

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHRISTIAN STEPHON MILES, ) No. 80963

Appellant, )

v. )

THE STATE OF NEVADA, )

Respondent. )

Electronically Filed  
Apr 20 2020 05:15 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

APPELLANT’S RESPONSE TO THE COURT’S  
APRIL 17, 2020 ORDER TO SHOW CAUSE

On April 17, 2020, the court entered an Order to Show Cause why this appeal should not be dismissed for lack of jurisdiction because only an aggrieved party may appeal, *see* NRS 177.015, and the only change in the amended judgment of conviction appealed from in this case was a “decrease in the aggregate total sentence.” *Order to Show Cause* (April 17, 2020). Appellant, Christian Stephon Miles, was then given 21 days from the date of the order to show why the appeal should not be dismissed. *Ibid.*

To be sure, the amended judgment corrected — it did not lower or decrease — a mathematical or computational error by the district court in the original judgment. The judgment shows that Miles was sentenced to the following:

Count 1: 5 years (60 months) to Life;

Count 2: 5 years (60 months) to Life, *consecutive* to Count 1;

Count 3: 19 to 48 months, *consecutive* to Counts 1 and 2; and

Count 4: 24 to 72 months, *consecutive* to Counts 1, 2, and 3.

Ex. 1 (Judgment) (emphasis added). That equals an aggregate total sentence of 163 months ( $60 + 60 + 19 + 24 = 163$ ) to life, not 167 months to life as incorrectly noted in the judgment.

The Nevada Department of Corrections caught the mathematical or clerical error and brought it to the court's attention. The district court therefore corrected the clerical mistake in an amended judgment. Ex. 2 (Amended Judgment).

The amended judgment, however, did not lower or decrease Miles' sentences or his aggregate total sentence. All of that has remained the same, and Miles is definitely aggrieved by those sentences, all of which were run consecutively, including two consecutive life sentences.

That said, Miles is challenging his sentences in his appeal from the original judgment, which is appeal No. 79554. The opening brief in that case was filed today. Thus, if the court believes it was unnecessary for Miles to appeal from the amended judgment in order to preserve his right to challenge his sentences, Miles has no objection to this appeal being dismissed. Otherwise, he respectfully submits he is aggrieved by the amended judgment, which imposes the same sentences upon him, and he respectfully requests his appeals (Nos. 79554 and 80963) be

consolidated, as he has requested in a previously filed motion.

DATED: April 20, 2020.

/s/ Mario D. Valencia  
MARIO D. VALENCIA  
Nevada Bar No. 6154  
40 S. Stephanie St., Ste. 201  
Henderson, NV 89012  
(702) 384-7494  
*Counsel for Christian Stephon Miles*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY AND AFFIRM that this document was filed electronically with the Nevada Supreme Court on April 20, 2020. Electronic service of the foregoing document shall be made in accordance with the Master Service List as follows:

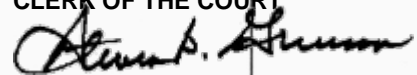
AARON D. FORD  
Nevada Attorney General

ALEXANDER CHEN  
Chief Deputy District Attorney

/s/ Mario D. Valencia  
MARIO D. VALENCIA

# **EXHIBIT 1**

# **EXHIBIT 1**



JOC

DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

CHRISTIAN STEPHON MILES  
#2888634

Defendant.

CASE NO. C-15-306436-1

DEPT. NO. XVIII

JUDGMENT OF CONVICTION  
(JURY TRIAL)

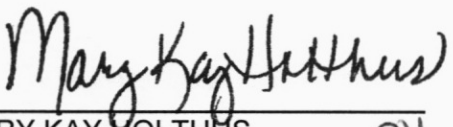
The Defendant previously entered a plea of not guilty to the crimes of COUNT 1 - SEX TRAFFICKING OF A CHILD UNDER 18 YEARS OF AGE (Category A Felony) in violation of NRS 201.300.2a1; COUNT 2 - FIRST DEGREE KIDNAPPING (Category A Felony) in violation of NRS 200.310, 200.320; COUNT 3 - LIVING FROM THE EARNINGS OF A PROSTITUTE (Category D Felony) in violation of NRS 201.320; and COUNT 4 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT (Category B Felony) in violation of NRS 200.508(1); and the matter having been tried before a jury and the Defendant having been found guilty of the crimes of COUNT 1 - SEX TRAFFICKING OF A CHILD UNDER 18 YEARS OF AGE (Category A Felony) in violation of NRS 201.300.2a1; COUNT 2 - FIRST DEGREE KIDNAPPING (Category A Felony) in violation of NRS 200.310, 200.320; COUNT 3 - LIVING FROM THE EARNINGS OF A PROSTITUTE (Category D Felony) in violation of NRS

201.320; and COUNT 4 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT (Category B Felony) in violation of NRS 200.508(1); thereafter, on the 3<sup>rd</sup> day of September, 2019, the Pro Se Defendant was present in court for sentencing with standby counsel ROBERT BECKETT, ESQ., and good cause appearing,

THE DEFENDANT IS HEREBY ADJUDGED guilty of said offenses and, in addition to the \$25.00 Administrative Assessment Fee, \$2,500.00 Administrative Assessment Fee per AB241, and \$150.00 DNA Analysis Fee including testing to determine genetic markers plus \$3.00 DNA Collection Fee, the Defendant is SENTENCED to the Nevada Department of Corrections (NDC) as follows: **COUNT 1** - LIFE with a MINIMUM Parole Eligibility of SIXTY (60) MONTHS; **COUNT 2** - LIFE with a MINIMUM Parole Eligibility of SIXTY (60) MONTHS, CONSECUTIVE to COUNT 1; **COUNT 3** - a MAXIMUM of FORTY-EIGHT (48) MONTHS with a MINIMUM Parole Eligibility of NINETEEN (19) MONTHS, CONSECUTIVE to COUNTS 1 & 2; and **COUNT 4** - a MAXIMUM of SEVENTY-TWO (72) MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS, CONSECUTIVE to COUNTS 1, 2, & 3; with FIVE HUNDRED FORTY-SIX (546) DAYS credit for time served. The AGGREGATE TOTAL sentence is LIFE with a MINIMUM PAROLE ELIGIBILITY of ONE HUNDRED SIXTY-SEVEN (167) MONTHS.

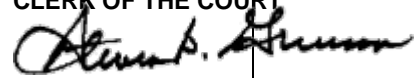
FURTHER ORDERED, the Defendant is to REGISTER as a sex offender in accordance with NRS 179D.460 within FORTY-EIGHT (48) HOURS after any release from custody.

DATED this 4 day of September, 2019.

  
MARY KAY HOLTHUS  
DISTRICT COURT JUDGE 04

# **EXHIBIT 2**

# **EXHIBIT 2**



AJOC

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

CHRISTIAN STEPHON MILES  
#2888634

Defendant.

CASE NO. C-15-306436-1

DEPT. NO. XVIII

AMENDED JUDGMENT OF CONVICTION  
(JURY TRIAL)

The Defendant previously entered a plea of not guilty to the crimes of COUNT 1 - SEX TRAFFICKING OF A CHILD UNDER 18 YEARS OF AGE (Category A Felony) in violation of NRS 201.300.2a1; COUNT 2 - FIRST DEGREE KIDNAPPING (Category A Felony) in violation of NRS 200.310, 200.320; COUNT 3 - LIVING FROM THE EARNINGS OF A PROSTITUTE (Category D Felony) in violation of NRS 201.320; and COUNT 4 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT (Category B Felony) in violation of NRS 200.508(1); and the matter having been tried before a jury and the Defendant having been found guilty of the crimes of COUNT 1 - SEX TRAFFICKING OF A CHILD UNDER 18 YEARS OF AGE (Category A Felony) in violation of NRS 201.300.2a1; COUNT 2 - FIRST DEGREE KIDNAPPING (Category



1 A Felony) in violation of NRS 200.310, 200.320; COUNT 3 - LIVING FROM THE  
2 EARNINGS OF A PROSTITUTE (Category D Felony) in violation of NRS  
3 201.320; and COUNT 4 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT  
4 (Category B Felony) in violation of NRS 200.508(1); thereafter, on the 3<sup>rd</sup> day of  
5 September, 2019, the Pro Se Defendant was present in court for sentencing with  
6 standby counsel ROBERT BECKETT, ESQ., and good cause appearing,  
7

8 THE DEFENDANT WAS ADJUDGED guilty of said offenses and, in addition to  
9 the \$25.00 Administrative Assessment Fee, \$2,500.00 Administrative Assessment  
10 Fee per AB241, and \$150.00 DNA Analysis Fee including testing to determine genetic  
11 markers plus \$3.00 DNA Collection Fee, the Defendant was sentenced to the Nevada  
12 Department of Corrections (NDC) as follows: **COUNT 1** - LIFE with a MINIMUM  
13 Parole Eligibility of SIXTY (60) MONTHS; **COUNT 2** - LIFE with a MINIMUM Parole  
14 Eligibility of SIXTY (60) MONTHS, CONSECUTIVE to COUNT 1; **COUNT 3** - a  
15 MAXIMUM of FORTY-EIGHT (48) MONTHS with a MINIMUM Parole Eligibility of  
16 NINETEEN (19) MONTHS, CONSECUTIVE to COUNTS 1 & 2; and **COUNT 4** - a  
17 MAXIMUM of SEVENTY-TWO (72) MONTHS with a MINIMUM Parole Eligibility of  
18 TWENTY-FOUR (24) MONTHS, CONSECUTIVE to COUNTS 1, 2, & 3; with FIVE  
19 HUNDRED FORTY-SIX (546) DAYS credit for time served. The AGGREGATE  
20 TOTAL sentence is LIFE with a MINIMUM PAROLE ELIGIBILITY of ONE HUNDRED  
21 SIXTY-SEVEN (167) MONTHS.  
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23 FURTHER ORDERED, the Defendant is to REGISTER as a sex offender in  
24 accordance with NRS 179D.460 within FORTY-EIGHT (48) HOURS after any release  
25 from custody.  
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1           THEREAFTER, on the 26<sup>th</sup> day of March, 2020, the Pro Se Defendant was  
2 present in court, and pursuant to a Status Check hearing regarding an inquiry from the  
3 Nevada Department of Corrections; COURT ORDERED the following correction: The  
4 AGGREGATE TOTAL sentence is LIFE with a MINIMUM of ONE HUNDRED SIXTY-  
5 THREE (163) MONTHS.  
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7           DATED this 26th day of March, 2020.

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11           MARY KAY HOLTHUS           DY  
12           DISTRICT COURT JUDGE  
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