on appeal. The Appellant's address is:

Steven Floyd Voss #52094  
N.N.C.C.  
P.O. Box 7000  
Carson City, Nevada 89702

4. Respondent is the State of Nevada. Respondent is represented by the Washoe County

District Attorney's Office:

Jennifer P. Noble, Esq., SBN: 9446  
P.O. Box 11130  
Reno, Nevada 89520

5. Respondent's attorney is not licensed to practice law in Nevada: n/a
6. Appellant is represented by appointed counsel in District Court.

7. Appellant is not represented by appointed counsel on appeal.
8. Appellant was not granted leave to proceed in forma pauperis in the District Court.
9. Proceeding commenced by the filing of an Information on July 16<sup>th</sup>, 1996.
10. This is a criminal proceeding and the Appellant is appealing the Order Denying Pre-Sentencing Motion to Dismiss Action Based on Want of Jurisdiction filed November 6<sup>th</sup>, 2018.
11. The case has been the subject of a previous appeal to the Supreme Court:  
Supreme Court No: 29783, 42307, 74227 and 75064
12. This case does not involve child custody or visitation.
13. This is not a civil case involving the possibility of a settlement.

Dated this 20th day of November, 2018.

Jacqueline Bryant  
Clerk of the Court

By: /s/ Yvonne Vilorio  
Yvonne Vilorio  
Deputy Clerk

Code 1350

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

STATE OF NEVADA,

Case No. CR96-1581

Plaintiff,

Dept. No. 1

vs.

STEVEN FLOYD VOSS,

Defendant.

\_\_\_\_\_ /

**CERTIFICATE OF CLERK AND TRANSMITTAL – NOTICE OF APPEAL**

I certify that I am an employee of the Second Judicial District Court of the State of Nevada, County of Washoe; that on the 20th day of November, 2018, I electronically filed the Notice of Appeal in the above entitled matter to the Nevada Supreme Court.

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

Dated this 20th day of November, 2018

Jacqueline Bryant  
Clerk of the Court

By /s/ Yvonne Vilorio  
Yvonne Vilorio  
Deputy Clerk

**Return Of NEF****Recipients**

**JENNIFER NOBLE, ESQ.** - Notification received on 2018-11-20 14:40:20.968.

**MAIZIE PUSICH, ESQ.** - Notification received on 2018-11-20 14:40:21.28.

**AMOS STEGE, ESQ.** - Notification received on 2018-11-20 14:40:20.999.

**DIV. OF PAROLE & PROBATION** - Notification received on 2018-11-20 14:40:18.909.

**\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\***

**PROOF OF SERVICE OF ELECTRONIC FILING**

-

**A filing has been submitted to the court RE:** CR96-1581

**Judge:**

HONORABLE KATHLEEN DRAKULICH

**Official File Stamp:**

11-20-2018:14:38:54

**Clerk Accepted:**

11-20-2018:14:39:31

**Court:**

Second Judicial District Court - State of Nevada

Criminal

**Case Title:**

STATE VS. STEVEN FLOYD VOSS (D1)

**Document(s) Submitted:**

Case Appeal Statement

Certificate of Clerk

**Filed By:**

Deputy Clerk YViloria

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

**The following people were served electronically:**

JENNIFER P. NOBLE, ESQ. for STATE OF  
NEVADA

AMOS R. STEGE, ESQ. for STATE OF NEVADA

MAIZIE WHALEN PUSICH, ESQ. for STEVEN  
FLOYD VOSS

DIV. OF PAROLE & PROBATION

**The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):**

STEVEN FLOYD VOSS for STEVEN FLOYD  
VOSS

EGAN K. WALKER, ESQ. for STATE OF  
NEVADA

STATE OF NEVADA for STATE OF NEVADA

Code 1310

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF WASHOE

STATE OF NEVADA,

Plaintiff,

Case No. CR96-1581

vs.

Dept. No. 1

STEVEN FLOYD VOSS,

Defendant.

\_\_\_\_\_ /

**CASE APPEAL STATEMENT**

This case appeal statement is filed pursuant to NRAP 3(f).

1. Appellant is Steven Floyd Voss.
2. This appeal is from an order entered by the Honorable Judge Kathleen Drakulich.
3. Appellant is representing himself in Proper Person on appeal. The Appellant's address is:

Steven Floyd Voss #52094  
N.N.C.C.  
P.O. Box 7000  
Carson City, Nevada 89702

4. Respondent is the State of Nevada. Respondent is represented by the Washoe County

District Attorney's Office:

Jennifer P. Noble, Esq., SBN: 9446  
P.O. Box 11130  
Reno, Nevada 89520

5. Respondent's attorney is not licensed to practice law in Nevada: n/a
6. Appellant is represented by appointed counsel in District Court.

7. Appellant is not represented by appointed counsel on appeal.
8. Appellant was not granted leave to proceed in forma pauperis in the District Court.
9. Proceeding commenced by the filing of an Information on July 16<sup>th</sup>, 1996.
10. This is a criminal proceeding and the Appellant is appealing the Order Denying Coram Nobis Pleadings filed November 8<sup>th</sup>, 2018.
11. The case has been the subject of a previous appeal to the Supreme Court:  
Supreme Court No: 29783, 42307, 74227 and 75064
12. This case does not involve child custody or visitation.
13. This is not a civil case involving the possibility of a settlement.

Dated this 20th day of November, 2018.

Jacqueline Bryant  
Clerk of the Court

By: /s/ Yvonne Vilorio  
Yvonne Vilorio  
Deputy Clerk



Code 1350

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

STATE OF NEVADA,

Case No. CR96-1581

Plaintiff,

Dept. No. 1

vs.

STEVEN FLOYD VOSS,

Defendant.

\_\_\_\_\_ /

**CERTIFICATE OF CLERK AND TRANSMITTAL – NOTICE OF APPEAL**

I certify that I am an employee of the Second Judicial District Court of the State of Nevada, County of Washoe; that on the 20th day of November, 2018, I electronically filed the Notice of Appeal in the above entitled matter to the Nevada Supreme Court.

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

Dated this 20th day of November, 2018

Jacqueline Bryant  
Clerk of the Court

By /s/ Yvonne Vilorio  
Yvonne Vilorio  
Deputy Clerk

**Return Of NEF****Recipients**

**JENNIFER NOBLE, ESQ.** - Notification received on 2018-11-20 14:51:19.292.

**MAIZIE PUSICH, ESQ.** - Notification received on 2018-11-20 14:51:19.339.

**AMOS STEGE, ESQ.** - Notification received on 2018-11-20 14:51:19.308.

**DIV. OF PAROLE & PROBATION** - Notification received on 2018-11-20 14:51:19.245.

**\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\***  
**PROOF OF SERVICE OF ELECTRONIC FILING**

-

**A filing has been submitted to the court RE:** CR96-1581

**Judge:**

HONORABLE KATHLEEN DRAKULICH

**Official File Stamp:**

11-20-2018:14:50:00

**Clerk Accepted:**

11-20-2018:14:50:40

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. STEVEN FLOYD VOSS (D1)

**Document(s) Submitted:**

Case Appeal Statement  
Certificate of Clerk

**Filed By:**

Deputy Clerk YViloria

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

**The following people were served electronically:**

JENNIFER P. NOBLE, ESQ. for STATE OF  
NEVADA

AMOS R. STEGE, ESQ. for STATE OF NEVADA

MAIZIE WHALEN PUSICH, ESQ. for STEVEN  
FLOYD VOSS

DIV. OF PAROLE & PROBATION

**The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):**

STEVEN FLOYD VOSS for STEVEN FLOYD  
VOSS

EGAN K. WALKER, ESQ. for STATE OF  
NEVADA

STATE OF NEVADA for STATE OF NEVADA

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

STEVEN FLOYD VOSS,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

**Supreme Court No. 77505**  
District Court Case No. CR961581

01

**RECEIPT FOR DOCUMENTS**

TO: Steven Floyd Voss  
Washoe County District Attorney \ Jennifer P. Noble  
Jacqueline Bryant, Washoe District Court Clerk ✓

You are hereby notified that the Clerk of the Supreme Court has received and/or filed the following:

11/28/2018      Appeal Filing Fee waived. Criminal. (SC)  
11/28/2018      Filed Notice of Appeal/Proper Person. Appeal docketed in the  
Supreme Court this day. (SC)

DATE: November 28, 2018

Elizabeth A. Brown, Clerk of Court  
lh

IN THE SUPREME COURT OF THE STATE OF NEVADA  
OFFICE OF THE CLERK

STEVEN FLOYD VOSS,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

**Supreme Court No. 77504**  
District Court Case No. CR961581

01

**RECEIPT FOR DOCUMENTS**

TO: Steven Floyd Voss  
Washoe County District Attorney \ Jennifer P. Noble  
Jacqueline Bryant, Washoe District Court Clerk ✓

You are hereby notified that the Clerk of the Supreme Court has received and/or filed the following:

11/28/2018      Appeal Filing Fee waived. Criminal. (SC)  
11/28/2018      Filed Notice of Appeal/Proper Person. Appeal docketed in the  
Supreme Court this day. (SC)

DATE: November 28, 2018

Elizabeth A. Brown, Clerk of Court  
lh

**Return Of NEF****Recipients**

**JENNIFER NOBLE, ESQ.** - Notification received on 2018-11-29 14:52:35.027.

**MAIZIE PUSICH, ESQ.** - Notification received on 2018-11-29 14:52:35.074.

**AMOS STEGE, ESQ.** - Notification received on 2018-11-29 14:52:35.058.

**DIV. OF PAROLE & PROBATION** - Notification received on 2018-11-29 14:52:34.98.

**\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\***

**PROOF OF SERVICE OF ELECTRONIC FILING**

-

**A filing has been submitted to the court RE:** CR96-1581

**Judge:**

HONORABLE KATHLEEN DRAKULICH

**Official File Stamp:**

11-29-2018:14:51:24

**Clerk Accepted:**

11-29-2018:14:52:04

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. STEVEN FLOYD VOSS (D1)

**Document(s) Submitted:**

Supreme Court Receipt  
Supreme Court Receipt for Doc

**Filed By:**

Deputy Clerk YViloria

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

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NEVADA

AMOS R. STEGE, ESQ. for STATE OF NEVADA

MAIZIE WHALEN PUSICH, ESQ. for STEVEN  
FLOYD VOSS

DIV. OF PAROLE & PROBATION

**The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):**

STEVEN FLOYD VOSS for STEVEN FLOYD  
VOSS



EGAN K. WALKER, ESQ. for STATE OF  
NEVADA

STATE OF NEVADA for STATE OF NEVADA

1 CODE NO. 3370  
2  
3  
4  
5

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

8 \* \* \*

9 THE STATE OF NEVADA,

10 Plaintiff,

Case No. CR96-1581

11 vs.

Dept. No. 1

12 STEVEN FLOYD VOSS,

13 Defendant.  
14 \_\_\_\_\_/

15 **ORDER APPOINTING ALTERNATE PUBLIC DEFENDER**

16 IT IS HEREBY ORDERED that the Washoe County Public Defender's Office, is  
17 relieved from representing Steven Floyd Voss, in the above-captioned matter.

18 IT IS FURTHER ORDERED that the Washoe County Alternate Public Defender's  
19 Office is hereby appointed to represent Steven Floyd Voss, in the matter.

20 DATED this 30<sup>th</sup> day of November, 2018.

21  
22   
23 DISTRICT JUDGE  
24  
25  
26  
27  
28

**Return Of NEF****Recipients**

**JENNIFER NOBLE, ESQ.** - Notification received on 2018-11-30 11:08:06.196.  
**MARC PICKER, ESQ.** - Notification received on 2018-11-30 11:08:06.164.  
**AMOS STEGE, ESQ.** - Notification received on 2018-11-30 11:08:06.804.  
**DIV. OF PAROLE & PROBATION** - Notification received on 2018-11-30 11:08:05.556.

**\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\***  
**PROOF OF SERVICE OF ELECTRONIC FILING**

-

**A filing has been submitted to the court RE:** CR96-1581

**Judge:**

HONORABLE KATHLEEN DRAKULICH

**Official File Stamp:**

11-30-2018:11:06:48

**Clerk Accepted:**

11-30-2018:11:07:28

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. STEVEN FLOYD VOSS (D1)

**Document(s) Submitted:**

Ord Appointing Counsel

**Filed By:**

Court Clerk MSchuck

You may review this filing by clicking on the following link to take you to your cases.

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-

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JENNIFER P. NOBLE, ESQ. for STATE OF  
NEVADA  
DIV. OF PAROLE & PROBATION

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EGAN K. WALKER, ESQ. for STATE OF  
NEVADA  
STEVEN FLOYD VOSS for MARC P. PICKER,  
ESQ., STEVEN FLOYD VOSS

MARC P. PICKER, ESQ. for STEVEN FLOYD  
VOSS

STATE OF NEVADA for STATE OF NEVADA

CASE NO. CR96-1581 STATE OF NEVADA VS. STEVEN FLOYD VOSS

DATE, JUDGE  
OFFICERS OF  
COURT PRESENT

APPEARANCES-HEARING

CONTINUED TO

11/29/18  
HONORABLE  
KATHLEEN M.  
DRAKULICH  
DEPT. NO. 1  
M. Schuck  
(Clerk)  
C. Wolden  
(Reporter)  
Deputy Stewart  
(Bailiff)

**SENTENCING ON REMAND BY NEVADA S.C. - CONTD.**

Deputy D.A. Amos Stege represented the State.  
Defendant present with John Petty, Esq.  
Parole and Probation Specialist, Jenny Lopez, also present.  
Court referenced the Order by the Nevada Supreme Court to  
resentence the Defendant, but prior to the hearing date, the  
Defendant filed some appeals with the Nevada Supreme Court, so  
that would leave the jurisdiction of the case with the Nevada  
Supreme Court.  
Counsel Petty agreed with the Court's assessment that she did not  
have jurisdiction in the case, although he believed she did have  
jurisdiction on deciding Defendant's Motion for Withdrawal of Court  
Appointed Attorney.  
Counsel Stege spoke as to his concerns regarding the fugitive  
documents filed by the Defendant. He believed the only issue that  
may be addressed by the Court was the issue as to Defendant's  
counsel.  
Court referenced a past District Court Order and indicated she  
would not go forward with the resentencing, however was inclined  
to hear argument on Defendant's Motion for Withdrawal of Court  
Appointed Attorney.  
Counsel Stege deferred to the Court and to Counsel Petty  
regarding any future litigation on the issue.  
Counsel Petty did not oppose the removal of the Public Defender's  
Office, however he did not agree with some of the Defendant's  
allegations within the motion. He requested the Court remove his  
office and appoint the Alternate Public Defender's Office.  
Court questioned the Defendant directly regarding the situation;  
Defendant expressed his concerns with the conflict as to the Public  
Defender's Office.  
Counsel Stege joined in the assessment of the claims with the  
Defendant's motion, he noted there was no finding as to ineffective  
assistance of counsel.  
Court believed the Defendant's Motion for Withdrawal of Court  
Appointed Attorney was collateral to the case and accepted the  
representations of counsel regarding the conflict. She would not  
rule on the merits as to the performance of counsel, but solely base

her decision on the conflict issue.

**COURT granted Defendant's Motion for Withdrawal of Court Appointed Attorney, removed the Public Defender's Office and appointed the Alternate Public Defender's Office.**

Court noted the Alternate Public Defender's Office would have significant time to meet with the Defendant, since the Defendant's appeals were pending with the Nevada Supreme Court.

Counsel Stege addressed the issue of a new presentence investigation report (PSI), he believed it was collateral to the case.

Court addressed the Nevada Supreme Court Order, her interpretation of said order was that the Court was to step into shoes of the sentencing Judge with the original PSI. Court indicated a supplemental PSI would not be ordered and the case would be treated as if it were 1996.

Defendant remanded to the custody of the Nevada Department of Corrections.

---

**Return Of NEF****Recipients**

**JENNIFER NOBLE, ESQ.** - Notification received on 2018-12-11 16:25:17.359.  
**MARC PICKER, ESQ.** - Notification received on 2018-12-11 16:25:16.438.  
**AMOS STEGE, ESQ.** - Notification received on 2018-12-11 16:25:17.577.  
**DIV. OF PAROLE & PROBATION** - Notification received on 2018-12-11 16:25:16.376.



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**PROOF OF SERVICE OF ELECTRONIC FILING**

-

**A filing has been submitted to the court RE:** CR96-1581

**Judge:**

HONORABLE KATHLEEN DRAKULICH

**Official File Stamp:**

12-11-2018:16:23:44

**Clerk Accepted:**

12-11-2018:16:24:28

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. STEVEN FLOYD VOSS (D1)

**Document(s) Submitted:**

\*\*\*Minutes

**Filed By:**

Court Clerk MSchuck

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JENNIFER P. NOBLE, ESQ. for STATE OF  
NEVADA  
DIV. OF PAROLE & PROBATION

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NEVADA  
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ESQ., STEVEN FLOYD VOSS

MARC P. PICKER, ESQ. for STEVEN FLOYD  
VOSS

STATE OF NEVADA for STATE OF NEVADA

## IN THE SUPREME COURT OF THE STATE OF NEVADA

STEVEN FLOYD VOSS,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 77504

CR96-1581

01

FILED

DEC 14 2018

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

## ORDER DISMISSING APPEAL

This is a pro se appeal from a district court order denying a "pre-sentencing motion to dismiss action based on want of jurisdiction." Second Judicial District Court, Washoe County; Kathleen M. Drakulich, Judge.

Because no statute or court rule permits an appeal from the aforementioned order, we lack jurisdiction. *Castillo v. State*, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990). Accordingly, we

ORDER this appeal DISMISSED.

Pickering, J.  
Pickering

Gibbons, J.  
Gibbons

Hardesty, J.  
Hardesty

cc: Hon. Kathleen M. Drakulich, District Judge  
Steven Floyd Voss  
Attorney General/Carson City  
Washoe County District Attorney  
Washoe District Court Clerk  
Washoe County Alternate Public Defender

**Return Of NEF****Recipients**

**JENNIFER NOBLE, ESQ.** - Notification received on 2018-12-18 09:56:35.461.  
**MARC PICKER, ESQ.** - Notification received on 2018-12-18 09:56:35.445.  
**AMOS STEGE, ESQ.** - Notification received on 2018-12-18 09:56:35.492.  
**DIV. OF PAROLE & PROBATION** - Notification received on 2018-12-18 09:56:35.398.

**\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\***  
**PROOF OF SERVICE OF ELECTRONIC FILING**

-

**A filing has been submitted to the court RE:** CR96-1581

**Judge:**

HONORABLE KATHLEEN DRAKULICH

**Official File Stamp:**

12-18-2018:09:55:30

**Clerk Accepted:**

12-18-2018:09:56:02

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. STEVEN FLOYD VOSS (D1)

**Document(s) Submitted:**

Supreme Ct Ord Dismiss Appeal

**Filed By:**

Deputy Clerk YViloria

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JENNIFER P. NOBLE, ESQ. for STATE OF  
NEVADA  
DIV. OF PAROLE & PROBATION

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NEVADA  
STEVEN FLOYD VOSS for MARC P. PICKER,  
ESQ., STEVEN FLOYD VOSS

MARC P. PICKER, ESQ. for STEVEN FLOYD  
VOSS

STATE OF NEVADA for STATE OF NEVADA

## IN THE SUPREME COURT OF THE STATE OF NEVADA

STEVEN FLOYD VOSS,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 77505

CR96-1581  
01**FILED**

DEC 13 2018

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

## O R D E R

On November 19, 2018, appellant, proceeding in pro se, filed a notice of appeal in district court challenging the "order denying coram nobis pleadings" entered November 8, 2018. The notice of appeal was docketed in this court on November 28, 2018. Review of the district court docket entries indicates that the Washoe County Alternate Public Defender was appointed to represent appellant on November 30, 2018. However, it is unclear whether the appointment was for the purpose of representing appellant in the instant appeal. Accordingly, the district court shall have 15 days from the date of this order to inform this court whether the Washoe County Alternate Public Defender has in fact been appointed for the purpose of representing appellant in this appeal and, if so, the district court clerk shall transmit a copy of the November 30, 2018, order to the clerk of this court within the same time period. If no response is received, this appeal shall proceed as a pro se appeal.

It is so ORDERED.



C.J.

cc: Hon. Kathleen M. Drakulich, District Judge  
Steven Floyd Voss  
Attorney General/Carson City  
Washoe County District Attorney  
Washoe District Court Clerk  
Washoe County Alternate Public Defender



**Return Of NEF****Recipients**

**JENNIFER NOBLE, ESQ.** - Notification received on 2018-12-18 10:08:57.573.  
**MARC PICKER, ESQ.** - Notification received on 2018-12-18 10:08:57.526.  
**AMOS STEGE, ESQ.** - Notification received on 2018-12-18 10:08:57.916.  
**DIV. OF PAROLE & PROBATION** - Notification received on 2018-12-18 10:08:57.48.

**\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\***  
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**A filing has been submitted to the court RE:** CR96-1581

**Judge:**

HONORABLE KATHLEEN DRAKULICH

**Official File Stamp:**

12-18-2018:10:07:27

**Clerk Accepted:**

12-18-2018:10:08:15

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. STEVEN FLOYD VOSS (D1)

**Document(s) Submitted:**

Supreme Court Order

**Filed By:**

Deputy Clerk YViloria

You may review this filing by clicking on the following link to take you to your cases.

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DIV. OF PAROLE & PROBATION

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NEVADA  
STEVEN FLOYD VOSS for MARC P. PICKER,  
ESQ., STEVEN FLOYD VOSS

MARC P. PICKER, ESQ. for STEVEN FLOYD  
VOSS

STATE OF NEVADA for STATE OF NEVADA

## IN THE SUPREME COURT OF THE STATE OF NEVADA

STEVEN FLOYD VOSS,  
Petitioner,

vs.

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

Respondent,

and

THE STATE OF NEVADA,  
Real Party in Interest.

No. 74227

CR96-1581

01

**FILED**

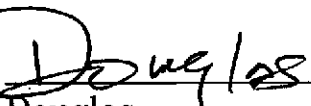
DEC 21 2018

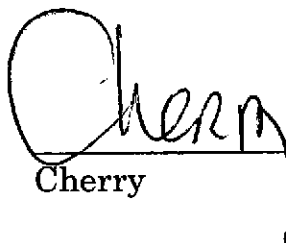
ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

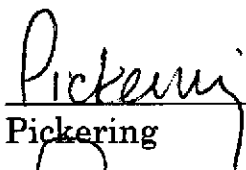
## ORDER DENYING PETITION FOR REVIEW

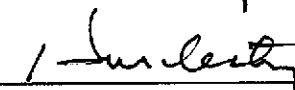
Review denied. NRAP 40B.

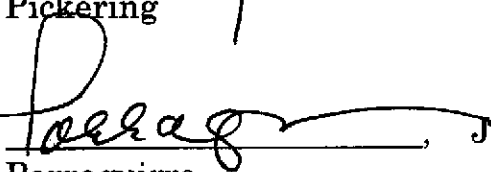
It is so ORDERED.<sup>1</sup>

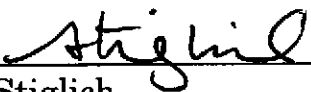
 C.J.  
Douglas

 J.  
Cherry

 J.  
Pickering

 J.  
Hardesty

 J.  
Parraguirre

 J.  
Stiglich

cc: Steven Floyd Voss  
Attorney General/Carson City  
Washoe County District Attorney  
Washoe District Court Clerk

<sup>1</sup>The Honorable Mark Gibbons, Justice, did not participate in the decision of this matter.

**Return Of NEF****Recipients**

**JENNIFER NOBLE, ESQ.** - Notification received on 2018-12-27 09:16:25.586.  
**MARC PICKER, ESQ.** - Notification received on 2018-12-27 09:16:25.57.  
**AMOS STEGE, ESQ.** - Notification received on 2018-12-27 09:16:25.617.  
**DIV. OF PAROLE & PROBATION** - Notification received on 2018-12-27 09:16:25.508.

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**A filing has been submitted to the court RE:** CR96-1581

**Judge:**

HONORABLE KATHLEEN DRAKULICH

**Official File Stamp:**

12-27-2018:09:15:27

**Clerk Accepted:**

12-27-2018:09:15:54

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. STEVEN FLOYD VOSS (D1)

**Document(s) Submitted:**

Supreme Court Order Denying

**Filed By:**

Deputy Clerk YViloria

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ESQ., STEVEN FLOYD VOSS

MARC P. PICKER, ESQ. for STEVEN FLOYD  
VOSS

STATE OF NEVADA for STATE OF NEVADA

1 CODE 3242  
2  
3  
4  
56 IN THE SECOND JUDICIAL DISTRICT COURT OF  
7 THE STATE OF NEVADA IN AND FOR  
8 THE COUNTY OF WASHOE

9 STEVEN FLOYD VOSS,

10 Petitioner,

11 vs.

Case No. CR96-1581

Dept. No. 1

12 THE STATE OF NEVADA,

13 Respondent.  
14 \_\_\_\_\_/15 ORDER

16 On August 15, 2018, the Nevada Supreme Court issued its *Order Granting Petition* directing  
17 the Clerk of the Court to issue a Writ of Mandamus instructing the district court to resentence  
18 Petitioner, Steven Floyd Voss, and enter an amended judgment of conviction in CR96-1581 in  
19 compliance with the district court order entered on August 9, 2001 ("August 2001 Order"). The  
20 August 2001 Order granted Petitioner's post-conviction petition in part and ordered a new sentencing  
21 hearing.

22 On August 29, 2018, this Court issued an *Order for Resentencing*. The *Order for*  
23 *Resentencing* appointed the Public Defender's Office to represent Steven Floyd Voss at the  
24 resentencing. Prior to the resentencing, on November 14, 2018, Steven Floyd Voss filed an  
25 *Emergency Motion for Withdrawal (sic) of Court Appointed Counsel*. Thereafter, November 29, 2018,  
26 a hearing was held in which all future proceedings were held in abeyance due to the pending appeals.  
27 Further, at the November 29, 2018 hearing, this Court granted Mr. Voss' *Emergency Motion for*  
28 *Withdrawal (sic) of Court Appointed Counsel* and issued the November 30, 2018 *Order Appointing*



1 *Alternative Public Defender* as counsel for Mr. Voss related to the resentencing only. Accordingly,  
2 Steven Floyd Voss has not been appointed appellate counsel.

3 The district court clerk shall transmit a copy of this order to the clerk of the Supreme Court of  
4 the State of Nevada.

5 IT IS SO ORDERED.

6 DATE this 4<sup>th</sup> day of January, 2019.

7  
8   
9 KATHLEEN DRAKULICH  
10 DISTRICT JUDGE  
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**CERTIFICATE OF SERVICE**

CASE NO. CR96-1581

I certify that I am an employee of the SECOND JUDICIAL DISTRICT COURT of the STATE OF NEVADA, COUNTY OF WASHOE; that on the 4<sup>th</sup> day of January, 2019, I electronically filed the **ORDER** with the Clerk of the Court by using the ECF system.

I further certify that I transmitted a true and correct copy of the foregoing document by the method(s) noted below:

**Electronically filed with the Clerk of the Court by using the ECF system which will send a notice of electronic filing to the following:**

AMOS STEGE, ESQ. for STATE OF NEVADA


MARC PICKER, ESQ. for STEVEN FLOYD VOSS

JENNIFER NOBLE, ESQ. for STATE OF NEVADA

DIV. OF PAROLE & PROBATION

**Deposited to the Second Judicial District Court mailing system in a sealed envelope for postage and mailing by Washoe County using the United States Postal Service in Reno, Nevada:**

STEVEN FLOYD VOSS (#52094)  
NNCC  
P.O. BOX 7000  
CARSON CITY, NV 89702

  
DANIELLE KENT  
Department One Judicial Assistant

## Return Of NEF

### Recipients

**JENNIFER NOBLE, ESQ.** - Notification received on 2019-01-04 09:27:31.324.  
**MARC PICKER, ESQ.** - Notification received on 2019-01-04 09:27:31.293.  
**AMOS STEGE, ESQ.** - Notification received on 2019-01-04 09:27:31.34.  
**DIV. OF PAROLE & PROBATION** - Notification received on 2019-01-04 09:27:30.997.

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**PROOF OF SERVICE OF ELECTRONIC FILING**

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**A filing has been submitted to the court RE:** CR96-1581

**Judge:**

HONORABLE KATHLEEN DRAKULICH

**Official File Stamp:**

01-04-2019:09:26:21

**Clerk Accepted:**

01-04-2019:09:26:57

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. STEVEN FLOYD VOSS (D1)

**Document(s) Submitted:**

Order...

**Filed By:**

Judicial Asst. DKent

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JENNIFER P. NOBLE, ESQ. for STATE OF  
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DIV. OF PAROLE & PROBATION

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NEVADA  
STEVEN FLOYD VOSS for MARC P. PICKER,  
ESQ., STEVEN FLOYD VOSS

MARC P. PICKER, ESQ. for STEVEN FLOYD  
VOSS

STATE OF NEVADA for STATE OF NEVADA

**CODE 2540**

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

**STATE OF NEVADA,**

**Plaintiff,**

**Case No: CR96-1581**

**vs.**

**Dept. No: 1**

**STEVEN FLOYD VOSS,**

**Defendant.**

\_\_\_\_\_ /

**NOTICE OF ENTRY OF ORDER**

PLEASE TAKE NOTICE that on January 4, 2019 the Court entered a decision or order in this matter, a true and correct copy of which is attached hereto.

You may appeal to the Supreme Court from the decision or Order of the Court. If you wish to appeal, you must file a Notice of Appeal with the Clerk of this Court within thirty-three (33) days after the date this notice is mailed to you.

Dated January 4, 2019.

\_\_\_\_\_  
JACQUELINE BRYANT

Clerk of the Court

\_\_\_\_\_  
/s/N. Mason

Deputy Clerk

**CERTIFICATE OF SERVICE**

Case No. CR96-1581

Pursuant to NRCP 5 (b), I certify that I am an employee of the Second Judicial District Court; that on January 4, 2019, I electronically filed the Notice of Entry of Order with the Court System which will send a notice of electronic filing to the following:

JENNIFER P. NOBLE, ESQ. for STATE OF NEVADA

AMOS STEGE, ESQ. for STATE OF NEVADA

DIV. OF PAROLE & PROBATION

MARC P. PICKER, ESQ. for STEVEN FLOYD VOSS

I further certify that on January 4, 2019, I deposited in the Washoe County mailing system for postage and mailing with the U.S. Postal Service in Reno, Nevada, a true copy of the attached document, addressed to:

Attorney General's Office  
100 N. Carson Street  
Carson City, NV 89701-4717

Steven Floyd Voss #52094  
NNCC  
P. O. Box 7000  
Carson City, NV 89702

Nevada Supreme Court  
Court Clerk's Office  
201 S. Carson St.  
Carson City, NV 89701-4702

The undersigned does hereby affirm that pursuant to NRS 239B.030 and NRS 603A.040, the preceding document does not contain the personal information of any person.

Dated January 4, 2019.

\_\_\_\_\_  
/s/N. Mason  
Deputy Clerk

1 **CODE 3242**  
2  
3  
4  
56 **IN THE SECOND JUDICIAL DISTRICT COURT OF**  
7 **THE STATE OF NEVADA IN AND FOR**  
8 **THE COUNTY OF WASHOE**9 **STEVEN FLOYD VOSS,**10 **Petitioner,**11 **vs.****Case No. CR96-1581****Dept. No. 1**12 **THE STATE OF NEVADA,**13 **Respondent.**  
14 \_\_\_\_\_/15 **ORDER**

16 On August 15, 2018, the Nevada Supreme Court issued its *Order Granting Petition* directing  
17 the Clerk of the Court to issue a Writ of Mandamus instructing the district court to resentence  
18 Petitioner, Steven Floyd Voss, and enter an amended judgment of conviction in CR96-1581 in  
19 compliance with the district court order entered on August 9, 2001 ("August 2001 Order"). The  
20 August 2001 Order granted Petitioner's post-conviction petition in part and ordered a new sentencing  
21 hearing.

22 On August 29, 2018, this Court issued an *Order for Resentencing*. The *Order for*  
23 *Resentencing* appointed the Public Defender's Office to represent Steven Floyd Voss at the  
24 resentencing. Prior to the resentencing, on November 14, 2018, Steven Floyd Voss filed an  
25 *Emergency Motion for Withdrawal (sic) of Court Appointed Counsel*. Thereafter, November 29, 2018,  
26 a hearing was held in which all future proceedings were held in abeyance due to the pending appeals.  
27 Further, at the November 29, 2018 hearing, this Court granted Mr. Voss' *Emergency Motion for*  
28 *Withdrawal (sic) of Court Appointed Counsel* and issued the November 30, 2018 *Order Appointing*



1 *Alternative Public Defender* as counsel for Mr. Voss related to the resentencing only. Accordingly,  
2 Steven Floyd Voss has not been appointed appellate counsel.

3 The district court clerk shall transmit a copy of this order to the clerk of the Supreme Court of  
4 the State of Nevada.

5 IT IS SO ORDERED.

6 DATE this 4<sup>th</sup> day of January, 2019.

7  
8   
9 KATHLEEN DRAKULICH  
10 DISTRICT JUDGE  
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**CERTIFICATE OF SERVICE**

CASE NO. CR96-1581

I certify that I am an employee of the SECOND JUDICIAL DISTRICT COURT of the STATE OF NEVADA, COUNTY OF WASHOE; that on the 4<sup>th</sup> day of January, 2019, I electronically filed the **ORDER** with the Clerk of the Court by using the ECF system.

I further certify that I transmitted a true and correct copy of the foregoing document by the method(s) noted below:

**Electronically filed with the Clerk of the Court by using the ECF system which will send a notice of electronic filing to the following:**

AMOS STEGE, ESQ. for STATE OF NEVADA

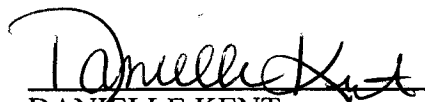
MARC PICKER, ESQ. for STEVEN FLOYD VOSS

JENNIFER NOBLE, ESQ. for STATE OF NEVADA

DIV. OF PAROLE &amp; PROBATION

**Deposited to the Second Judicial District Court mailing system in a sealed envelope for postage and mailing by Washoe County using the United States Postal Service in Reno, Nevada:**

STEVEN FLOYD VOSS (#52094)  
NNCC  
P.O. BOX 7000  
CARSON CITY, NV 89702

  
DANIELLE KENT  
Department One Judicial Assistant

**Return Of NEF****Recipients**

**JENNIFER NOBLE, ESQ.** - Notification received on 2019-01-04 13:54:16.044.  
**MARC PICKER, ESQ.** - Notification received on 2019-01-04 13:54:16.013.  
**AMOS STEGE, ESQ.** - Notification received on 2019-01-04 13:54:16.06.  
**DIV. OF PAROLE & PROBATION** - Notification received on 2019-01-04 13:54:15.982.

**\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\***  
**PROOF OF SERVICE OF ELECTRONIC FILING**

-

**A filing has been submitted to the court RE:** CR96-1581

**Judge:**

HONORABLE KATHLEEN DRAKULICH

**Official File Stamp:**

01-04-2019:13:52:56

**Clerk Accepted:**

01-04-2019:13:53:39

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. STEVEN FLOYD VOSS (D1)

**Document(s) Submitted:**

Notice of Entry of Ord

**Filed By:**

Deputy Clerk NMason

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

**The following people were served electronically:**

AMOS R. STEGE, ESQ. for STATE OF NEVADA  
JENNIFER P. NOBLE, ESQ. for STATE OF  
NEVADA  
DIV. OF PAROLE & PROBATION

**The following people have not been served electronically and must be served by traditional means** (see Nevada Electronic Filing Rules.):

EGAN K. WALKER, ESQ. for STATE OF  
NEVADA  
STEVEN FLOYD VOSS for MARC P. PICKER,  
ESQ., STEVEN FLOYD VOSS

MARC P. PICKER, ESQ. for STEVEN FLOYD  
VOSS

STATE OF NEVADA for STATE OF NEVADA

IN THE SUPREME COURT OF THE STATE OF NEVADA

STEVEN FLOYD VOSS,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

Supreme Court No. 77504  
District Court Case No. CR961581

01

REMITTITUR

TO: Jacqueline Bryant, Washoe District Court Clerk

Pursuant to the rules of this court, enclosed are the following:

Certified copy of Judgment and Opinion/Order.  
Receipt for Remittitur.

DATE: January 08, 2019

Elizabeth A. Brown, Clerk of Court

By: Amanda Ingersoll  
Chief Deputy Clerk

cc (without enclosures):  
Hon. Kathleen M. Drakulich, District Judge  
Steven Floyd Voss  
Washoe County District Attorney

RECEIPT FOR REMITTITUR

Received of Elizabeth A. Brown, Clerk of the Supreme Court of the State of Nevada, the  
REMITTITUR issued in the above-entitled cause, on JAN 9 2019

  
District Court Clerk

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

STEVEN FLOYD VOSS,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

**Supreme Court No. 77504**  
District Court Case No. CR961581

DI

**CLERK'S CERTIFICATE**

STATE OF NEVADA, ss.

I, Elizabeth A. Brown, the duly appointed and qualified Clerk of the Supreme Court of the State of Nevada, do hereby certify that the following is a full, true and correct copy of the Judgment in this matter.

**JUDGMENT**

The court being fully advised in the premises and the law, it is now ordered, adjudged and decreed, as follows:

“ORDER this appeal DISMISSED.”

Judgment, as quoted above, entered this 14th day of December, 2018.

IN WITNESS WHEREOF, I have subscribed my name and affixed the seal of the Supreme Court at my Office in Carson City, Nevada this January 08, 2019.

Elizabeth A. Brown, Supreme Court Clerk

By: Amanda Ingersoll  
Chief Deputy Clerk



## IN THE SUPREME COURT OF THE STATE OF NEVADA

STEVEN FLOYD VOSS,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 77504

CR96-1581  
D1

FILED

DEC 14 2018

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

## ORDER DISMISSING APPEAL

This is a pro se appeal from a district court order denying a "pre-sentencing motion to dismiss action based on want of jurisdiction." Second Judicial District Court, Washoe County; Kathleen M. Drakulich, Judge.

Because no statute or court rule permits an appeal from the aforementioned order, we lack jurisdiction. *Castillo v. State*, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990). Accordingly, we

ORDER this appeal DISMISSED.

Pickering, J.  
Pickering

Gibbons, J.  
Gibbons

Hardesty, J.  
Hardesty

cc: Hon. Kathleen M. Drakulich, District Judge  
Steven Floyd Voss  
Attorney General/Carson City  
Washoe County District Attorney  
Washoe District Court Clerk  
Washoe County Alternate Public Defender



CERTIFIED COPY  
This document is a true and correct copy of  
the original on file and of record in my office.  
DATE: 7-18-19  
Supreme Court Clerk, State of Nevada  
By [Signature] Deputy

**Return Of NEF****Recipients**

**JENNIFER NOBLE, ESQ.** - Notification received on 2019-01-09 15:44:53.87.  
**MARC PICKER, ESQ.** - Notification received on 2019-01-09 15:44:53.839.  
**AMOS STEGE, ESQ.** - Notification received on 2019-01-09 15:44:53.901.  
**DIV. OF PAROLE & PROBATION** - Notification received on 2019-01-09 15:44:53.262.

**\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\***

**PROOF OF SERVICE OF ELECTRONIC FILING**

-

**A filing has been submitted to the court RE:** CR96-1581

**Judge:**

HONORABLE KATHLEEN DRAKULICH

**Official File Stamp:**

01-09-2019:15:43:22

**Clerk Accepted:**

01-09-2019:15:44:09

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. STEVEN FLOYD VOSS (D1)

**Document(s) Submitted:**

Supreme Court Remittitur  
Supreme Ct Clk's Cert & Judg  
Supreme Ct Ord Dismis Appeal

**Filed By:**

Deputy Clerk YViloria

You may review this filing by clicking on the following link to take you to your cases.

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-

If service is not required for this document (e.g., Minutes), please disregard the below language.

**The following people were served electronically:**

AMOS R. STEGE, ESQ. for STATE OF NEVADA  
JENNIFER P. NOBLE, ESQ. for STATE OF  
NEVADA  
DIV. OF PAROLE & PROBATION

**The following people have not been served electronically and must be served by traditional means** (see Nevada Electronic Filing Rules.):

EGAN K. WALKER, ESQ. for STATE OF  
NEVADA

STEVEN FLOYD VOSS for MARC P. PICKER,  
ESQ., STEVEN FLOYD VOSS

MARC P. PICKER, ESQ. for STEVEN FLOYD  
VOSS

STATE OF NEVADA for STATE OF NEVADA

## IN THE SUPREME COURT OF THE STATE OF NEVADA

STEVEN FLOYD VOSS,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 77505

CR96-1581

D1 FILED

JAN 16 2019

ELIZABETH DROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

*ORDER DIRECTING TRANSMISSION OF RECORD  
AND REGARDING BRIEFING*

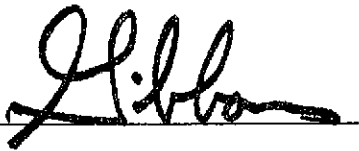
On December 13, 2018, we directed the district court to inform this court whether the Alternate Public Defender was appointed to represent appellant in this appeal. Based on the district court's response, we conclude that this appeal shall proceed as a pro se appeal.

This court has concluded that its review of the complete record is warranted. See NRAP 10(a)(1). Accordingly, the clerk of the district court shall have 30 days from the date of this order to transmit to the clerk of this court a certified copy of the complete trial court record of this appeal. See NRAP 11(a)(2). The record shall include copies of documentary exhibits submitted in the district court proceedings, but shall not include any physical, non-documentary exhibits or the original documentary exhibits. The record shall also include any presentence investigation reports submitted in a sealed envelope identifying the contents and marked confidential. See NRS 176.156(5).

Appellant has filed an informal brief. NRAP 28(k). Respondent need not file a response to the brief unless ordered to do so by this court.

NRAP 46A(c). This court generally will not grant relief without providing an opportunity to file a response. *Id.*

It is so ORDERED.

 C.J.

cc: Steven Floyd Voss  
Attorney General/Carson City  
Washoe County District Attorney  
Washoe District Court Clerk

**Return Of NEF****Recipients**

**JENNIFER NOBLE, ESQ.** - Notification received on 2019-01-17 14:42:45.491.  
**MARC PICKER, ESQ.** - Notification received on 2019-01-17 14:42:45.46.  
**AMOS STEGE, ESQ.** - Notification received on 2019-01-17 14:42:45.507.  
**DIV. OF PAROLE & PROBATION** - Notification received on 2019-01-17 14:42:45.413.

**\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\***  
**PROOF OF SERVICE OF ELECTRONIC FILING**

-

**A filing has been submitted to the court RE:** CR96-1581

**Judge:**

HONORABLE KATHLEEN DRAKULICH

**Official File Stamp:**

01-17-2019:14:41:39

**Clerk Accepted:**

01-17-2019:14:42:15

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. STEVEN FLOYD VOSS (D1)

**Document(s) Submitted:**

Supreme Ct Order Directing

**Filed By:**

Deputy Clerk YViloria

You may review this filing by clicking on the following link to take you to your cases.

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-

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DIV. OF PAROLE & PROBATION

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ESQ., STEVEN FLOYD VOSS



MARC P. PICKER, ESQ. for STEVEN FLOYD  
VOSS

STATE OF NEVADA for STATE OF NEVADA

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

STEVEN FLOYD VOSS,  
Petitioner,  
vs.  
THE SECOND JUDICIAL DISTRICT COURT  
OF THE STATE OF NEVADA, IN AND FOR  
THE COUNTY OF WASHOE,  
Respondent,  
and  
THE STATE OF NEVADA,  
Real Party in Interest.

**Supreme Court No. 74227**  
District Court Case No.  
CR961581;CR96P1581

01

**NOTICE IN LIEU OF REMITTITUR**

TO THE ABOVE-NAMED PARTIES:

The decision and Order of the court in this matter having been entered on August 15th, 2018, and the petition for review having been denied, notice is hereby given that the Order and decision entered herein has, pursuant to the rules of this court, become effective.

DATE: January 22, 2019

Elizabeth A. Brown, Clerk of Court

By: Amanda Ingersoll  
Chief Deputy Clerk

cc: Steven Floyd Voss  
Washoe County District Attorney  
Attorney General/Carson City  
Jacqueline Bryant, Washoe District Court Clerk✓

**Return Of NEF****Recipients**

**JENNIFER NOBLE, ESQ.** - Notification received on 2019-01-24 11:55:26.481.  
**MARC PICKER, ESQ.** - Notification received on 2019-01-24 11:55:26.106.  
**AMOS STEGE, ESQ.** - Notification received on 2019-01-24 11:55:26.84.  
**DIV. OF PAROLE & PROBATION** - Notification received on 2019-01-24 11:55:25.638.

**\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\***  
**PROOF OF SERVICE OF ELECTRONIC FILING**

-

**A filing has been submitted to the court RE:** CR96-1581

**Judge:**

HONORABLE KATHLEEN DRAKULICH

**Official File Stamp:**

01-24-2019:11:52:59

**Clerk Accepted:**

01-24-2019:11:54:12

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. STEVEN FLOYD VOSS (D1)

**Document(s) Submitted:**

Supreme Ct Not/Lieu/Remittitur

**Filed By:**

Deputy Clerk YViloria

You may review this filing by clicking on the following link to take you to your cases.

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-

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DIV. OF PAROLE & PROBATION

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ESQ., STEVEN FLOYD VOSS

MARC P. PICKER, ESQ. for STEVEN FLOYD  
VOSS

STATE OF NEVADA for STATE OF NEVADA