

IN THE SUPREME COURT OF THE STATE OF NEVADA

Tony L Hobson
Appellant,
vs.
State of Nevada
Respondent.

Supreme Court No. 78528

District Court No. 18-78444-8-W

FILED

MAY 22 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY [Signature]
DEPUTY CLERK

APPELLANT'S INFORMAL BRIEF

INSTRUCTIONS: If you are an appellant proceeding pro se (without an attorney) in the Nevada Supreme Court, you must file either (1) a brief that complies with Nevada Rule of Appellate Procedure (NRAP) 28(a), or (2) a completed copy of this informal brief form, *see* NRAP 28(k), with the Nevada Supreme Court on or before the due date, *see* NRAP 31. In civil appeals, if you do not file one of these documents by the due date, the Nevada Supreme Court may dismiss your appeal. In postconviction criminal appeals, if you do not file one of these documents by the due date, the Nevada Supreme Court or Nevada Court of Appeals may decide your appeal on the record without briefing.

HOW TO FILL OUT THIS FORM: This form must be typed, unless you are incarcerated, in which case it must be clearly handwritten. You do not need to refer to legal authority or the district court record. If you are completing your brief on this form, write only in the space allowed on the form. **Additional pages and attachments are not allowed.** If typing an informal brief, you may either use the lined paper contained in this form or an equivalent number of pages of your own paper. Your brief will be stricken if you fail to follow the directions in this form and the Nevada Rules of Appellate Procedure.

WHERE TO FILE THE BRIEF: You may submit your brief for filing in person or by mail.

To file your brief in person: Briefs may be submitted for filing Monday through Friday, 8:00 a.m. to 4:00 p.m.

Carson City: Bring the brief to the Clerk's Office at the Supreme Court of Nevada, 201 South Carson Street, Carson City, Nevada, 89701.

Las Vegas: Place your brief in the Clerk's Office Drop Box at the Las Vegas courthouse for the Nevada Appellate Courts, 408 East Clark Avenue, Las Vegas, Nevada, 89101.

Informal Brief Form, October 2017
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
DEPUTY CLERK

19-22315

To file your brief by mail: Mail the brief to the Clerk of the Supreme Court of Nevada, 201 South Carson Street, Carson City, Nevada 89701. **Your brief must be postmarked on or before the due date.**

You must file the original brief and 1 copy with the clerk of the Nevada Supreme Court. If you want the clerk to return a file-stamped copy of your brief, you must file the original form and 2 copies and include a self-addressed, stamped envelope. Documents cannot be faxed or emailed to the Supreme Court Clerk's Office.

Copies of the brief must be mailed or delivered to the other parties to this appeal or to the parties' attorneys, if they have attorneys. You must also include a proper certificate of service or complete the certificate that is attached to the informal brief form.

CAUTION: Pro se parties are prohibited from representing other parties. A pro se party may not complete a brief on behalf of other parties. Pro se parties may collaborate on their briefs, however, provided that if one brief is submitted on behalf of multiple pro se parties, each party must sign and date the brief to confirm that he or she has participated in the preparation of the brief and, by his or her signature, joins in the arguments and representations contained therein.

Judgment or Order You Are Appealing. List the judgment or order that you are appealing from and the date that the judgment or order was filed in the district court.

Filed Date	Name of Judgment or Order
3-20-19	Finding of facts law and order

Notice of Appeal. Give the date you filed your notice of appeal in the district court: 3-25-19

Related Cases. List all other court cases related to this case. Provide the case number, title of the case and name of the court where the case was filed.

Case No.	Case Title	Name of Court
A-18-78448-W	HODSON vs STATE	DISTRICT COURT
71419	HODSON vs STATE	SUPREME COURT

Pro Bono Counsel. Would you be interested in having pro bono counsel assigned to represent you in this appeal?

☒ Yes ☐ No

NOTE: If the court determines that your case may be appropriate for having pro bono counsel assigned, an appropriate order will be entered. Assignment of pro bono counsel is not automatic.

Statement of Facts. Explain the facts of your case. (Your answer must be provided in the space allowed.)

① The District court failed to give the petitioner an evidentiary hearing Mann vs State to determine whether trial counsel's lack of investigation, failure to object to introduction of DNA (Both DNA Reports) Failure to raise perjury of Det abell in grand jury, Failure to object to

admission of photograph of phones and money, Failure To TEST DNA on a Independent level, and having a DNA Expert Testify, Failure To subpoena WITNESS / Tag officer / ~~attorneys~~ all alleged victims / DET Flynn / officer mohler, Also Failure To Impeach DNA expert with email sent to DET abell, and last but not least, counsels failure to object to Jury Instruction 43,

(2) petitioners 6th amendment Right To Effective assistance of counsel was Denied When appellant counsel failed To raise multiple violations where The Judge abused his Discretion, also multiple violations Where The District Attorney committed prosecutorial misconduct, also multiple Brady violations by The State. please refer To petitioners 1st amended Habeas petition on each ground for abuse of discretion, prosecutorial misconduct, and Brady violations. ~~counsel~~ counsel failed To raise on Direct appeal ~~petitioner attached as exhibit in petitioner's opposition to state's response letters to appellant attorney and affidavit from petitioner That he In fact asked~~

appellant counsel on numerous occasions over the phone to file abuse of discretion by the Judge Kephart, and prosecutorial misconduct by District Attorney F. Z. Mercer.

Statement of District Court Error. Explain why you believe the district court was wrong. Also state what action you want the Nevada Supreme Court to take. (Your answer must be provided in the space allowed.)

The District court was wrong because first off the Judge never addressed any of petitioner's motions that can help prove petitioner's claims of IAC, and prosecuter misconduct also Denying the petitioner a full fair chance to develop the record. The District court ignored the petitioner's Ex-parte motions also filed that ~~was~~ were necessary.

Subpoenas
To Develop The record via ~~Subpoenas~~
The petitioner has already gotten stamp
by The court and are ready to be served.
DNA Scientific reports, phones records,
Video visits that were recorded,
Electric bills, personal records from
metro, check stubs, and billing records.

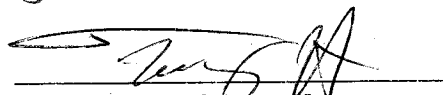
The action the petitioner would like
for The Supreme court to take is to
Remand the petitioner back to
District court with instructions
to District court to grant motions
to appoint or approve petitioner
funding for Investigator to serve
subpoenas, also to grant petitioners
separate habeas to independently
re-test DNA base on XRS 176.0918.
also grant motion to stay until petitioner
gets all subpoenas served and all
affidavits done, and last but not
least the petitioner would like for
The Supreme court to order the
District court to give the petitioner
an evidentiary hearing after the
petitioner gets a full fair chance
to prove his claims. most of the

States contentions in there opposition to the petitioner is that it was counsel's strategic decision to do what he did, which is all speculation. The only way to see or tell what counsel's strategic decision is or was is to put him on the stand at a evidentiary hearing. If not this court would only be going off of speculation. The petitioner would also ask the Supreme court to thoroughly go through the petitioners habeas grounds and understand what the petitioner is saying that the judge did to violate his rights also what the District Attorney did to violate the petitioners rights and last but not least what trial and appellant attorneys failed to do for the petitioner which also violated my rights.

The petitioner would also point out that he is incarcerated and has no way to serve subpoenas or get affidavits to support his claims himself. The petitioner only wants a fair and honest chance to prove his

claims If The Supreme Court will
allow him.

DATED this 16 day of may, 2014


Signature of Appellant

Tony Hobson
Print Name of Appellant

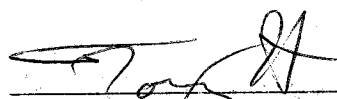
CERTIFICATE OF SERVICE

I certify that on the date indicated below, I served a copy of this completed informal brief form upon all parties to the appeal as follows:

- ☐ By personally serving it upon him/her; or
☒ By mailing it by first-class mail with sufficient postage prepaid to the following address(es) (list names and address(es) of parties served):

Supreme Court of Nevada
Office of The Clerk
201 S. Carson Street, Suite 201
Carson City, NV 89401

DATED this 10 day of May, 2019.



Signature of Appellant

Tary Hobson

Print Name of Appellant

PO Box 208

Address

Indian Springs, NV 89070

City/State/Zip

N/A

Telephone