

*Steven D. Grierson*

1 SALLY D. VILLADERE #0081701  
2 PETITIONER In Proper Person  
3 P.O. Box 650 H.D.S.P.  
4 Indian Springs, Nevada 89070

Electronically Filed  
Dec 04 2018 01:51 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

5 EIGHT JUDICIAL DISTRICT COURT

6 CLARK COUNTY NEVADA

7  
8 SALLY D. VILLADERE

9 PETITIONER

Case No. A-18-780041-W

10 -v-

Dept.No. III

11 BRIAN Williams, (warden)

Docket \_\_\_\_\_

12 Respondent

13  
14 NOTICE OF APPEAL

15 Notice is hereby given that the PETITIONER, SALLY VILLADERE

16 \_\_\_\_\_, by and through himself in proper person, does now appeal  
17 to the Supreme Court of the State of Nevada, the decision of the District  
18 Court's Order of November 1, 2018 Denying His Proper Person Petition  
19 For writ of Habeas Corpus (Post-conviction) without findings of facts and  
20 Conclusion of Law in Violation of NRS 34.360 to 34.830 inclusive

21 Dated this date, November 18, 2018

22  
23 Respectfully Submitted,

24 Sally D. Villaderde #0081701

25 In Proper Person  
26  
27  
28

RECEIVED  
NOV 26 2018  
CLERK OF THE COURT

**CERTIFICATE OF SERVICE BY MAILING**

I, SALLY D. VILLAYERDE, hereby certify, pursuant to NRCP 5(b), that on this 18  
day of November, 2018, I mailed a true and correct copy of the foregoing, "

NOTICE OF APPEAL

by depositing it in the High Desert State Prison, Legal Library, First-Class Postage, fully prepaid,  
addressed as follows:

DISTRICT ATTORNEY OFFICE  
300 LEWIS AVE  
LAS VEGAS, NV 89155-1160

DATED: this 18 day of November, 2018.

SALLY D. VILLAYERDE #0081701  
SALLY D. VILLAYERDE #81701  
PETITIONER /In Propria Persona  
Post Office box 650 [HDSP]  
Indian Springs, Nevada 89018

AFFIRMATION  
Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding \_\_\_\_\_

NOTICE OF APPEAL  
(Title of Document)

filed in District Court Case number A-18-780041-W

☒ Does not contain the social security number of any person.

-OR-

☐ Contains the social security number of a person as required by:

A. A specific state or federal law, to wit:

\_\_\_\_\_  
(State specific law)

-or-

B. For the administration of a public program or for an application  
for a federal or state grant.

Sally D. Villaverde  
Signature

NOV, 18, 2018  
Date

SALLY D. VILLAVERDE  
Print Name

PETITIONER  
Title

SALLY D. VILLAVEDE #0081701  
HDSP P.O. BOX 650  
INDIAN SPRINGS NV 89070

LAS VEGAS NV 89000  
NOV 19 1980



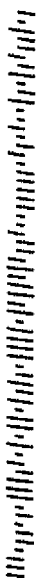
To: STEVEN D. GRIERSON, Clerk of the  
Court

200 Lewis Ave. 3rd floor  
Las Vegas NV 89155-1160

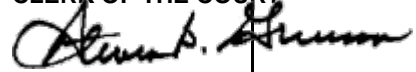
LEGAL MAIL

CONFIDENTIAL

89101-630000



HIGH DESERT STATE PRISON  
NOV 19 1980  
UNIT 7 AB



1 ASTA

2  
3  
4  
5  
6 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**  
7 **STATE OF NEVADA IN AND FOR**  
8 **THE COUNTY OF CLARK**

9 SALLY D. VILLAVERDE,

10 Plaintiff(s),

11 vs.

12 BRIAN WILLIAMS, WARDEN,

13 Defendant(s),  
14

Case No: A-18-780041-W

Dept No: III

15  
16 **CASE APPEAL STATEMENT**  
17

18 1. Appellant(s): Sally D. Villaverde

19 2. Judge: Douglas W. Herndon

20 3. Appellant(s): Sally D. Villaverde

21 Counsel:

22 Sally D. Villaverde #81701  
23 P.O. Box 650  
24 Indian Springs, NV 89070

25 4. Respondent (s): Brian Williams, Warden

26 Counsel:

27 Steven B. Wolfson, District Attorney  
28 200 Lewis Ave.  
Las Vegas, NV 89155-2212

- 1 5. Appellant(s)'s Attorney Licensed in Nevada: N/A  
2 Permission Granted: N/A  
3 Respondent(s)'s Attorney Licensed in Nevada: Yes  
4 Permission Granted: N/A  
5 6. Has Appellant Ever Been Represented by Appointed Counsel In District Court: No  
6 7. Appellant Represented by Appointed Counsel On Appeal: N/A  
7 8. Appellant Granted Leave to Proceed in Forma Pauperis\*\*: Yes, October 24, 2018  
8 \*\*Expires 1 year from date filed  
9 Appellant Filed Application to Proceed in Forma Pauperis: N/A  
10 Date Application(s) filed: N/A  
11 9. Date Commenced in District Court: August 28, 2018  
12 10. Brief Description of the Nature of the Action: Civil Writ  
13 Type of Judgment or Order Being Appealed: Civil Writ of Habeas Corpus  
14 11. Previous Appeal: No  
15 Supreme Court Docket Number(s): N/A  
16 12. Child Custody or Visitation: N/A  
17 13. Possibility of Settlement: Unknown

18 Dated This 28 day of November 2018.

19 Steven D. Grierson, Clerk of the Court

20 /s/ Heather Ungermann

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

26 cc: Sally D. Villaverde  
27  
28

# CASE SUMMARY

## CASE NO. A-18-780041-W

Sally Villaverde, Plaintiff(s)  
 vs.  
 Brian Williams Warden, Defendant(s)

§  
§  
§  
§  
§

Location: **Department 3**  
 Judicial Officer: **Herndon, Douglas W.**  
 Filed on: **08/28/2018**  
 Cross-Reference Case Number: **A780041**

### CASE INFORMATION

#### Related Cases

03C191012-2 (Writ Related Case)

Case Type: **Writ of Habeas Corpus**

Case Status: **08/28/2018 Open**

### DATE

### CASE ASSIGNMENT

#### Current Case Assignment

Case Number A-18-780041-W  
 Court Department 3  
 Date Assigned 08/28/2018  
 Judicial Officer Herndon, Douglas W.

### PARTY INFORMATION

**Plaintiff** Villaverde, Sally D

**Pro Se**








**Defendant** Brian Williams Warden

### DATE

### EVENTS & ORDERS OF THE COURT


### INDEX


#### EVENTS


|            |   |
|------------|---|
| 08/28/2018 |  Application to Proceed in Forma Pauperis<br>Filed By: Plaintiff Villaverde, Sally D   |
| 08/28/2018 |  Motion for Appointment of Attorney<br>Filed By: Plaintiff Villaverde, Sally D<br><i>Motion for the Appointment of Counsel</i>       |
| 08/28/2018 |  Petition for Writ of Habeas Corpus<br>Filed by: Plaintiff Villaverde, Sally D   |
| 08/28/2018 | Trigger for Original Proceedings Packet   |
| 08/31/2018 |  Order for Petition for Writ of Habeas Corpus  |
| 10/12/2018 |  Filed Under Seal<br>Filed By: Plaintiff Villaverde, Sally D<br><i>Financial Certificate</i>   |
| 10/22/2018 |  Motion<br>Filed By: Plaintiff Villaverde, Sally D<br><i>Motion to Extend the Hearing 15 Days Beyond Proof of Receive the Answer</i> |
| 10/22/2018 |  Notice of Motion  |


**CASE SUMMARY**  
**CASE NO. A-18-780041-W**

Filed By: Plaintiff Villaverde, Sally D  
*Notice of Motion*

10/24/2018  Order to Proceed In Forma Pauperis  
Granted for: Plaintiff Villaverde, Sally D  
*Order to Proceed In Forma Pauperis*

10/29/2018  Response  
*State's Response to Defendant's Petition for Writ of Habeas Corpus (Post-Conviction) file on August 28, 2018 and Motion for the Appointment of Counsel*


11/26/2018  Notice of Appeal  
Filed By: Plaintiff Villaverde, Sally D  
*Notice of Appeal*


11/28/2018  Case Appeal Statement  
Filed By: Plaintiff Villaverde, Sally D  
*Case Appeal Statement*

**HEARINGS**


11/01/2018 **Motion for Appointment** (9:00 AM) (Judicial Officer: Herndon, Douglas W.)  
Events: 08/28/2018 Motion for Appointment of Attorney  
*Motion for Appointment of Attorney*  
Motion Denied;

11/01/2018 **Petition** (9:00 AM) (Judicial Officer: Herndon, Douglas W.)  
*Petition for Writ of Habeas*  
Denied;

11/01/2018  **All Pending Motions** (9:00 AM) (Judicial Officer: Herndon, Douglas W.)  
Matter Heard;  
Journal Entry Details:  
*PETITION FOR WRIT OF HABEAS... MOTION FOR APPOINTMENT OF ATTORNEY... Deputy District Attorney Dena Rinetta present on behalf of the State. Defendant not present and in custody with the Nevada Department of Corrections. COURT reviewed the history of the case, and ADVISED, based upon the pleadings and without argument, stated the Petition is TIME BARRED, and is a successive Writ, adding there is nothing in the second Petition that was not available to be raised in the first Petition, and there is no attempt to show why there is good cause in why there was a delay in filing the Petition, and ORDERED Petition DENIED. Court directed the State to file a Findings of Fact and Conclusions of Law. NDC CLERK'S NOTE: A copy of this Minute Order has been mailed to: Sally Villaverde #008170, HDSP, PO BOX 650, Indian Springs, Nevada 89070. (11-13-18 ks);*

11/27/2018  **Motion** (9:00 AM) (Judicial Officer: Herndon, Douglas W.)  
Events: 10/22/2018 Notice of Motion  
*Notice of Motion*

**MINUTES**

 Notice of Motion  
Filed By: Plaintiff Villaverde, Sally D  
*Notice of Motion*

Off Calendar; Notice of Motion

Journal Entry Details:

*Deputy District Attorney Brianna Lamanna present on behalf of State. Defendant not present and in custody with the Nevada Department of Corrections. COURT ADVISED, there are no pending motions and the Defendant's Petition was denied on November 1, 2018 and ORDERED matter OFF CALENDAR. NDC CLERK'S NOTE: A copy of this Minute Order has been mailed to Sally Villaverde #81701, PO BOX 650, Indian Springs, Nevada 89070. (11-28-18 ks);*



**CASE SUMMARY**

**CASE NO. A-18-780041-W**

## DISTRICT COURT CIVIL COVER SHEET

County, Nevada

Case No. \_\_\_\_\_

(Assigned by Clerk's Office)

A-18-780041-W

III

**I. Party Information** (provide both home and mailing addresses if different)

Plaintiff(s) (name/address/phone):

Sally A Villaverde  
HOSP PO Box 650  
Indian Springs, NV 89070

Defendant(s) (name/address/phone):

Brian Williams, Warden

Attorney (name/address/phone):

Attorney (name/address/phone):

**II. Nature of Controversy** (please select the one most applicable filing type below)**Civil Case Filing Types**

|  |  |  |  |
|--|--|--|--|
| <b>Real Property</b><br><b>Landlord/Tenant</b><br><input type="checkbox"/> Unlawful Detainer<br><input type="checkbox"/> Other Landlord/Tenant<br><b>Title to Property</b><br><input type="checkbox"/> Judicial Foreclosure<br><input type="checkbox"/> Other Title to Property<br><b>Other Real Property</b><br><input type="checkbox"/> Condemnation/Eminent Domain<br><input type="checkbox"/> Other Real Property  |  | <b>Negligence</b><br><input type="checkbox"/> Auto<br><input type="checkbox"/> Premises Liability<br><input type="checkbox"/> Other Negligence<br><b>Malpractice</b><br><input type="checkbox"/> Medical/Dental<br><input type="checkbox"/> Legal<br><input type="checkbox"/> Accounting<br><input type="checkbox"/> Other Malpractice | <b>Torts</b><br><b>Other Torts</b><br><input type="checkbox"/> Product Liability<br><input type="checkbox"/> Intentional Misconduct<br><input type="checkbox"/> Employment Tort<br><input type="checkbox"/> Insurance Tort<br><input type="checkbox"/> Other Tort  |
| <b>Probate</b><br><b>Probate</b> (select case type and estate value)<br><input type="checkbox"/> Summary Administration<br><input type="checkbox"/> General Administration<br><input type="checkbox"/> Special Administration<br><input type="checkbox"/> Set Aside<br><input type="checkbox"/> Trust/Conservatorship<br><input type="checkbox"/> Other Probate<br><b>Estate Value</b><br><input type="checkbox"/> Over \$200,000<br><input type="checkbox"/> Between \$100,000 and \$200,000<br><input type="checkbox"/> Under \$100,000 or Unknown<br><input type="checkbox"/> Under \$2,500 | <b>Construction Defect &amp; Contract</b><br><b>Construction Defect</b><br><input type="checkbox"/> Chapter 40<br><input type="checkbox"/> Other Construction Defect<br><b>Contract Case</b><br><input type="checkbox"/> Uniform Commercial Code<br><input type="checkbox"/> Building and Construction<br><input type="checkbox"/> Insurance Carrier<br><input type="checkbox"/> Commercial Instrument<br><input type="checkbox"/> Collection of Accounts<br><input type="checkbox"/> Employment Contract<br><input type="checkbox"/> Other Contract |  | <b>Judicial Review/Appeal</b><br><b>Judicial Review</b><br><input type="checkbox"/> Foreclosure Mediation Case<br><input type="checkbox"/> Petition to Seal Records<br><input type="checkbox"/> Mental Competency<br><b>Nevada State Agency Appeal</b><br><input type="checkbox"/> Department of Motor Vehicle<br><input type="checkbox"/> Worker's Compensation<br><input type="checkbox"/> Other Nevada State Agency<br><b>Appeal Other</b><br><input type="checkbox"/> Appeal from Lower Court<br><input type="checkbox"/> Other Judicial Review/Appeal |
| <b>Civil Writ</b><br><b>Civil Writ</b><br><input checked="" type="checkbox"/> Writ of Habeas Corpus<br><input type="checkbox"/> Writ of Mandamus<br><input type="checkbox"/> Writ of Quo Warrant<br><input type="checkbox"/> Writ of Prohibition<br><input type="checkbox"/> Other Civil Writ  |  | <b>Other Civil Filing</b><br><b>Other Civil Filing</b><br><input type="checkbox"/> Compromise of Minor's Claim<br><input type="checkbox"/> Foreign Judgment<br><input type="checkbox"/> Other Civil Matters  |  |

Business Court filings should be filed using the Business Court civil coversheet.

8-28-18

Date

Legal Dept

Signature of initiating party or representative

See other side for family-related case filings.



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Writ of Habeas Corpus**

**COURT MINUTES**

**November 01, 2018**

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A-18-780041-W      Sally Villaverde, Plaintiff(s)  
vs.  
Brian Williams Warden, Defendant(s)

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**November 01, 2018      9:00 AM      All Pending Motions**

**HEARD BY:** Herndon, Douglas W.      **COURTROOM:** RJC Courtroom 16C

**COURT CLERK:** Kory Schlitz

**RECORDER:** Sara Richardson

**JOURNAL ENTRIES**

- PETITION FOR WRIT OF HABEAS... MOTION FOR APPOINTMENT OF ATTORNEY...

Deputy District Attorney Dena Rinetta present on behalf of the State.

Defendant not present and in custody with the Nevada Department of Corrections. COURT reviewed the history of the case, and ADVISED, based upon the pleadings and without argument, stated the Petition is TIME BARRED, and is a successive Writ, adding there is nothing in the second Petition that was not available to be raised in the first Petition, and there is no attempt to show why there is good cause in why there was a delay in filing the Petition, and ORDERED Petition DENIED. Court directed the State to file a Findings of Fact and Conclusions of Law.

NDC

CLERK'S NOTE: A copy of this Minute Order has been mailed to: Sally Villaverde #008170, HDSP, PO BOX 650, Indian Springs, Nevada 89070. (11-13-18 ks)



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

**SALLY D. VILLAVERDE #81701**  
**P.O. BOX 650**  
**INDIAN SPRINGS, NV 89070**

**DATE: November 28, 2018**  
**CASE: A-18-780041-W**

**RE CASE: SALLY D. VILLAVERDE vs. BRIAN WILLIAMS, WARDEN**

NOTICE OF APPEAL FILED: November 26, 2018

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

**PLEASE NOTE: DOCUMENTS **NOT** TRANSMITTED HAVE BEEN MARKED:**

- ☐ \$250 – Supreme Court Filing Fee (Make Check Payable to the Supreme Court)\*\*
  - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- ☐ \$24 – District Court Filing Fee (Make Check Payable to the District Court)\*\*
- ☐ \$500 – Cost Bond on Appeal (Make Check Payable to the District Court)\*\*
  - NRAP 7: Bond For Costs On Appeal in Civil Cases
- ☐ Case Appeal Statement
  - NRAP 3 (a)(1), Form 2
- ☒ Order
- ☒ Notice of Entry of Order

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

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

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

---

***\*\*Per District Court Administrative Order 2012-01, in regards to civil litigants, "...all Orders to Appear in Forma Pauperis expire one year from the date of issuance." You must reapply for in Forma Pauperis status.***

# Certification of Copy

State of Nevada }  
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT  
DOCKET ENTRIES; CIVIL COVER SHEET; DISTRICT COURT MINUTES; NOTICE OF  
DEFICIENCY

SALLY D. VILLAVERDE,

Plaintiff(s),

vs.

BRIAN WILLIAMS, WARDEN,

Defendant(s),

Case No: A-18-780041-W

Dept No: III

now on file and of record in this office.

**IN WITNESS THEREOF**, I have hereunto  
Set my hand and Affixed the seal of the  
Court at my office, Las Vegas, Nevada  
This 28 day of November 2018.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk