

*Steven D. Grierson*

CASE NO. A-19-79610-W

Electronically Filed  
Oct 29 2019 02:14 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

IN THE 8<sup>TH</sup> JUDICIAL DISTRICT  
State of Nevada and for the County of Clark

State of Nevada

vs

Matthew Washington

Notice of appeal

Notice is hereby given that Matthew Washington  
petitioner Defendant above named hereby appeals  
TO COURT of appeals for the State of Nevada from  
the final Judgment / order (notice of entry of order  
finding of fact conclusion and law  
Entered in this action on the 18 day of September  
2019. Dated this 13 day of October 2019

RECEIVED

OCT 18 2019

CLERK OF THE COURT

Matthew Washington  
Appellant pro per  
Elly State Prison  
P.O. Box 1989  
Elly, Nevada 89301-1989

I, Matthew Washington hereby certify pursuant to  
rule 5(B) of the NRCF, that on the 13 day of October  
2019 I viewed a true and correct copy of the above  
entitled notice of appeal. postage prepaid and  
addressed as follows:

Steven B. Wofson  
Clark County District Attorney  
200 Lewis Avenue  
Las Vegas NV 89155-2217.

Matthew Washington \*1061467

Matthew Washington \*1061467

Ely State Prison

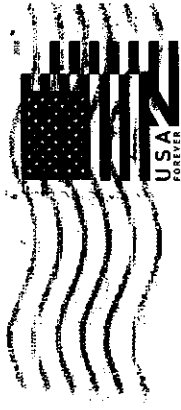
P.O. Box 1989

Ely Nevada 89301-1989

MR. MATTHEW W. WINGARD #1061467  
ESP/PO. BOX 1089  
ELY, NEVADA 89301

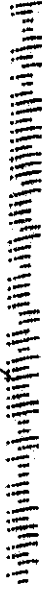
LAS VEGAS NV 890

15 OCT 2019 PM 4 1



CLERK of DIST COURT  
200 LEWIN AVENUE 3RD FLOOR  
LAS VEGAS, NEVADA 89155

8910135300 0075



ELY STATE PRISON  
OCT 15 2019  
U6



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 MATTHEW WASHINGTON,

10 Plaintiff(s),

11 vs.

12 STATE OF NEVADA,

13 Defendant(s),

Case No: A-19-797610-W

Dept No: XV

14  
15  
16 **CASE APPEAL STATEMENT**

17  
18 1. Appellant(s): Matthew Washington

19 2. Judge: Joe Hardy

20 3. Appellant(s): Matthew Washington

21 Counsel:

22 Matthew Washington #1061467  
23 P.O. Box 1989  
24 Ely, NV 89301-1989

25 4. Respondent (s): State of Nevada

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\*\*: N/A

8 \*\*Expires 1 year from date filed

9 Appellant Filed Application to Proceed in Forma Pauperis: No  
10 Date Application(s) filed: N/A

11 9. Date Commenced in District Court: June 17, 2019

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: Yes

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 19 day of October 2019.

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: Matthew Washington  
27  
28

# CASE SUMMARY

## CASE NO. A-19-797610-W

**Matthew Washington, Plaintiff(s)**  
**vs.**  
**State of Nevada, Defendant(s)**

§  
§  
§  
§  
§

Location: **Department 15**  
 Judicial Officer: **Hardy, Joe**  
 Filed on: **06/17/2019**  
 Cross-Reference Case Number: **A797610**

### CASE INFORMATION

**Related Cases**

C-13-294695-1 (Writ Related Case)

Case Type: **Writ of Habeas Corpus****Statistical Closures**

09/18/2019 Summary Judgment

Case Status: **09/18/2019 Closed**

## DATE

## CASE ASSIGNMENT

**Current Case Assignment**

Case Number A-19-797610-W  
 Court Department 15  
 Date Assigned 06/17/2019  
 Judicial Officer Hardy, Joe

### PARTY INFORMATION

**Plaintiff** **Washington, Matthew***Lead Attorneys***Pro Se****Defendant** **State of Nevada**

**Wolfson, Steven B**  
*Retained*  
 702-671-2700(W)


## DATE

## EVENTS &amp; ORDERS OF THE COURT


## INDEX

**EVENTS**


06/17/2019

 Inmate Filed - Petition for Writ of Habeas Corpus  
 Party: Plaintiff Washington, Matthew  
*Post Conviction*


06/17/2019

 Motion for Appointment of Attorney  
 Filed By: Plaintiff Washington, Matthew  
*Ex Parte Motion for Appointment of Counsel and Request for Evidentiary Hearing*


07/05/2019

 Order for Petition for Writ of Habeas Corpus

07/05/2019

 Clerk's Notice of Hearing  
*Notice of Hearing*

08/14/2019

 Response  
 Filed by: Defendant State of Nevada  
*State's Response to Defendant's Petition for Writ of Habeas Corpus, Motion for Appointment of Counsel, and Request for Evidentiary Hearing*


09/18/2019


 Order  
*Order Denying Petition for Writ of Habeas Corpus; Ex Parte Motion for Appointment of Counsel and Request for Evidentiary Hearing*


**CASE SUMMARY**  
**CASE NO. A-19-797610-W**

09/23/2019  Notice of Entry of Order  
*Notice of Entry of Order*

09/26/2019  Notice of Appeal

10/17/2019  Case Appeal Statement  
Filed By: Plaintiff Washington, Matthew  
*Case Appeal Statement*


10/18/2019  Notice of Appeal  
Filed By: Plaintiff Washington, Matthew  
*Notice of Appeal*

10/19/2019  Case Appeal Statement  
Filed By: Plaintiff Washington, Matthew  
*Case Appeal Statement*

**HEARINGS**

09/03/2019 **Petition for Writ of Habeas Corpus (8:30 AM)** (Judicial Officer: Hardy, Joe)  
Denied;

09/03/2019 **Motion for Appointment of Attorney (8:30 AM)** (Judicial Officer: Hardy, Joe)  
*Ex Parte Motion for Appointment of Counsel and Request for Evidentiary Hearing*  
Denied;

09/03/2019  **All Pending Motions (8:30 AM)** (Judicial Officer: Hardy, Joe)  
Matter Heard;  
Journal Entry Details:  
*PETITION FOR WRIT OF HABEAS CORPUS...EX PARTE MOTION FOR APPOINTMENT OF COUNSEL AND REQUEST FOR EVIDENTIARY HEARING Having reviewed all the pleadings, and hearing no oral arguments from either party, COURT ORDERED the Petition for Writ of Habeas Corpus, and the Ex Parte Motion for Appointment of Counsel and Request for Evidentiary Hearing, were hereby DENIED, FINDING the following: (1) the Petition for Writ of Habeas Corpus was denied for all of the reasons set forth in the State's response; (2) the Petition for Writ of Habeas Corpus was time barred, successive, and an abuse of the Writ process; (3) movant failed to show good cause, or prejudice, to overcome the procedural bars; and (4) the Motion for Appointment of Counsel and Request for Evidentiary Hearing, lacked good cause. The State shall prepare the written Order. COURT ORDERED a status check regarding the submittal of the written Order, was hereby SET. NDC 10/3/19 8:30 AM STATUS CHECK: ORDER CLERK'S NOTE: A copy of this minute order was mailed to: Matthew Washington #1061467 [Ely State Prison P.O. Box 1989 Ely, NV 89301]. (KD 9/4/19);*

10/03/2019 **CANCELED Status Check (8:30 AM)** (Judicial Officer: Hardy, Joe)  
*Vacated*  
*Status Check: Order*

## DISTRICT COURT CIVIL COVER SHEET

A-19-797610-W  
Dept. XV

County, Nevada

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

(Assigned by Clerk's Office)

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

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

Matthew Washington

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

State of Nevada

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**

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

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

June 17, 2019

Date

Signature of initiating party or representative

See other side for family-related case filings.



*Steven D. Grierson*

**ORDR**

STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565  
STEVEN L. WATERS  
Chief Deputy District Attorney  
Nevada Bar #006162  
200 Lewis Avenue  
Las Vegas, NV 89155-2212  
(702) 671-2500  
Attorney for Plaintiff

DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

MATTHEW WASHINGTON,  
#2685499

Defendant.

CASE NO: A-19-797610-W

DEPT NO: XV

**ORDER DENYING PETITION FOR WRIT OF HABEAS CORPUS...EX PARTE  
MOTION FOR APPOINTMENT OF COUNSEL AND REQUEST FOR  
EVIDENTIARY HEARING**

DATE OF HEARING: September 03, 2019  
TIME OF HEARING: 8:30 A.M.

THIS MATTER having come on for hearing before the above entitled Court on the 3rd day of September, 2019, the Defendant not being present, IN PROPER PERSON, the Plaintiff being represented by STEVEN B. WOLFSON, District Attorney, through STEVEN L. WATERS, Chief Deputy District Attorney, and the Court having heard the arguments of counsel / without argument, based on the pleadings and good cause appearing therefor,

///

///

///

///

<input type="checkbox"/> Voluntary Dismissal	<input checked="" type="checkbox"/> Summary Judgment
<input type="checkbox"/> Involuntary Dismissal	<input type="checkbox"/> Stipulated Judgment
<input type="checkbox"/> Stipulated Dismissal	<input type="checkbox"/> Default Judgment
<input type="checkbox"/> Motion to Dismiss by Deft(s)	<input type="checkbox"/> Judgment of Arbitration

W:\2013\2013F\180\33\13F18033-ORDR-(WASHINGTON\_MATTHEW)-001.DOCX

SEP 12 2019

1 IT IS HEREBY ORDERED that the Defendant's Pro Per Motion for Petition for Writ  
2 of Habeas Corpus; Ex Parte Motion for Appointment of Counsel and Request for Evidentiary  
3 Hearing, shall be, and it is DENIED, FINDING the following (1) the Petition for Writ of  
4 Habeas Corpus was denied for all of the reasons set forth in the State's response; (2) the  
5 Petition for Writ of Habeas Corpus was time barred, successive, and an abuse of the Writ  
6 process; (3) movant failed to show good cause, or prejudice, to overcome the procedural bars;  
7 and (4) the Motion for Appointment of Counsel and Request for Evidentiary Hearing, lacked  
8 good cause..

9 DATED this 12<sup>th</sup> day of September, 2019.

10  
11 Jeff Hardy  
DISTRICT JUDGE 90

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

14  
15 BY [Signature]

16 STEVEN L. WATERS  
17 Chief Deputy District Attorney  
Nevada Bar #006162

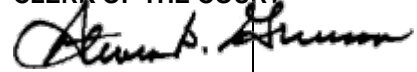
18 CERTIFICATE OF SERVICE

19 I certify that on the 18<sup>th</sup> day of Sept., 2019, I mailed a copy of the foregoing Order  
20 to:

21 MATTHEW WASHINGTON, BAC #1061467  
22 ELY STATE PRISON  
P. O. BOX 1989  
ELY, NEVADA 89301

23  
24 BY /s/ J. HAYES  
25 Secretary for the District Attorney's Office  
26  
27

28 13F18033X/jlh/GANG



NEOJ

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

MATTHEW WASHINGTON,

Petitioner,

vs.

STATE OF NEVADA,

Respondent,

Case No: A-19-797610-W

Dept. No: XV

**NOTICE OF ENTRY OF ORDER**

**PLEASE TAKE NOTICE** that on September 18, 2019, the court entered a decision or order in this matter, a true and correct copy of which is attached to this notice.

You may appeal to the Supreme Court from the decision or order of this 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. This notice was mailed on September 23, 2019.

STEVEN D. GRIERSON, CLERK OF THE COURT

/s/ Debra Donaldson

Debra Donaldson, Deputy Clerk

**CERTIFICATE OF E-SERVICE / MAILING**

I hereby certify that on this 23 day of September 2019, I served a copy of this Notice of Entry on the following:

☒ By e-mail:

Clark County District Attorney's Office  
Attorney General's Office – Appellate Division-

☒ The United States mail addressed as follows:

Matthew Washington # 1061467  
P.O. Box 1989  
Ely, NV 89301

/s/ Debra Donaldson

Debra Donaldson, Deputy Clerk

*Steven D. Grierson*

**ORDR**

STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565  
STEVEN L. WATERS  
Chief Deputy District Attorney  
Nevada Bar #006162  
200 Lewis Avenue  
Las Vegas, NV 89155-2212  
(702) 671-2500  
Attorney for Plaintiff

DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

MATTHEW WASHINGTON,  
#2685499

Defendant.

CASE NO: A-19-797610-W

DEPT NO: XV

**ORDER DENYING PETITION FOR WRIT OF HABEAS CORPUS...EX PARTE  
MOTION FOR APPOINTMENT OF COUNSEL AND REQUEST FOR  
EVIDENTIARY HEARING**

DATE OF HEARING: September 03, 2019  
TIME OF HEARING: 8:30 A.M.

THIS MATTER having come on for hearing before the above entitled Court on the 3rd day of September, 2019, the Defendant not being present, IN PROPER PERSON, the Plaintiff being represented by STEVEN B. WOLFSON, District Attorney, through STEVEN L. WATERS, Chief Deputy District Attorney, and the Court having heard the arguments of counsel / without argument, based on the pleadings and good cause appearing therefor,

///

///

///

///

<input type="checkbox"/> Voluntary Dismissal	<input checked="" type="checkbox"/> Summary Judgment
<input type="checkbox"/> Involuntary Dismissal	<input type="checkbox"/> Stipulated Judgment
<input type="checkbox"/> Stipulated Dismissal	<input type="checkbox"/> Default Judgment
<input type="checkbox"/> Motion to Dismiss by Deft(s)	<input type="checkbox"/> Judgment of Arbitration

W:\2013\2013F\180\33\13F18033-ORDR-(WASHINGTON\_MATTHEW)-001.DOCX

SEP 12 2019

1 IT IS HEREBY ORDERED that the Defendant's Pro Per Motion for Petition for Writ  
2 of Habeas Corpus; Ex Parte Motion for Appointment of Counsel and Request for Evidentiary  
3 Hearing, shall be, and it is DENIED, FINDING the following (1) the Petition for Writ of  
4 Habeas Corpus was denied for all of the reasons set forth in the State's response; (2) the  
5 Petition for Writ of Habeas Corpus was time barred, successive, and an abuse of the Writ  
6 process; (3) movant failed to show good cause, or prejudice, to overcome the procedural bars;  
7 and (4) the Motion for Appointment of Counsel and Request for Evidentiary Hearing, lacked  
8 good cause..

9 DATED this 12<sup>th</sup> day of September, 2019.

10  
11   
DISTRICT JUDGE 90

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

14  
15 BY 

16 STEVEN L. WATERS  
17 Chief Deputy District Attorney  
Nevada Bar #006162

18 CERTIFICATE OF SERVICE

19 I certify that on the 18<sup>th</sup> day of Sept., 2019, I mailed a copy of the foregoing Order  
20 to:

21 MATTHEW WASHINGTON, BAC #1061467  
22 ELY STATE PRISON  
P. O. BOX 1989  
ELY, NEVADA 89301

23  
24 BY /s/ J. HAYES  
25 Secretary for the District Attorney's Office  
26  
27

28 13F18033X/jlh/GANG

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Writ of Habeas Corpus**

**COURT MINUTES**

**September 03, 2019**

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A-19-797610-W      Matthew Washington, Plaintiff(s)  
vs.  
State of Nevada, Defendant(s)

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**September 03, 2019      8:30 AM      All Pending Motions**

**HEARD BY:** Hardy, Joe      **COURTROOM:** RJC Courtroom 11D

**COURT CLERK:** Kristin Duncan  
Rem Lord

**RECORDER:** Sandra Pruchnic

**REPORTER:**

**PARTIES**

**PRESENT:** Waters, Steven L      Attorney

**JOURNAL ENTRIES**

- PETITION FOR WRIT OF HABEAS CORPUS...EX PARTE MOTION FOR APPOINTMENT OF COUNSEL AND REQUEST FOR EVIDENTIARY HEARING

Having reviewed all the pleadings, and hearing no oral arguments from either party, COURT ORDERED the Petition for Writ of Habeas Corpus, and the Ex Parte Motion for Appointment of Counsel and Request for Evidentiary Hearing, were hereby DENIED, FINDING the following: (1) the Petition for Writ of Habeas Corpus was denied for all of the reasons set forth in the State's response; (2) the Petition for Writ of Habeas Corpus was time barred, successive, and an abuse of the Writ process; (3) movant failed to show good cause, or prejudice, to overcome the procedural bars; and (4) the Motion for Appointment of Counsel and Request for Evidentiary Hearing, lacked good cause. The State shall prepare the written Order.

COURT ORDERED a status check regarding the submittal of the written Order, was hereby SET.

NDC

10/3/19 8:30 AM STATUS CHECK: ORDER

CLERK'S NOTE: A copy of this minute order was mailed to: Matthew Washington #1061467 [Ely State Prison P.O. Box 1989 Ely, NV 89301]. (KD 9/4/19)

# 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; ORDER DENYING PETITION FOR WRIT OF HABEAS CORPUS...EX PARTE MOTION FOR APPOINTMENT OF COUNSEL AND REQUEST FOR EVIDENTIARY HEARING; NOTICE OF ENTRY OF ORDER; DISTRICT COURT MINUTES

MATTHEW WASHINGTON,

Plaintiff(s),

vs.

STATE OF NEVADA,

Defendant(s),

Case No: A-19-797610-W

Dept No: XV

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 19 day of October 2019.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk