

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

MICHAEL PHILLIP ANSELMO,

Appellant,

vs.

STATE OF NEVADA,

Respondent.

Supreme Court No. 81382

Second Judicial District Court

Case No. 271359

Electronically Filed
Nov 06 2020 05:58 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

Appeal from Second Judicial District Court, State of Nevada, Washoe County
The Honorable Lynne K. Simons, District Judge

**APPELLANT'S APPENDIX
VOLUME 6 OF 8
(APPN 1022 – APPN 1263)**

J. Robert Smith, Esq.
Nevada Bar No. 10992
Sydney R. Gambee, Esq.
Nevada Bar No. 14201
Jessica E. Whelan, Esq.
Nevada Bar No. 14781
HOLLAND & HART LLP
9555 Hillwood Drive, Second Floor
Las Vegas, Nevada 89134
Jennifer Springer
Nevada Bar No. 13767
Rocky Mountain Innocence Center
358 South 700 East, B235
Salt Lake City, UT 84102

Attorneys for Appellant Michael Phillip Anselmo

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DATED this 6th day of November 2020.


 J. Robert Smith, Esq.
 Nevada Bar No. 10992
 Sydney R. Gambee, Esq.
 Nevada Bar No. 14201

Jessica E. Whelan, Esq.
Nevada Bar No. 14781
HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

Jennifer Springer
Nevada Bar No. 13767
Rocky Mountain Innocence Center
358 South 700 East, B235
Salt Lake City, UT 84102

Attorneys for Appellant Michael Anselmo

CERTIFICATE OF SERVICE

Pursuant to NRAP 25, I certify that I electronically filed the foregoing **APPELLANT'S APPENDIX – VOLUME 6 OF 8 (APPN 1022 – APPN 1263)** with the Clerk of Court for the Supreme Court of Nevada by using the Supreme Court of Nevada's e-filing system on November 6, 2020.

I further certify that service of the foregoing has been accomplished to the following individuals by the methods indicated below:

- ☒ Electronic: by submitting electronically for filing and/or service with the Nevada Supreme Court's e-filing system and served on counsel electronically in accordance with the E-service list to the following listed below:

Division of Probation & Parole
Jennifer Noble, Esq.
Marilee Cate, Esq.
Appellate Division
Washoe County District Attorney
1 S. Sierra Street, South Tower, 4th
Floor
Reno, NV 89501

Keith G. Munro, Esq.
Washoe County District
Attorney's Office
1 S. Sierra Street, South
Tower, 4th Floor
Reno, NV 89501

Aaron Ford, NV Attorney General
Office of the Attorney General
State of Nevada
100 N. Carson Street
Carson City, NV 89701

- ☒ U.S. Mail: a true copy was placed in Holland & Hart LLP's outgoing mail in a sealed envelope addressed to the following:

Michael P. Anselmo
655 W. 4th Street
Reno, NV 89503

/s/ Valerie Larsen

An employee of Holland & Hart LLP

1 CODE No. 2645
2 CHRISTOPHER J. HICKS
3 #7747
4 One South Sierra Street
5 Reno, Nevada 89501
6 (775) 328-3200
7 Attorney for Respondent

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

12 * * *

13 MICHAEL PHILLIP ANSELMO,
14
15 Petitioner,

16 v.

Case No. 271359

17 THE STATE OF NEVADA,

Dept. No. 6

18 Respondent.
19 _____/

20 THE STATE'S OPPOSITION TO MOTION TO COMPEL

21 COMES NOW, the State of Nevada, by and through Marilee Cate, Appellate
22 Deputy, and opposes Petitioner's "Motion for Order to Show Cause." This Opposition is
23 based on the pleadings and papers on file with this Court, and the following points and
24 authorities.

MEMORANDUM OF POINTS AND AUTHORITIES

Almost fifty years ago, in 1972, Petitioner Michael Philip Anselmo ("Petitioner")
was convicted by a jury of first degree murder and sentenced by the jury to life
imprisonment without the possibility of parole. Since that time, Petitioner has filed a

1 number of unsuccessful challenges to his conviction with this Court and the Nevada
2 Supreme Court. His most recent attempt to challenge his conviction comes by way of a
3 Petition for Genetic Marker Analysis, which was filed on November 2, 2018.

4 On March 7, 2018, this Court issued an order which found “persuasive the
5 original testing of semen found in Ms. Hiler belonged to an individual who may have
6 been sterile or recently had a vasectomy, neither of which apply to Mr. Anselmo.” The
7 Court concluded that, “had a genetic marker testing been available at the time of Mr.
8 Anselmo’s trial, exculpatory results may have dissuaded prosecution or resulted in a
9 different verdict.” The Court also noted that genetic marker testing of Ms. Hiler’s
10 fingernails, pantyhose, and hairs found in her car may have resulted in a different
11 verdict. Order, March 7, 2019, p. 5. The Court ultimately set a “Confirmation Hearing”
12 for the respective Evidence Custodians to identify what each had in their possession that
13 may be related to Petitioner’s claims. The Court’s Order relied on the assertions made
14 in the Petition, which are belied by the record.¹

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16 ¹ The Court’s Order noted that no opposition was filed. To the extent the Court
17 interpreted that as a concession of the Petition’s merit, that was not the State’s intent.
18 NRS 176.0918(4)-(5) addresses the available actions after a Petition is filed. The Court
19 may dismiss a petition outright without hearing from the State. See NRS 178.0918(4).
20 The statute only contemplates a response from the State if the Court orders an
21 inventory, like it did in this case and the State’s substantive response is not due yet. See
22 NRS 178.0918(5). The State intends to argue for complete denial/dismissal of the
23 Petition and whatever Supplement may be filed when the State’s response is due.

24 Among other deficiencies in the Petition that the State intends to point out in its
responsive pleading, it is critical to recognize that the underlying Petition includes
material misrepresentations of fact or the record in violation of NRS 176.0918(3). One
example arises with respect to Petitioner’s argument that he is not sterile, but that the
alleged perpetrator was sterile. Petitioner argues that he could not have been the source
of the semen inside Ms. Hiler and, by extension, alleges that he could not be involved in
the murder. See Petition, p. 5. This Court found the alleged discrepancy between the
semen persuasive in its analysis of whether the State would have prosecuted Petitioner
and whether or not he would not have been convicted. Petitioner did not inform the
Court that the jury heard about the discrepancy and convicted him anyway. In a prior

1 As the State indicated in its Opposition to Petitioner's Motion for an Order
2 Shortening Time, Petitioner originally sought a stipulation from the State to open sealed
3 evidence containers in early June. The State indicated that Petitioner would have to file
4 a motion for discovery. Petitioner's instant Motion is simply a thinly veiled attempt to
5 obtain discovery in this case when he is not entitled to the same.

6 Petitioner asserts that the inventories filed do not comply with the relevant
7 statute as an attempt to circumvent his pleading obligations and to discover new claims.
8 Despite Petitioner's suggestion otherwise, NRS 176.0918 does not require Evidence
9 Custodians to open sealed evidence to provide an inventory. Indeed, a review of the
10 statutory scheme makes one thing clear: there is absolutely no statutory authority for
11 Petitioner's proposition that the evidence custodians should manipulate or otherwise
12 open sealed containers to provide additional descriptions of evidence that was collected
13 fifty years ago. The relevant statute simply provides that the court may order the
14 evidence custodian to "prepare an inventory of all evidence relevant to the claims in the
15 petition within the possession or custody of the person or agency that may be subjected
16 to genetic marker analysis..." NRS 176.0918(4)(c)(2). In this case, the Washoe County

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18 filing with this Court, Petitioner acknowledged that those very facts were presented to
19 the jury and they still convicted him. In the prior filing, Petitioner acknowledged that
20 the Coroner testified that the person who had sexual intercourse with the victim in the
21 twenty-four hours before her death was sterile, and that the fact that Petitioner was not
22 sterile was presented to the jury in open court. See First Amendment Writ Actual
23 Innocence, filed February 28, 2006, pp. 6-7. Because the sexual intercourse occurred
24 approximately twenty-four hours before Ms. Hiler's death, the jury may have
determined that she had intercourse with someone else in that timeframe and
concluded that Petitioner had another motive for murdering her. Thus, the Petition also
fails to demonstrate that Petitioner would not have been convicted if the results were
presented, because they were presented and he was convicted. See NRS 176.0918(3)(b).
As such, the Petitioner has not met the requirements of the statute and the Petition
should have been denied or dismissed without any inquiry regarding the evidence in
possession of State agencies. *Id.* at sub. (4).

1 Sheriff's Office and the Court's Evidence Custodian appear to have provided a list of
2 every item in evidence, not simply items that may be related to Petitioner's claim. In
3 other words, they have more than complied with their obligations under the Court's
4 Order and the applicable statute.

5 A Petition for Genetic Marker Analysis is a creature of statute, which only
6 provides for limited relief in the event that Petitioner complies with all of the statutory
7 requirements. The onus is on Petitioner to identify and describe evidence with a nexus
8 to his claims without the benefit of discovery or evidence viewings. *See* NRS
9 176.0918(3). There is no statutory right or requirement to discovery/evidence
10 viewing/evidence manipulating prior to, or in conjunction with, the filing of a Petition
11 for Genetic Marker Analysis. *See* NRS 176.0918, *et. seq.* Petitioner indicates that his
12 counsel has been given the opportunity to conduct an evidence viewing, which is already
13 more than the relevant statutes contemplate. *See* Petition, pp. 2-3. Petitioner
14 complains that the inventories are incomplete because he cannot discern whose shoes or
15 coats are in evidence. If Petitioner has a good faith basis to believe that shoes or a coat
16 may be exculpatory, he had a burden to allege the basis of his belief with sufficient
17 particularity in his Supplemental Petition. *See* NRS 176.0918(3). Essentially, Petitioner
18 wants this Court to order sealed pieces of evidence to be opened almost fifty years after
19 they were collected so the current Evidence Custodians can add descriptions to the
20 evidence and Petitioner might be able to develop new claims. This is not consistent with
21 the purpose of the statutory scheme that Petitioner relies on.

22 The Legislature contemplated that a petitioner would make claims based on
23 evidence known or believed to be in the possession of State agencies and that a
24 petitioner would allege a nexus between the evidence and his claims without the benefit

1 of conducting discovery. See NRS 176.0918 (containing no mention of a Petitioner's
2 right to discovery, evidence inspection, etc. at any time, before or subsequent to, filing a
3 genetic marker petition). The Legislature has allowed for limited discovery related to
4 post-conviction petitions filed pursuant to Chapter 34 of the Nevada Revised Statutes,
5 but that is not what Petitioner filed here.² Petitioner's Motion is an attempt to engage in
6 discovery, when none is permitted.

7 Moreover, Petitioner's Motion is premature to the extent it seeks compliance
8 from non-parties at this stage in the proceeding. If the Court ultimately orders testing,
9 after hearing from the State, and Petitioner believes evidence subject to the Court's
10 order was not tested, then Petitioner could pursue a motion with the Court to address
11 compliance. At this point, requiring the Evidence Custodians to open all of the sealed
12 evidence would unnecessarily disturb the original chains of custody and waste valuable
13 resources when Petitioner has not demonstrated that any evidence should be subject to
14 testing in the first place. The Court should deny Petitioner's Motion to Compel or, at the
15 very least, the Court should hold the issue in abeyance until after the State has an
16 opportunity to respond to the merits of the Petition.

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22 _____
23 ² As this Court is aware, discovery is very limited in post-convictions proceedings
24 filed pursuant to Chapter 34. Even if Petitioner had filed a post-conviction petition
pursuant to Chapter 34, discovery would not be available at this time because an
evidentiary hearing is not set, Petitioner has not demonstrated good cause for discovery,
and Petitioner has not specifically identified the evidence sought. See NRS 34.780.

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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: July 8, 2019.

CHRISTOPHER J. HICKS
District Attorney

By /s/ MARILEE CATE
MARILEE CATE
Appellate Deputy

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CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Second Judicial District Court on July 8, 2019. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

Sydney R. Gambee, Esq.

Jessica E. Whelan, Esq.

J. Robert Smith, Esq.

Joshua Halen, Esq.

I further certify that on this date, a copy of this document was sent via U.S. Mail to:

Office of Attorney General
State of Nevada
100 N. Carson Street
Carson City, Nevada 89701

/s/ Margaret Ford
MARGARET FORD

1 KEITH G. MUNRO
2 Deputy District Attorney
3 Nevada State Bar 5074
4 One South Sierra Street
5 Reno, NV 89501
6 (775) 337-5700

7 ATTORNEY FOR WASHOE COUNTY

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

10 * * *

11 MICHAEL PHILLIP ANSELMO,

12 Plaintiff,

13 vs.

Case No. 271359

14 THE STATE OF NEVADA,

Dept. No. 6

15 Defendant.

16 **RESPONSE TO THE MOTION FOR ORDER TO SHOW CAUSE**

17 The Washoe County Sheriff's Office, through counsel, provides this Response to the
18 Motion for Order to Show Cause with the following: The Sheriff's Office timely provided a list
19 of the evidence that is subject to testing. No one appears to challenge the list provided. The
20 parties should litigate and this Court decide if any of the listed evidence will actually be tested.
21 The Washoe County Sheriff's Office is not a party in this proceeding.

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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 8th day of July, 2019.

CHRISTOPHER J. HICKS
District Attorney

By /s/ Keith G. Munro
KEITH G. MUNRO
Deputy District Attorney
One South Sierra Street
Reno, NV 89501
(775) 337-5700

ATTORNEYS FOR WASHOE COUNTY

1
2
3
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CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of the Office of the District Attorney of Washoe County, over the age of 21 years and not a party to nor interested in the within action. I certify that on this date, I deposited for mailing in the U.S. Mails, with postage fully prepaid, a true and correct copy of the foregoing document in an envelope addressed to the following:

Office of the Attorney General
State of Nevada
100 N. Carson Street
Carson City, NV 89701

I further certify that on this date, the foregoing was electronically filed with the Second Judicial District Court by using the ECF System. Electronic service of the foregoing document shall be made in accordance with the Master Service List as follows:

- Sydney R. Gambee, Esq.
- Jessica E. Whelan, Esq.
- J. Robert Smith, Esq.
- Joshua Halen, Esq.
- Marilee Cate, Esq.
- Jennifer Noble, Esq.

Dated this 8th day July, 2019.

/s/B. Bull
Brenna Bull

1 CODE NO.
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6 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
7 IN AND FOR THE COUNTY OF WASHOE
8

9 MICHAEL PHILLIP ANSELMO,

Case No. 271359

10 Petitioner,

Dept. No. 6

11 vs.

12 THE STATE OF NEVADA,
13

14 Respondent.
15 _____/

16 **ORDER DENYING MOTION FOR ORDER TO SHOW CAUSE;**
17 **AND, ORDER DENYING MOTION FOR ORDER SHORTENING TIME**

18 Two related matters are pending before this Court. First pending is a *Motion for*
19 *Order to Show Cause ("Motion")*, filed by Petitioner MICHAEL PHILLIP ANSELMO ("Mr.
20 Anselmo"), by and through his attorney of record, Holland & Hart LLP and the Rocky
21 Mountain Innocence Center. Respondent, THE STATE OF NEVADA, filed its *Opposition to*
22 *Motion to Compel ("Opposition")*, by and through its attorney of record, Appellate Deputy
23 District Attorney, Marilee Cate. The WASHOE COUNTY SHERIFF'S OFFICE, by and
24 through its attorney of record, Deputy District Attorney, Keith G. Munro, filed its *Response to*
25 *the Motion for Order to Show Cause ("Response")* and the matter was submitted for
26
27 decision thereafter.
28

1 Second pending is *Petitioner's Motion for Order Shortening Time on Motion for Order*
2 *to Show Cause ("Motion to Shorten Time")*, filed by Mr. Anselmo. The State of Nevada filed
3 *The State of Nevada's Opposition to Motion for Order Shortening Time ("Opposition to*
4 *Motion to Shorten Time")*, and the matter was submitted for decision thereafter.

6 **I. FACTS AND PROCEDURAL HISTORY**

7 Mr. Anselmo was convicted by a jury of one count of Murder in the First Degree, a
8 violation of NRS 200.010, on April 26, 1972, in the Second Judicial District Court of Nevada.
9 *Post-Conviction Petition Requesting Genetic Marker Analysis of Evidence Within the*
10 *Possession or Custody of the State of Nevada* (hereafter "*Petition*"), p. 2.

12 On July 29, 2004, Mr. Anselmo filed a *Request for Stipulated Order of DNA Test not*
13 *Available in 1973, or in the Alternative Non-Responsive Order ("Request")*. In his one-
14 paragraph *Request*, Mr. Anselmo asked the Court for a "stipulated order for DNA test of
15 evidence" admitted in his trial and "not available to the defense or state." *Request*, p. 1. On
16 November 8, 2004, this Court entered an Order denying Mr. Anselmo's *Request*.¹

18 On November 2, 2018, Mr. Anselmo filed his *Petition*, in which he maintained he was
19 not involved in the murder of Trudy Ann Hiler ("Ms. Hiler") and requested this Court to issue
20 an order for genetic marker analysis of the following evidence pursuant to NRS 176.0918:
21 (1) victim's brown leather purse, (2) victim's pantyhose, (3) fingernail clippings from the
22 victim, (4) two blond hair strands found inside the victim's car, and (4) victim's rape kit.
23 *Petition*, pp. 2-3. Mr. Anselmo asserted the biological evidence in this case should contain
24 two genetic profiles—that of Ms. Hiler and that of the perpetrator. *Petition*, p. 5. However,

26 //

28 ¹Judge Brent T. Adams presided in Department 6 at the time of these proceedings. Judge Adams retired in 2014. The undersigned, Judge Lynne K. Simons, currently presides in Department 6.

1 the genetic marker testing requested by Mr. Anselmo was not available at the time of his
2 trial. *Petition*, p. 5.

3 On March 7, 2019, this Court entered its *Order Granting, in Part, Post-Conviction*
4 *Petition Requesting Genetic Marker Analysis of Evidence; Order to Set Hearing; and, Order*
5 *Directing Preservation and Inventory of Evidence*. A Confirmation Hearing was held before
6 this Court on April 19, 2019, at which time this Court confirmed possession or custody of the
7 evidence by the Washoe County Sheriff Crime Lab and the Second Judicial District Court
8 and ordered the appropriate evidence custodian or representative of these entities to
9 prepare and file an inventory of all evidence relevant to the claims within ninety (90) days of
10 the hearing.
11

12 On May 6, 2019, the Washoe County Sheriff Crime Lab filed an inventory ("Crime
13 Lab Inventory") of all evidence determined to be relevant to Mr. Anselmo's claims. On June
14 6, 2019, the State filed evidence inventories on behalf of the Second Judicial District Court.
15 ("Court Evidence Custodian Inventory"). The instant *Motion* followed.
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18 **A. Motion for Order to Show Cause**

19 In his *Motion*, Mr. Anselmo requests this Court order the Washoe County Crime Lab
20 and the Evidence Custodian of the Second Judicial District Court to produce a supplemental
21 evidence inventory outlining all physical evidence in their respective custody that may be
22 subject to genetic marker analysis. *Motion*, p. 2. Mr. Anselmo contends the inventories filed
23 by both entities do not meet the statutory requirement because they fail to identify "exactly
24 what physical evidence remains in custody. . . ." *Motion*, p. 3. Specifically, Mr. Anselmo
25 asserts the Crime Lab Inventory, in large part, offers mere descriptions of the packaging
26 presumed to contain physical evidence and does not describe the evidence itself. *Motion*,
27
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1 p. 3. Moreover, Mr. Anselmo contends the Court Evidence Custodian Inventory identifies
2 evidence as a "shoe" or "coat," but does not describe whose shoe or coat. *Motion*, p. 4.

3 Mr. Anselmo asserts the inventories filed fail to identify evidence which may be
4 subject to genetic marker analysis because it is impossible to determine whether evidence
5 outlined in Mr. Anselmo's *Petition* is still available for testing. *Motion*, p. 4. Additionally, Mr.
6 Anselmo asserts the insufficient inventories mean he cannot determine whether he should
7 amend his *Petition* to add additional items of physical evidence to be tested. *Motion*, p. 4.

8 In its *Opposition*, the State, on behalf of the Washoe County Crime Lab and the
9 Second Judicial District Court, argues the *Motion* is a "thinly veiled attempt to obtain
10 discovery in this case when he is not entitled to the same." *Opposition*, p. 3. The State
11 asserts NRS 176.0918 does not require an evidence custodian to open sealed evidence to
12 provide an inventory. *Opposition*, p. 3. As such, the State argues all relevant agencies
13 have complied with the statute and this Court's *Order*. *Opposition*, p. 4. Moreover, the
14 State contends NRS 176.0918 does not mention a petitioner's right to discovery; and as
15 such, the onus falls on Mr. Anselmo to identify and describe evidence "without the benefit of
16 discovery." *Opposition*, pp. 4-5.

17
18
19
20 **B. Order Shortening Time on Motion for Order to Show Cause**

21 In his *Motion to Shorten Time*, Mr. Anselmo requests an Order from this Court
22 shortening time to oppose Mr. Anselmo's *Motion*. *Motion to Shorten Time*, p. 1. Mr.
23 Anselmo asserts good cause exists because he cannot meet the July 8, 2019 deadline to
24 submit a supplemental petition without a complete inventory from the State of Nevada and
25 relevant agencies. *Motion to Shorten Time*, p. 2.

26 In its *Opposition to Motion to Shorten Time*, the State argues this Court should deny
27
28

1 Mr. Anselmo's request because counsel did not attempt to notify the State or interested
2 parties before filing the *Motion to Shorten Time*. *Opposition to Motion to Shorten Time*, p. 1.
3 Additionally, the State argues Mr. Anselmo failed to establish good cause to grant the
4 *Motion to Shorten Time*. *Opposition to Motion to Shorten Time*, pp. 2-3.
5

6 **II. LAW AND ANALYSIS**

7 Section 176.0918(1) of the Nevada Revised Statutes provides as follows:

8 A person convicted of a felony who otherwise meets the requirements of this
9 section may file a post-conviction petition requesting a genetic marker analysis
10 of evidence within the possession or custody of the State which may contain
11 genetic marker information relating to the investigation or prosecution that
resulted in the judgment of conviction.

12 NRS 176.0918(1). In addition, Section 176.0918(3) provides, in pertinent part:

13 3. A petition filed pursuant to this section must be accompanied by a
14 declaration under penalty of perjury attesting that the information contained in
15 the petition does not contain any material misrepresentation of fact and that
the petitioner has a good faith basis relying on particular facts for the request.
The petition must include, without limitation:

16 (a) Information identifying specific evidence either known or believed to be
17 in the possession or custody of the State that can be subject to genetic marker
analysis;

18 (b) The rationale for why a reasonable possibility exists that the petitioner
19 would not have been prosecuted or convicted if exculpatory results had been
20 obtained through a genetic marker analysis of the evidence identified in
paragraph (a);

21 (c) An identification of the type of genetic marker analysis the petitioner is
requesting to be conducted on the evidence identified in paragraph (a);

22 (e) A statement that the type of genetic marker analysis the petitioner is
23 requesting was not available at the time of trial . . .

24 NRS 176.0918(3)(a)-(c),(e).

25 Pursuant to Section 176.0918(4) of the Nevada Revised Statutes, when a NRS
26 176.0918(1) petition is filed, a court may either dismiss the petition, appoint counsel for the
27 limited purpose of presenting the petition, or schedule a hearing on the petition. NRS
28 176.0918(4)(a)-(c). If a hearing is scheduled on the petition, the court shall determine which

1 person or agency has possession or custody of the evidence and shall immediately issue an
2 order requiring each person or agency in possession or custody of the evidence to preserve
3 all evidence during the pendency of the proceeding and, within 90 days, "prepare an
4 inventory of all evidence relevant to the claims in the petition within the possession or
5 custody of the person or agency that may be subjected to genetic marker analysis"
6

7 NRS 176.0918.

8 This Court found Mr. Anselmo provided specific evidence in his *Petition* known or
9 believed to be in the possession of the State that is subject to genetic marker analysis.
10 Accordingly, the Court set a Confirmation Hearing, at which time the Evidence Custodian for
11 the Second Judicial District Court, and Counsel for the State, on behalf of the Washoe
12 County Crime Lab, identified certain evidence in their respective possession that may be
13 subjected to genetic marker analysis. Thereafter, the Evidence Custodian of the Second
14 Judicial District Court and the Washoe County Crime Lab filed inventories identifying
15 evidence in their possession, respectively.
16
17

18 The Court has reviewed the inventories filed and finds the inventories to be sufficient.
19 Specifically, the purpose of NRS 176.0918 is to allow identification of evidence which may
20 be subject to genetic marker testing. Mr. Anselmo argues the Evidence Custodian for the
21 Second Judicial District Court and the Washoe County Crime Lab are required to go beyond
22 describing the evidence in their possession and identify to whom certain evidence belonged
23 or pertained at the time of the underlying crime. However, Mr. Anselmo points to no
24 authority which requires the agencies provide any additional information regarding the
25 evidence beyond descriptions of the evidence itself, nor does Mr. Anselmo argue the
26 entities have knowledge of to whom the evidence belonged or pertained.
27
28

1 In his Petition, Mr. Anselmo cited to police reports and other documentary evidence
2 which describes the physical evidence collected during the investigation of the case. The
3 responsibility to link the documentary evidence to the physical evidence is not the agencies.
4 Further, it is not the agencies obligation to provide any more than an inventory. It is
5 important to note that no genetic testing was done on any evidence in this case.
6 Accordingly, the Court finds the inventories provide sufficient information to identify
7 evidence which may be subject to genetic testing. Mr. Anselmo must now make the
8 determination of what evidence, if any, he chooses to test.
9

10 Because the July 8, 2019 deadline to supplement Mr. Anselmo's *Petition* passed
11 during the pendency of this *Motion*, the Court finds it appropriate to extend the time to file a
12 supplemental petition to thirty (30) days from the entry of this Order.
13

14 Lastly, based on the moving papers filed herein and this Court's Order extending the
15 deadline to file a supplemental petition, the Court finds Mr. Anselmo's *Motion to Shorten*
16 *Time* is moot and should be denied as such.
17

18 Accordingly, and good cause appearing therefor,

19 **IT IS HEREBY ORDERED:**

- 20 1. Mr. Anselmo's *Motion for Order to Show Cause* is DENIED.
21
22 2. *Petitioner's Motion for Order Shortening Time on Motion for Order to Show*
23 *Cause* is DENIED, as moot,
24
25 3. The time within which to file a supplement to the *Petition* is extended to (30)
26 days from the entry of this Order.
27

28 Dated this 1st day of August, 2019.


DISTRICT JUDGE

1 **CERTIFICATE OF SERVICE**

2 I certify that I am an employee of THE SECOND JUDICIAL DISTRICT COURT;
3 that on the 1st day of August, 2019, I electronically filed the foregoing with the Clerk of
4 the Court system which will send a notice of electronic filing to the following:

5 MARILEE CATE, ESQ.

6 JOSHUA HALEN, ESQ.

7 JENNIFER NOBLE, ESQ.

8 J. SMITH, ESQ.
9
10

11 And, I deposited in the County mailing system for postage and mailing with the
12 United States Postal Service in Reno, Nevada, a true and correct copy of the attached
13 document addressed as follows:
14

15 Jackie Bryant
16 Court Administrator
17 Washoe County District Court
18 75 Court Street
19 Reno, NV 89501

20 Keith G. Munro, Esq.
21 Deputy District Attorney
22 One South Sierra Street
23 Reno, NV 89501
24
25
26
27
28

Handi Bre

1 CODE No. 3880
2 CHRISTOPHER J. HICKS
3 #7747
4 One South Sierra Street
5 Reno, Nevada 89501
6 (775) 328-3200
7 Attorney for Respondent

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

12 * * *

13 MICHAEL PHILLIP ANSELMO,
14
15 Petitioner,

16 v.

Case No. 271359

17 THE STATE OF NEVADA,

Dept. No. 6

18 Respondent.
19
20 _____/

21 RESPONSE TO PETITION FOR GENETIC MARKER ANALYSIS

22 I. INTRODUCTION

23 Petitioner Michael Anselmo ("Petitioner") was convicted of the 1971 murder of
24 Trudy Hiler in Lake Tahoe near the Cal-Neva by a jury of his peers. Petitioner has levied
several unsuccessful attempts to overturn his conviction, and now seeks an order from
this Court to test for genetic material so he can allegedly be exonerated. Petitioner's
request is based on mischaracterizations of the record. The Petition does not satisfy the
requirements of NRS 176.0918 and, as a result, is subject to mandatory dismissal by this
Court. Petitioner's request for relief is also untimely and barred by the doctrine of
latches. Finally, during a pardons hearing in 2005 before the Nevada Governor, Nevada

1 Attorney General, and the Nevada Supreme Court, Petitioner admitted to killing Trudy
2 and apologized for his crime. As a result, Petitioner's sentence was reduced to life with
3 the possibility of parole and he was given immediate parole eligibility.¹ See Exhibit 1,
4 Pardons Board Historical Actions Report, First Action Listed under December 14, 2005.
5 Petitioner must be judicially estopped from claiming now that he is innocent of Trudy's
6 murder. This Court should deny and dismiss Petitioner's request for genetic marker
7 analysis.

8 II. FACTS FROM TRIAL²

9 Trudy Hiler, the victim in this case, was a student at Chico State in 1971, but went
10 to Lake Tahoe to work for part of the summer. 1 Trial Transcript ("TT") 60-61, 89.
11 Trudy lived in the Kingswood Condominiums in North Shore with other students Carol
12 Lindner, Carol Pierce, Rayette Zych, Carol Cochran, and Marlayne Weider. The girls
13 were working at the Cal Neva and Crystal Bay Club. *Id.* at 61-62, 90, 104-105. Trudy
14 was open with her roommates about her dating life and they did not know her to use any
15 hallucinogenic drugs. *Id.* 66-68, 94. According to a few of her roommates, Trudy did
16 not think drugs were healthy for her because of her meditation practice. *Id.* at 86, 95.
17 Trudy was not known to possess a pocket knife. *Id.* at 115.

18 Patsy Brent was a cocktail waitress at Cal Neva in 1971 and working the swing
19 shift from 7 p.m. on July 13th to 3 a.m. on July 14th. *Id.* at 37. Ms. Brent got off work on
20

21 ¹ It is the State's understanding that Petitioner was granted parole on his murder
22 conviction shortly after the pardons hearing. He was serving sentences for escape
charges, but was recently released from prison.

23 ² Petitioner set forth a series of "facts" in his Petition without a single citation to
24 the record. Petitioner's statement of facts is misleading and often not an accurate
recount of the evidence. Therefore, the State provides the following factual statement to
ensure this Court has a complete understanding of the evidence presented to the jury in
this case.

1 the 14th around 3 a.m., met a friend, and went to leave when she observed Petitioner
2 hiding behind a white Bronco in the parking lot. *Id.* at 38, 40. Ms. Brent and her friend
3 were scared because Petitioner looked suspicious to them. *Id.* at 40-41, 48.

4 On Thursday, July 14th, Trudy's shift was from 5 p.m. to 1 a.m. *Id.* at 90, 105.
5 Before work, Trudy went to the doctor and confirmed she had a yeast infection. *Id.* at
6 98; 2 TT 130. Trudy shared this information with her roommates. *Id.* Trudy, Carol
7 Cochran, Marlayne Weider, and Rayette Zych were all working during the evening of
8 July 14th to the early morning hours of July 15th. 1 TT 63. Ms. Cochran's and Ms.
9 Weider's shift was from 6 p.m. to 2 a.m. *Id.* at 90, 105. Ms. Cochran saw Trudy at work
10 on the 14th, but Trudy said she was feeling tired and had a cold. *Id.* at 91. Trudy got off
11 work around 12:30 a.m. on July 15th. Ms. Weider gave Trudy the keys to her Mustang so
12 Trudy could pick up Ms. Lindner from their condo. *Id.* at 106-107.

13 Trudy was supposed to get off work at 1 a.m. to pick Ms. Lindner up from their
14 shared condominium and drop Ms. Lindner back off before Ms. Lindner's shift began at
15 2 a.m. *Id.* at 63. Ms. Lindner was scheduled to work the graveyard shift from 2 a.m. to
16 10 a.m. on July 15th. *Id.* This was a common arrangement and Trudy was very reliable.
17 *Id.* at 63, 94. Normally, Trudy would drive Ms. Lindner back and then pick up Ms.
18 Weider, but on this occasion, Trudy was tired and had a sore throat so she was going to
19 have Ms. Lindner drive herself back. *Id.* at 105-106.

20 Trudy did not show up as planned that morning, so Ms. Lindner tried to get a
21 hold of her, but ultimately contacted another roommate, Carol Cochran, for a ride. *Id.*
22 at 63-64, 84, 92. After Ms. Cochran and Ms. Weider dropped Ms. Lindner off at work,
23 they were driving out of the parking lot and noticed Ms. Weider's Mustang in the
24 employee parking lot (the one Trudy had driven). *Id.* at 92, 108. The parking lot was

1 not well lit. 2 TT 132. The vehicle caught their attention because the brake lights were
2 on. When the women approached, they noted the clutch was stuck and the steering
3 wheel was bent. 1 TT 93, 108. There were skid marks on the ground under the wheels
4 and something that looked to the girls like the muffler on the ground under the car. *Id.*
5 at 109-110; 2 TT 155. Significant damage was done to the vehicle by a sudden
6 acceleration of the engine and quick release of the clutch. 2 TT 177-178. Placer County
7 Sheriff's officers were patrolling the area, so the girls discussed their concerns and made
8 a missing person report. 1 TT 110; 2 TT 150-151. While one of the officers was taking
9 the report, a man later identified as Petitioner approached the vehicle. 2 TT 151. He
10 asked Placer County Sheriff's Officer Caldwell about ex-felon registration in California
11 for visitors and then walked off. *Id.* At 151-152. Ms. Weider's mustang was ultimately
12 towed from the scene. *Id.* at 131. Ms. Weider and Ms. Lindner went to Nevada Lodge
13 and Crystal Bay Club to have Trudy paged. 1 TT 93-94.

14 Petitioner's roommate, Louis Padilla, testified that Petitioner did not come home
15 the night Trudy disappeared, July 14th into the morning of July 15th in 1971. *Id.* at 19-20.
16 The next time Mr. Padilla saw Petitioner was the next day behind the Cal-Neva Club.
17 Petitioner made reference to making the "police crazy last night" and his demeanor was
18 nervous and flustered. *Id.* at 20. Mr. Padilla also noted that Petitioner had money, but
19 was broke the day before.³ *Id.* at 20-21, 31.

20 Early in the morning of July 17th, Petitioner approached Bernard Greenwald, a
21 Security Officer for the Cal-Neva, and told him that a girl had been dragged by a man
22 outside and Petitioner asked Mr. Greenwald to search the area with him. 2 TT 202-203,
23

24 ³ Mr. Padilla collected a paycheck that morning, but Anselmo had not worked any
shifts for the prior pay period. *Id.* at 30.

1 210. Mr. Greenwald searched with Petitioner for approximately 15 minutes and then
2 asked another security officer, Mr. Rose, to join the search and they continued to search
3 the area. *Id.* at 203-204, 210, 213-214. During the search, police officers also arrived.
4 *Id.* at 214. Petitioner stayed with Mr. Rose while the officers were searching. Petitioner
5 told Mr. Rose he heard a noise up in the area of a cabin, so they proceeded to search
6 near the cabin. Mr. Rose noted that there was heavy brush and rugged terrain, but
7 Petitioner was not concerned. *Id.* Petitioner was familiar with the area and lead Mr.
8 Rose through a basement type area and was insistent on areas to search. *Id.* at 215-217.
9 Finally, Mr. Rose convinced Petitioner to stop searching the area. As they approached a
10 nearby road, Mr. Rose observed a man who appeared to have a purse. It was very dark,
11 but Mr. Rose became concerned that there was a purse snatching and chased the
12 individual, but was not able to catch the person. *Id.* at 217.

13 Mr. Rose returned to his office with Petitioner around 2:50 a.m. to write a report
14 of what Petitioner told him and their search. *Id.* at 217-218. Petitioner asked Mr. Rose
15 for a flashlight as he was leaving. *Id.* at 218. Mr. Rose cautioned against Petitioner
16 going to search alone, but reluctantly gave Petitioner a flashlight and he left around 3
17 a.m. *Id.* at 219. About 15 minutes later, Petitioner stormed into Mr. Rose's office and
18 said he had found a body. *Id.* Mr. Rose asked another officer to notify police and then
19 went with Petitioner back to the area with thick brush that they had searched earlier
20 that morning. *Id.* at 220-221. While Mr. Rose was traveling back to the body with
21 Petitioner, Mr. Rose noticed that Petitioner appeared unusually calm. *Id.* at 222, 224.
22 Petitioner explained that he found the body because he heard another noise up near the
23 cabin and fell over a three to four foot drop next to the body. *Id.* at 224-225.

1 It took approximately 10 minutes to return to the area where Trudy's body was
2 found. *Id.* at 231. When Mr. Rose arrived, he observed broken brush over what was
3 later identified as Trudy's body and brush that was still standing near her body. *Id.* at
4 225. There was a large rock located near Trudy's body as well. *Id.* The terrain was dense
5 and it seemed unusual to Mr. Rose that Petitioner was able to find the body. *Id.* at 225-
6 226. Mr. Rose described, "[i]t was like trying to find a needle in a haystack." *Id.* at 226.

7 The brush where Trudy's body was found was dense. *Id.* at 279. Further searches
8 of the area revealed blue clog shoes, which were facing the same direction, three or four
9 inches apart, and under brush. *Id.* at 287-289. The shoes belonged to Trudy. *Id.* at
10 144. Trudy's purse with a white blouse sticking out was also discovered in the area near
11 where her body was found in a subsequent search of the area on July 17th. *Id.* at 301,
12 325, 340, 345. A slip, "hot pants," bra, underwear, and stockings were also in the purse.
13 *Id.* at 343, 357. A few days later, a jacket was found down near the shoreline, which was
14 also identified as Trudy's. *Id.* at 145. The keys to the Mustang were found in about 40
15 feet of water in the Cal-Neva point area of Lake Tahoe on July 22nd.⁴ 3 TT 489-490.

16 An autopsy revealed that Trudy's cause of death was strangulation. *Id.* at 374.
17 However, there were also 15 stab wounds which were determined to be secondary causes
18 of death. *Id.* Dr. Frederick Laubscher, a pathologist for the local hospitals, explained
19 that the stab wounds were not the cause of death, but contributed by causing shock and
20 lowering Trudy's blood pressure. *Id.* The two deepest stab wounds, ranging from three
21

22 ⁴ Prior to the SCUBA dive search, Petitioner was taken to the scene and asked
23 where he put the knife and keys. Petitioner could not find the knife after looking, and
24 said he "threw the keys straight out into the water." *Id.* at 503. Petitioner also indicated
he dropped the jacket into the water and showed officers where by orienting himself to a
particular log. *Id.* at 503, 567.

1 quarters of an inch to an inch, were to Trudy's chest, each one over her nipples and
2 piercing each lung. *Id.* at 375. Other stab wounds occurred on Trudy's torso and neck.
3 There was not a significant amount of blood associated with the 15 stab wounds, which
4 indicates they occurred after Trudy was strangled and very close to her death. *Id.* at
5 377-378. Trudy also had over 100 bruises on her limbs. *Id.* at 385. Trudy's body had
6 gone into and out of rigor by the time it was discovered on the 17th, which indicates that
7 she had been dead most likely two days when she was discovered. *Id.* at 379. A
8 chemical analysis of Trudy's blood revealed no alcohol or other identifiable drugs. *Id.*

9 Dr. Laubscher also examined Trudy's vagina and determined that her cervix was
10 inflamed. *Id.* at 394. Dr. Laubscher also performed a test to determine whether seminal
11 fluid was present in Trudy's vagina. *Id.* at 380. Dr. Laubscher explained that sperm is
12 only a very small portion of seminal fluid. *Id.* His initial testing was focused on
13 determining whether there was the presence of a particular fluid secreted by male
14 prostate glands. *Id.* Dr. Laubscher determined that there was a significant level of
15 prostatic acid phosphates found inside Trudy's vagina, which indicated sexual activity
16 with a male. *Id.* at 380-381. However, Dr. Laubscher did not find any sperm during his
17 examination. *Id.* at 381. Dr. Laubscher explained that the lack of sperm could have
18 been due to the normal degenerative nature of sperm. *Id.* Dr. Laubscher later testified
19 that the lack of sperm could also have been because the contributor did not have sperm
20 in his seminal fluid, either because of sterility or a vasectomy.⁵ *Id.* At 392-393.

21
22 ⁵ During cross-examination, Dr. Laubscher conceded that he tested Petitioner's
23 seminal fluid and found sperm present in the sample. 3 TT 394. However, during
24 redirect, Dr. Laubscher noted that Petitioner's seminal fluid sample contained a very
low amount of sperm. *Id.* at 396. It "was much lower than is normally present in an
average male adult." *Id.* Dr. Laubscher did not conclusively say whether the male
contributor was sterile, or whether the sperm was degenerative.

1 However, the presence of the acid phosphates was a clear indicator that Trudy engaged
2 in sexual activity with a male within a day of her death. *Id.* at 381, 393.

3 Detective Sargent Gordon Jenkins from the Sparks Police Department
4 interviewed Petitioner on July 17th, the day Trudy's body was found, around 11 a.m.⁶ *Id.*
5 at 414. Detective Jenkins notified Petitioner of his rights and questioned Petitioner for
6 approximately two hours. *Id.* at 415. During that time, Petitioner was alert, aware of his
7 surroundings, and knew the purpose of the questioning. *Id.* at 415-416. Petitioner
8 appeared anxious to talk and explained that he wanted to clear things up. *Id.* However,
9 Detective Jenkins concluded the interview when Petitioner disclosed that he had not
10 slept for thirty-six hours. *Id.* at 415.

11 On July 19th again around 11 a.m., Detective Jenkins went to the jail to speak with
12 Petitioner.⁷ *Id.* at 416. Detective Jenkins and another officer woke Petitioner up and
13 inquired whether Petitioner would be willing to speak with Detective Jenkins again. *Id.*
14 Petitioner responded affirmatively and accompanied Detective Jenkins into an interview
15 room. *Id.* At first Petitioner did not seem fully alert, but then woke up and exhibited
16 the same demeanor as the prior interview. *Id.* During the interview, Petitioner
17 admitted to strangling Trudy with her nylons and stabbing her several times in the
18

19
20 ⁶ At the time, Petitioner was in custody for a Burglary he admitted to committing
21 in South Lake Tahoe after he murdered Trudy on the 15th and before the 17th. *Id.* at 535-
22 536.

23 ⁷ During cross-examination, Detective Jenkins testified that he believed
24 Petitioner was interviewed by other officers later in the day on the 17th and again on the
18th, but he did not participate. *Id.* at 436- 440. During Petitioner's interview on the
18th, he had some form of seizure and was treated by a physician and then released back
to the Sparks Police Department. *See id.* at 494-497, 515-517, 539. During at least one
of the early interviews, Petitioner alleged that a man named John Soares murdered
Trudy. *Id.* at 541-542, 561-562.

1 torso. *Id.* at 417. Petitioner did not express any reluctance to speaking to Detective
2 Jenkins. *Id.* at 417-418. The statement was transcribed by a court reporter. *Id.* at 417-
3 418. The transcribed statement took about 15 minutes, but Detective Jenkins had
4 spoken to Petitioner for about an hour prior to the court reporter arriving. *Id.* at 430.
5 Petitioner was again advised of his rights and provided a knowing, voluntary, and
6 intelligent waiver. *Id.* at 421.

7 Petitioner claimed that about an hour before Trudy got off work on the evening of
8 July 14th/morning of July 15th, she met with him in the game room of the Cal-Neva and
9 they took acid. *Id.* at 422.⁸ Petitioner alleged Trudy had the acid. *Id.* Petitioner claimed
10 that Trudy got off work early because she had a “hassle” with her boss. *Id.* Petitioner
11 said they went to her car around 1 a.m., but something was wrong with the drive shaft so
12 they decided to walk toward the beach. *Id.* at 422-423. Petitioner claimed that they
13 were pretty “stoned” at that point and Trudy wanted “to ball.” *Id.* at 423. Petitioner
14 explained that he meant that they “got it on.” *Id.* Petitioner alleged that after they had
15 intercourse, Trudy took a small pocket knife out of her purse and started “rapping”
16 about dying. *Id.* Petitioner claimed that he told Trudy to stop talking about dying
17 because it was making him have a bad trip. *Id.* at 424. Petitioner said he started
18 thinking more about her dying. *Id.* Then, Petitioner admitted he “[j]ust stuck part of
19 her clothes around her neck and killed her.” *Id.* Petitioner claimed he killed Trudy
20 because it was what she wanted. *Id.* at 425. Petitioner also admitted he stabbed Trudy
21 in the body three or four times. *Id.* Petitioner said when he was stabbing her, “[s]he
22

23 ⁸ The transcript of Petitioner’s confession was read during the State’s case in
24 chief. Petitioner’s statements and admissions discussed in this paragraph are based on
the certified transcript, not simply a general recollection of Detective Jenkins.

1 just wasn't here." *Id.* Petitioner put Trudy's clothes in her purse, moved Trudy's body,
2 and took the purse down near the beach with him. *Id.* at 425-426. Then Petitioner went
3 to the store to get a drink and went back near the Cal-Neva and spoke with "some cops."
4 *Id.* at 426. After speaking with the cops, Petitioner went back to Trudy's body and
5 carried "her down to where they found her at, or where I found her at, where I showed
6 them she was at." *Id.* The interview concluded by Petitioner saying, "I killed her" and
7 telling Detective Jenkins there is nothing else to say. *Id.* at 427-428. Petitioner was
8 "sobbing" intermittently throughout his interview, but did not express any reluctance to
9 speaking with Detective Jenkins. *Id.* At 428-429.

10 Prior to Detective Jenkins' testimony, Petitioner's attorney, now Judge Jerome
11 Polaha, presented argument related to Petitioner's confession. Petitioner's attorney
12 argued the State had to prove voluntariness of the confession and requested that the
13 court instruct the jury that they must find the confession voluntary before considering it.
14 *Id.* at 407-413. A significant portion of the cross-examination was dedicated to
15 establishing facts for defense to argue to the jury that Petitioner's confession was not
16 voluntarily made. *See generally* 436-478.

17 Petitioner made other incriminating statements throughout the pendency of the
18 case. For example, the jury was informed that at arraignment, Petitioner spontaneously
19 said to the judge, "Send me to prison. I killed her. I don't want a lawyer. Get it over
20 with." *Id.* at 510.

21 During trial, the jury was taken to the area of the crime scene at the close of the
22 State's case. *Id.* at 576; 4 TT 577. Petitioner testified in his own defense at trial. He
23 indicated he grew up in Las Vegas with John Soares. 4 TT 603,605. Before moving to
24 Lake Tahoe, Petitioner was convicted for fraudulent use of a credit card and

1 incarcerated. *Id.* at 606. Petitioner stayed in Las Vegas for a few days after getting out
2 of custody, but left for Lake Tahoe because he felt like the Sheriff's Office down there
3 was hassling him. *Id.* at 606. Petitioner's dad got him a job as a busboy at Cal-Neva.
4 *Id.* at 607-608. Petitioner claimed he went down to Reno to buy pants one day and ran
5 into John Soares in Sears at Park Lane Mall. *Id.* at 664.

6 Petitioner claimed that on the night in question he was playing in the game room
7 at the Cal-Neva and left just before closing. *Id.* at 613-614. He took acid that night that
8 he brought from Las Vegas. *Id.* At 706. Petitioner claimed he went to his dorm on
9 property to change, but on his way back to the dorm he heard something like an animal
10 cry. *Id.* at 614. Petitioner said that since he is interested in animals he walked toward
11 the area he heard the sound come from and allegedly observed John Soares emerge
12 from the bushes. *Id.* Petitioner claimed that Mr. Soares then took him to a body and
13 told Petitioner to keep his mouth shut or Petitioner would end up dead. *Id.* at 615. Mr.
14 Soares allegedly told Petitioner that he hung the woman and stabbed her. *Id.* at 689.
15 Petitioner alleged that Mr. Soares enlisted his help in disposing of the woman's jacket
16 and keys. *Id.* at 615. Petitioner claimed that he was afraid when he first ran into police
17 that morning, so he talked to them about his registration. *Id.* at 616. Then, Petitioner
18 alleged he hitchhiked to South Lake Tahoe and burglarized a motel. *Id.* After the
19 burglary, Petitioner allegedly went to Carson City to meet his probation officer. *Id.*
20 Petitioner admitted to going back up to the body on several occasions before it was
21 discovered. *Id.* at 618-619. Petitioner allegedly felt bad and did not want to leave the
22 body out there so he told Cal-Neva security about a man dragging a woman out into the
23 woods. *Id.* at 619-620. Petitioner confirmed that he tried to direct the security to the
24 body, and when it was not found he then took the security guard to the body. *Id.*

1 Petitioner's testimony during direct examination was also focused on undercutting the
2 voluntariness of his confession. *See id.* at 622-628, 632-648. Petitioner claimed he
3 never killed Trudy, and never saw her alive. *Id.* at 648, 665.

4 During cross-examination of Petitioner, several inconsistencies were brought to
5 light, in addition to his complete departure from having sexual relations and killing
6 Trudy. Petitioner had previously told a psychiatrist that he knew Trudy at Chico State.
7 *Id.* at 668-669. Petitioner claimed that one of the witnesses had misidentified him
8 during trial because he claimed to be sleeping at the time she said she observed him in
9 the parking lot. *Id.* at 670. The prosecutor pointed out the inconsistencies in
10 Petitioner's story about Mr. Soares, as well as inconsistencies in Petitioner's statements
11 about going to visit the body and whether he touched the body on those occasions. *See*
12 *e.g. id.* at 683-685, 686-687, 696-697. Petitioner admitted to initially lying to officers
13 by claiming that he went to South Lake Tahoe with Mr. Soares. *Id.* at 688-689.

14 Other witnesses were also presented in Petitioner's case in chief, including his
15 father. However, during cross-examination, Petitioner's father admitted Petitioner was
16 in and out of trouble as a youth. *Id.* at 655-656. Petitioner was even sent to a youth
17 facility twice because of criminal activity. *Id.* at 656-657.

18 The State called Mr. Soares in its rebuttal case. *Id.* at 754. He explained that
19 Petitioner was friends with his son when they grew up in Las Vegas, but he had not seen
20 Petitioner since 1966. *Id.* at 755-756. He admitted to having two felony convictions, one
21 in 1960 for burglary and one recent conviction for transporting stolen Picasso etchings
22 in Oklahoma. *Id.* at 757. Mr. Soares testified that during the summer of 1971 he was not
23 in the Lake Tahoe area. *Id.* at 758. More specifically he said in July of 1971 he was never
24 in the Cal-Neva lodge area and did not know where the Park Lane Shopping Center was

1 located. *Id.* In July of 1971, Mr. Soares lived in Los Angeles with his mother and wife.
2 *Id.* at 762-763. Mr. Soares testified he did not kill a woman in the Lake Tahoe area on or
3 about July 15, 1971. *Id.* Mr. Soares testified to specific things he was doing in the Los
4 Angeles area in the days surrounding July 15, 1971, including purchasing a car, taking
5 his dogs to the veterinarian, and going to the barber. 5 TT 806-812. The State also
6 offered testimony from the man Mr. Soares purchased a car from during the time
7 period, and Mrs. Soares to account for Mr. Soares' whereabouts between July 12, 1971,
8 and July 17, 1971. *Id.* at 814-816, 819-820, 825-829.

9 Petitioner was charged with murder in this case, not sexual assault. *See*
10 Indictment, filed herein July 28, 1971. During closing argument, the prosecutor touched
11 on the felony murder theory to support a first degree murder verdict. He suggested that
12 if the jury believed Petitioner raped Trudy, then they could find him guilty of first degree
13 murder. *Id.* At 846. He did not belabor the point. *See id.* Instead, the prosecutor
14 focused his argument on the premeditated and deliberate nature of the crime to sustain
15 a first degree murder verdict. *See id.* At 846-850.

16 The jury was instructed, among other things, regarding the elements of the
17 offense of murder (Instruction 15, 16, 17, 18, and 19), the duty to weigh credibility of the
18 witnesses (Instruction 3), and the duty to determine that Petitioner's confession was
19 voluntarily made before considering it as evidence in the case (Instruction 24 and 25).
20 *See* Jury Instructions, filed herein April 26, 1972. The jury returned a guilty verdict.
21 Petitioner was sentenced to life without the possibility of parole.

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1 III. DISCUSSION

2 A. The Petition Does Not Satisfy NRS 176.0918.

3 Pursuant to NRS 176.0918, a petition for genetic marker analysis must, among
4 other things, include a declaration “under the penalty of perjury attesting that the
5 information contained in the petition does not contain any material misrepresentation
6 of fact and that the petitioner has a good faith basis relying on particular facts for the
7 request.” NRS 176.0918(3). A petition for genetic marker analysis must also include:

- 8 (a) Information identifying specific evidence either known or believed to
9 be in the possession or custody of the State that can be subject to genetic
10 marker analysis;
11 (b) The rationale for why a reasonable possibility exists that the petitioner
12 would not have been prosecuted or convicted if exculpatory results had
13 been obtained through a genetic marker analysis of the evidence identified
14 in paragraph (a);
15 (c) An identification of the type of genetic marker analysis the petitioner is
16 requesting to be conducted on the evidence identified in paragraph (a);
17 (d) If applicable, the results of all prior genetic marker analysis performed
18 on evidence in the trial which resulted in the petitioner’s conviction; and
19 (e) A statement that the type of genetic marker analysis the petitioner is
20 requesting was not available at the time of trial or, if it was available, that
21 the failure to request genetic marker analysis before the petitioner was
22 convicted was not a result of a strategic or tactical decision as part of the
23 representation of the petitioner at the trial.

24 *Id.*

 A petition for genetic marker analysis must satisfy the several procedural
requirements listed above or it must be dismissed. See NRS 176.0918(4)(a) (“If a
petition is filed pursuant to this section, the court may: (a) [e]nter an order dismissing
the petition without a hearing if the court determines, based on the information
contained in the petition, that the petitioner does not meet the requirements set forth in
this section”); see also NRS 176.09183(5)(a) (“The court shall enter an order dismissing
a petition filed pursuant to NRS 176.0918 if: (a) [t]he requirements for ordering a

1 genetic marker analysis pursuant to this section and NRS 176.0918 and 176.09187 are
2 not satisfied”).

3 Unfortunately for Petitioner, simply stating in a declaration that there are no
4 material misrepresentations of fact and he has a good faith basis to rely on his version of
5 the facts to make his request is not sufficient. The Court now has the facts with citations
6 to the record. The facts Petitioner relies on do not comport with the record in this case,
7 and therefore constitute material misrepresentations. For example, Petitioner suggests
8 police engaged in nefarious tactics and mistreated him in order to obtain a confession.
9 These suggestions are not supported by the record. Detective Jenkins did not question
10 Petitioner on end for over two days. The trial court found Petitioner’s admissions
11 voluntary and that decision was not disturbed on appeal. This Court should not second
12 guess these determinations years later.

13 Next, Petitioner indicates that Dr. Laubscher testified that Trudy had been
14 stabbed fifteen times and died from manual strangulation, and then asserts that Dr.
15 Laubscher’s testimony was inconsistent with the information Petitioner provided during
16 his confession. Petitioner does not explain his assertion. However, the record reveals
17 that Petitioner admitted to strangling Trudy with an article of clothing and then, when
18 she was lifeless, to stabbing her in the body three or four times. Petitioner did not recall
19 exactly how many. Dr. Laubscher observed over 100 bruises on Trudy’s body, including
20 on Trudy’s neck. The testimony was not inconsistent when considered in context.

21 Finally, Petitioner attempts to attack his conviction by asserting that Dr.
22 Laubscher concluded that the contributor of semen was either sterile or had received a
23 vasectomy. This is not accurate. In fact, Dr. Laubscher initially testified that semen
24 were likely not found in the sample of seminal fluid because of the degenerative nature

1 of the substance and environment of being in a dead body for at least a day. Dr.
2 Laubscher opined that the degenerative nature of the substance was the first reason
3 semen was not found. Dr. Laubscher indicated that a second possibility existed to
4 explain the lack of semen, which was that the contributor may have been sterile or had a
5 vasectomy. Petitioner asserts that his semen was tested and there was sperm identified
6 in the sample, so he could not have been the source of the sterile semen found in Trudy.
7 It is true that Petitioner's seminal fluid was tested and contained the presence of sperm;
8 however, Dr. Laubscher indicated that Petitioner had a significantly below average
9 amount of sperm in the sample. Given the degenerative nature of sperm, the jury could
10 have easily determined based on the expert testimony of Dr. Laubscher that Petitioner's
11 semen had degenerated prior to Dr. Laubscher's collection of a sample from Trudy.
12 There was no evidence deduced in the record to support Petitioner's assertion that he
13 was categorically excluded because he is not sterile. Given Petitioner's gross
14 mischaracterizations of the evidence in this case, this Court should conclude that he has
15 failed to satisfy the initial requirement of NRS 176.0918(3).

16 Moreover, Petitioner has not demonstrated that a reasonable probability exists
17 that he would not have been prosecuted or convicted if exculpatory results had been
18 obtained. *See* NRS 176.0918(3)(b). Petitioner's counsel argued there was no physical
19 evidence connecting Anselmo to the murder. Petitioner's counsel established on cross-
20 examination of Dr. Laubscher that Petitioner was not sterile and his sample contained
21 semen. Petitioner's counsel challenged his confession and argued it was involuntarily
22 made. Petitioner's counsel and Petitioner placed the blame on another felon. The jury's
23 verdict indicates that they did not find these arguments compelling. This Court should

24 / / /

1 not second guess the jury verdict fifty years later when it considered the same
2 arguments and rejected them.

3 B. The Petition is Untimely and Subject to the Doctrine of Latches.

4 NRS 176.0918 does not specifically refer to a deadline to file a petition for genetic
5 marker analysis. However, NRS 34.726 provides that if a petition challenges the validity
6 of a judgement or sentence it must be filed within a year after the judgment of
7 conviction or within a year after remittitur if the case was appealed. The Nevada
8 Supreme Court has applied a one year boundary to claims factually or legally
9 unavailable as well. In other words, the Nevada Supreme Court has repeatedly
10 recognized the importance of finality in judgments and not permitted the unlimited
11 attack on convictions simply because a new legal avenue becomes available many years
12 later. *See Rippo v. State*, 423 P.3d 1084, 134 Nev. Adv. Op. 53 (2018) (observing that a
13 “one-year boundary for what is a reasonable time within which to file a petition raising a
14 postconviction-counsel claim that was not factually or legally available at the time of a
15 procedural default under NRS 34.726 also provides some fairness and predictability”;
16 therefore, “a claim of ineffective assistance of postconviction counsel has been raised
17 within a reasonable time after it became available so long as the postconviction petition
18 is filed within one year after entry of the district court’s order disposing of the prior
19 postconviction petition or, if a timely appeal was taken from the district court’s order,
20 within one year after this court issues its remittitur.”); *Pellegrini v. State*, 117 Nev. 860,
21 874-75, 34 P.3d 519, 529 (concluding that for purposes of determining timeliness of
22 successive petitions filed by petitioners whose convictions were final before effective
23 date of NRS 34.726, “it is both reasonable and fair to allow petitioners one year from the
24 effective date of the amendment to file any successive habeas petitions”).

1 In 2003, when the Nevada Legislature created the remedy of a petition for
2 genetic marker analysis, it was limited to death row inmates. In 2009, the Legislature
3 changed the statute to allow individuals like Petitioner to seek relief. However,
4 Petitioner did not file his petition within one year of the remedy being available.
5 Petitioner waited almost 10 years before filing for relief. Even assuming, as the Court
6 did in its original order regarding the Petition, that the Legislative changes in 2013
7 created this avenue of potential relief for Petitioner, he still waited five years to file his
8 Petition. Petitioner was certainly aware of this remedy in 2013, as his counsel
9 recognized that they conducted an evidence viewing at the Crime Lab in anticipation of a
10 Petition in 2013. See Petitioner's Motion for Order to Show Cause, filed herein June 28,
11 2019, p. 3-4, n. 1 (acknowledging that "Representatives of the Rocky Mountain
12 Innocence Center viewed evidence at the Washoe County Sheriff's Office in 2013....").
13 Petitioner does not offer a justifiable reason for delaying his filing almost ten years after
14 the statute was expanded and five years after the most recent legislative change/his
15 review of the evidence in this case. There is significant prejudice to the State by allowing
16 Petitioner to challenge his conviction fifty years after it was secured. This Court should
17 deny his Petition based on the doctrine of latches. See *State v. Eighth Judicial Dist.*
18 *Court (Hedland)*, 116 Nev. 127, (2000) ("Latches is an equitable doctrine that may be
19 invoked when delay by one party works to the disadvantage of the other, causing a
20 change of circumstances that would make the grant of relief to the delaying party
21 inequitable"); see also NRS 34.800(2) (allowing the State to plead latches in response to
22 petitions challenging the validity of a judgment or sentence if a five year delay has
23 occurred).

24 / / /

1 C. Petitioner Must Be Judicially Estopped From Claiming Innocence in this Case.

2 In 2005, Petitioner sought a pardon, and was granted relief. His life without the
3 possibility of parole sentence was reduced to life with the possibility of parole. See Ex. 1.
4 During the pardons hearing on December 14, 2005, Petitioner began by saying,
5 “Governor, Attorney General, Justices. I don’t know any words I can say to explain how
6 sorry I am, how remorseful I am for taking Trudy Ann Hiller’s life. There are just no
7 words.” See Exhibit 2, Transcript from December 14, 2005 Pardons Hearing, p. 109: 12-
8 15. Petitioner asserts that he has maintained his innocence, but that is simply
9 inaccurate. Petitioner confessed to the murder, but during trial told a different story.
10 He was convicted anyway. Years later, before the Pardons Board, Petitioner again
11 admitted to killing Trudy in order to receive a reduced sentence. Petitioner should be
12 estopped from claiming innocence now in light of his statements to the Pardons Board.

13 Judicial estoppel is a doctrine that guards the judiciary’s integrity. *Marcuse v.*
14 *Del Webb Communities, Inc.*, 123 Nev. 278, 287 (2007). The doctrine should be applied
15 when “a party’s inconsistent position arises from intentional wrongdoing or an attempt
16 to obtain an unfair advantage.” *Id.* at 288. In order for judicial estoppel to apply, five
17 criteria must be met: (1) the same party has taken two positions; (2) the positions were
18 taken in a judicial or quasi-judicial administrative proceeding; (3) the party was
19 successful in asserting the first position; (4) the two positions are totally inconsistent;
20 and (5) the first position was not taken as a result of ignorance, fraud, or mistake. *Id.* at
21 287. The factors required for the judicial estoppel doctrine to apply are met in this case.
22 Petitioner admitted to killing Trudy during an administrative hearing before the
23 Pardons Board, the Board accepted the statement as true and granted relief, yet now
24 Petitioner claims his innocence. Petitioner did not admit to killing Trudy before the

1 Pardons Board as a result of ignorance, fraud, or mistake. He made the calculated
2 decision to own up to his crime and show remorse, so he could have a chance at life
3 outside prison. He was given that chance. Petitioner must be estopped from claiming
4 innocence after benefiting from his admission.

5 IV. CONCLUSION

6 Based on the foregoing, the State respectfully requests that this Court deny and
7 dismiss the Petition for Genetic Marker Analysis filed on November 2, 2018.

8 AFFIRMATION PURSUANT TO NRS 239B.030

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

11 DATED: November 27, 2019.

12 CHRISTOPHER J. HICKS
District Attorney

13 By /s/ MARILEE CATE
14 MARILEE CATE
Appellate Deputy

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CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Second Judicial District Court on November 27, 2019. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

- Sydney R. Gambee, Esq.
- Jessica E. Whelan, Esq.
- J. Robert Smith, Esq.
- Joshua Halen, Esq.

/s/ Margaret Ford
MARGARET FORD

INDEX OF EXHIBITS

Exhibit 1, Board of Pardons Historical Actions Report 1996-2019, 134 pages

Exhibit 2, Transcript of Board of Pardons Hearing 12/14/2005, 41 pages

FILED
Electronically
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2019-11-27 02:21:33 PM
Jacqueline Bryant
Clerk of the Court
Transaction # 7611850 : csulezic

EXHIBIT 1

EXHIBIT 1

STATE OF NEVADA

ADDRESS ALL COMMUNICATIONS TO:

PARDONS BOARD
1677 OLD HOT SPRINGS ROAD
SUITE A
CARSON CITY, NEVADA 89706
TELEPHONE (775) 687-6568
FAX (775) 687-6736

DENISE DAVIS, Executive Secretary



BOARD OF PARDONS

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BOARD OF PARDONS

NEVADA BOARD OF PARDONS COMMISSIONERS HISTORICAL ACTIONS 1996 – 2019

The following report details actions taken by the Board of Pardons. There are many different types of pardons. These range from granting parole eligibility to a full and unconditional pardon.

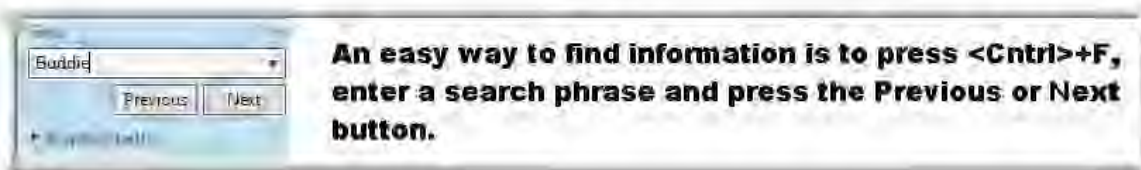
Following are explanations of some of the language used in the report.

- In-Custody cases refer to applicants who were incarcerated at the time.
- Community cases are brought to the Board's attention by individuals who were currently residing in the community, and were not incarcerated.
- Parolee cases are brought to the Board's attention by individuals who were serving a sentence, but were released from prison under supervision of the Department of Public Safety, Division of Parole and Probation.
- Consent Agenda Community cases – The Board considered a request without a meeting. For example, at the request of Immigrations & Customs Enforcement, <http://www.ice.gov>.
- CC = Concurrent Sentence – Sentences are "concurrent," when the time served on one sentence is also applied to another sentence.
- CS = Consecutive Sentence – Sentence are consecutive when one sentence must be discharged or pardoned before the inmate begins to serve another sentence.
- C/S = Controlled Substance
- Consp = Conspiracy
- DUI = Driving Under the Influence

- NDOC = Nevada Department of Corrections
- PED = Parole Expiration Date
- Poss = Possession
- UDW = Use of a Deadly Weapon

Because of the software used in creating this report, some of the information at the end of a page may be continued on the next page.

Also, here is a suggestion for quickly locating information. Use Adobe Reader's search or "Find" dialogue, and enter a name or an NDOC identification number.



Action Taken August 15, 1996:

In-Custody Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Hansen, Lesley #35277	Trafficking (2) counts	25 years, CC 3 years	10/28/1991	Granted Parole eligibility in 11/1996
#				Denied
Michell, Paul #				Denied
Zimmer, Kim D #				Granted Parole eligibility in 11/1996

Action Taken July 17, 1997

In-Custody Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Adams, Maggie #19093	1 st Degree Murder & Robbery	Life without CS 15 CS 15	12/22/1983 & 1/30/1987	Denied
Orfield, Katherine #17730	2 nd Degree Murder, Robbery	Life with Parole, CC Robbery	12/22/1983	Denied
Shaw, Sandy #24126	1 st Degree Murder	Life CS Life	2/13/1987 & 11/4/1994	Denied
Hern, Brian #14535	1 st Degree Murder	Life without Parole	7/16/1979	Denied
Montecerin, Rolando #27479	Trafficking	15 to 25 years	2/9/1989	Granted Immediate parole eligibility
Riebel, David #27690	UDW, Att Murder with UDW, Grand Larceny, Burglary	(3) CC sentences of 15 years, (2) CC sentences of 12 years, and (2) CC sentences of 10 years	12/22/1988	Granted Immediate parole release with Special condition
Osborn, Roy #09148	1 st Degree Murder (2) counts	Life, CC Life	7/23/1965	Granted To two CC sentences of Life with Parole and placed on 9/1997 Parole Board agenda
Samora, Jose #29698	Consp to Sell C/S, Trafficking	3 years, CC 15 years with no parole	10/11/1989	Granted Immediate parole eligibility

Action Taken July 17, 1997

Community Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Berg, Kevin	Forgery	5 years NDOC	11/24/1970	Restoration of Civil Rights with the right to bear arms Granted
Colson, Darrell	DWI	2 years NDOC	12/6/1985	Restoration of Civil Rights with the right to bear arms Granted
Picolini, Marc AKA Anthony Picolini	Att Burglary	35 years NDOC	7/31/1981	Restoration of Civil Rights with the right to bear arms Granted
Werlinger, Joseph	Consp To Sell C/S	3 yrs probation	10/10/1985	Restoration of Civil Rights with the right to bear arms Granted
Dey-Palombo, Linda	N/A	N/A	N/A	Request granted
Cline, Larry	N/A	N/A	N/A	Restoration of Civil Rights without the right to bear arms Granted
Barber, Gary	Embezzlement	3 yrs probation	6/27/1990	Denied
Flores, Michael	Poss C/S with Intent to Sell	5 yrs probation	2/1/1984	Restoration of Civil Rights without the right to bear arms Granted
Guzman, Elio	Consp To Sell C/S, Sale of C/S	5 yrs probation	12/2/1986	Denied

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Guzman, Nancy	Consp To Sell C/S, Sale of C/S	5 yrs probation	12/2/1986	Denied
Osorio, Zunilda	Poss C/S with Intent to Sell	5 yrs probation	2/22/1989	Denied
Searcy, Jerry	Sale of C/S; Indecent Exposure	4 yrs probation; 2 years probation	6/8/1972; 3/2/1981	Restoration of Civil Rights with the right to bear arms Granted
Williams, Charles	Robbery with UDW	4 yrs probation	8/4/1987	Denied
Coca, Pete	DUI with Bodily Harm	3 yrs NDOC	8/31/1989	Denied
Angle, Kenneth	Asking/Receiving Bribe by Public Officer	2 yrs probation	6/29/1990	Denied
Deese, Thomas	Grand Larceny	2 yrs NDOC	3/28/1975	Restoration of Civil Rights with the right to bear arms Granted
Furton, Richard	Poss C/S	3 yrs probation	6/25/1990	Denied
Knudson, Dwayne	DUI	2 yrs NDOC	2/29/1988	Denied
Fullmer, Dwight	DWI	1 yr NDOC	11/16/1989	Restoration of Civil Rights with the right to bear arms Granted
Gurczynski, Shane	Poss of Credit Card without Consent	2 yrs probation	11/20/1990	Restoration of Civil Rights with the right to bear arms Granted
Murphy, Gerald	Felony DUI	1 yr NDOC	12/28/1989	Restoration of Civil Rights with the right

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
				to bear arms Granted
Tuttle, Thomas	Unlawful Sale of C/S	3 yrs probation	2/19/1986	Restoration of Civil Rights with the right to bear arms Granted
Davidson, Terry	Sale of C/S	5 yrs probation	11/13/1975	Restoration of Civil Rights with the right to bear arms Granted
Titherington, James	Robbery	5 to 6 yrs NDOC	2/24/1967	Restoration of Civil Rights with the right to bear arms Granted
Gray, Harold	DUI (2 counts)	1 yr NDOC; 1 yr NDOC	4/5/1988; 10/2/1990	Denied
Ables, Clay	Robbery - Victim Over 65	7 yrs NDOC	10/29/1980	Denied
Schnack, William	Unlawful Sale Counterfeit Coins or Slugs	2 yrs probation	9/26/1989	Restoration of Civil Rights with the right to bear arms Granted
Agarwal, Vikas	Misdemeanor Speeding	16 day Jail	4/6/1994	Denied
Stadtmitter, Robert	Spousal Battery	30 days Jail	9/13/1994	Continued

Action Taken December 1, 1998

In-Custody Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Harger, Terry #51587	DUI Causing Death or Sub Bodily Harm	4 to 14 years	10/2/1996	Granted Immediate parole eligibility
Thomas, Dorothy #31920	Trafficking	25 years to Life	7/30/1990	Granted commutation of sentence to 10 to Life
Wham, Peggy #19019	Consp To Commit Murder, Att Murder, Murder with DW	20 years, CC Life Without, CS Life Without	10/24/1983	Granted commutation to Time Served
Orlich, Daniel #56547	DUI Causing Death or Sub Bodily Harm	2 to 5 years	1/19/1998	Granted commutation to Time Served and rights restored after one year
Johnstone, Robert #11780	(2) counts First Degree Murder	Life CS Life	12/12/1974	Denied
Barker, Tony #12487	First Degree Murder with UDW	Life	4/1/1977	Denied
Uremovich, Joseph #34616	Trafficking	10 to 18 years	8/6/1991	Granted Immediate parole eligibility
Kruegar, Gary #12273	First Degree Murder	Life	1/22/1976	Granted commutation to Life with Parole, PED 2/1999
Romero, Edward #22115	First Degree Murder with UDW	Life with Parole, CS Life with Parole	2/12/1986	Granted commutation to a 10 year min on each sentence and PED 2/1999

Parolee Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
McCoy, Riley #13216	Sexual Assault	Life with Parole	10/18/1977	Granted commutation to time served

Community Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Chapman, Dennis	Unlawful Obtaining prescription for C/S; DUI	(3) CS of 30 months NDOC	2/25/1986	Restoration of Civil Rights with the right to bear arms Granted
Desilvio, Michael	Burglary	5 years probation	8/16/1982	Restoration of Civil Rights without the right to bear arms Granted
Cieslack, Richard AKA Fiore, Richard	Obtaining Property by False Pretenses	1 year probation	3/5/1982	Restoration of Civil Rights with the right to bear arms Granted
Fowler-Brown, Gloria	Lewdness with a Child Under Fourteen	5 years NDOC	3/9/1981	Denied
Hall, Charles	Sexual Assault (2) counts	5 years, CC 5 years NDOC	10/19/1980	Denied
Johnson, Clarence	Burglary	2 years probation	8/2/1982	Restoration of Civil Rights with the right to bear arms Granted
Khoshaba, Anwar	Poss Stolen Property	3 years probation	7/30/1986	Restoration of Civil Rights with the right to bear arms Granted
Mason, Nancy	Unlawful Poss of	2 years NDOC	7/9/1986	Restoration of Civil

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
	C/S			Rights with the right to bear arms Granted
McMullen, Dennis	Poss of C/S	2 years NDOC	2/3/1981	Restoration of Civil Rights without the right to bear arms Granted
Prior, Ric A	Poss C/S with Intent to Sell	5 years probation	9/24/1990	Restoration of Civil Rights with the right to bear arms Granted

Action Taken December 7, 1999

In-Custody Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Neighbors, Sandra #45846	Trafficking	25 years w/out parole	3/27/95	Granted Immediate parole eligibility
Goldyn, Joni #33220	Habitual Criminal	Life CS Life	1/18/91	Granted Parole eligibility effective January 30, 2000
Wolford, Merrill #22166	1 st Degree Murder	Life with the possibility of parole	10/26/85	Denied
Kinney, Joel #15269	1 st Degree Murder	Life w/out the possibility of parole	6/25/80	Granted Commuted sentence to life with the possibility of parole
Donnelly, John #21057	1 st Degree Murder	Life with the possibility of parole	6/6/85	Denied

Action Taken December 7, 1999

Community Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Drake, Lynn C	Disturbing the Peace, Domestic Battery	Misdemeanor - Suspended and fined \$50000	12/5/95	Granted with right to bear arms restored
Markiewicz, Mark	Assault and Battery - Domestic Violence/Trespassing	Misdemeanor - 90 days in jail, \$101500 Fine, House Arrest for 30 days	10/22/96	Denied
Baker, Douglas Lee	Unlawful possession of controlled substance, Carrying a concealed weapon	3 years Nevada State Prison	5/16/85	Restoration of Civil Rights with the right to bear arms Granted
Cyphers, Dale	Conspiracy to Commit Forgery	3 years probation	6/11/91	Restoration of Civil Rights without the right to bear arms Granted
Hayes, Reginald	Kidnaping First Degree	13 yrs NDOC	12/13/1985	Restoration of Civil Rights with the right to bear arms Granted
Horton, Craig Duane	Burglary	2 years probation	8/5/71	Restoration of Civil Rights with the right to bear arms Granted
Hoff, Barbara AKA: McCarthy	Possession of a controlled substance	3 years probation	5/7/91	Restoration of Civil Rights with the right to bear arms Granted
Jackson, Rickey Gene	Possession of a controlled substance & Carrying a concealed weapon	3 years probation	2/2/89	Restoration of Civil Rights with the right to bear arms Granted

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Nealeigh, Beverly Ann AKA: Ittner	Embezzlement	5 years probation	12/2/85	Restoration of Civil Rights Granted
Orlich, Daniel	DUI causing substantial bodily harm	2 - 5 years Nevada State Prison (commuted to time served on 21-1-98)	1/30/98	Restoration of Civil Rights with the right to bear arms Granted
Papania, George R	Embezzlement	2 years Nevada State Prison	6/2/88	Restoration of Civil Rights without the right to bear arms Granted
Seilder, Leslie E	Attempt grand larceny & possession of stolen property	2 & 3 years probation	3/74 & 2/81	Restoration of Civil Rights with the right to bear arms Granted
Soto, Joseph R	Grand Larceny	2 years probation	10/7/91	Restoration of Civil Rights with the right to bear arms Granted

Action Taken January 29, 2001

In-Custody Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Goots, James #66905	Burglary	1 - 3 years Nevada State Prison	10/5/99	Granted Immediate release
Turner, Robert #15377	1 st Degree Murder	Life w/out the possibility of parole	11/1/78	Granted Commuted to life with the possibility of parole with eligibility date of 3/2001
Adams, Maggie #19093	1 st Degree Murder, Use of a deadly weapon enhancement,	Life w/out CS Life w/out CS 15 years CS 15 years	12/23/83	Denied However, may return to the Pardon's Board in three years

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
	Robbery, Use of a deadly weapon enhancement			

Action Taken April 11, 2001

In-Custody Case

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Thomas Nevius #17789	1 st Degree Murder	Death	11/8/1982	Continued for psychiatric evaluation

Action Taken December 14, 2001

In-Custody Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Brian Hern #14535	1 st Degree Murder	Life without parole	7-16-1979	Granted Parole eligible February 2002
Franco Aguiar #27740	Robbery/Burglary w/UDW	Eight 10 year CS sentences, CS 4 yrs CS 3 yrs	6-19-1986	Granted to Time Served
Jessie Washington #19258	1 st Degree Murder with UDW	Life with CS life with	2-6-1984	Granted Parole eligible February 2002
Franco D'Aquino #28895	Trafficking/Ctrl Substances	15-25 years	6-29-1989	Granted to time served
Delia Chiquette #36737	Trafficking	10 years CS 20 years	4-21-1992	Granted Parole eligible February 2002

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Virginia Sandy #55523	2 nd Degree Murder	Life with possibility of parole	3-5-1997	Granted Parole eligible February 2002
Sheela Summers #19090	1 st Degree Murder	Life without	3-5-1987	Granted Parole eligible February 2002
Maggie Jo Adams #19093	1 st Degree Murder & Robbery	Life without CS 15 CS 15	12-22-1983 & 1-30-1987	Granted Parole eligible February 2002

Action Taken December 14, 2001

Community Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Mark Markiewicz	Battery, Domestic Violence	Misc Conviction - Loss of right to bear arms	7-22-1997	Denied

Action Taken June 6, 2002

In-Custody Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Arnold Breitling #71865	DUI	1 - 25 years NDOC	2-7-2002	Granted Commuted to time served
Avon McCraw #71972	Failure to Stop on Signal from Officer	1 - 3 years NDOC	2-13-2002	Granted Commuted to time served

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Edward Smith #13231	1 st Degree Murder	Life without CS life without	2-25-1976	Granted Commuted to life with the possibility of parole with immediate parole eligibility
John McBride #15353	Robbery	10 years CS 10 years CS 10 years CS 10 years	5-1-1990	Denied
Calvin Thompson #27264	1 st Degree Murder, UDW & Attempted Murder UDW	Life without CS life without CS 20 years CS 20 years	9-29-1988	Granted Commuted to life with the possibility of parole with immediate parole eligibility
Charles Self #13938	Sale of Controlled Substance	Life with the possibility of parole	11-14-1983	Granted Commuted to time served with restoration of rights without the right to bear arms
John Donnelly #21057	1 st Degree Murder	Life with the possibility of parole	6-6-1985	Denied
George Quintana #41248	Trafficking	Life with the possibility of parole	10-4-1993	Denied
Eddie Hampton #22002	1 st Degree Murder UDW & Attempted Murder UDW	Life without CS life without CS 20 CS 20	1-13-1986	Granted Commuted to Life with the possibility of parole All terms to run concurrent
Randall Kalal #29224	Attempted Murder UDW & Robbery	20 years CS 20 years CS 15 years CS 15 years CS 6 years	12-13-1989	Granted Commuted to run concurrent with immediate parole eligibility
Martin Rodriguez	Trafficking	25 years without the possibility of parole	10-26-1995	Granted Immediate parole

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
#48065				eligibility
Christopher Hammond #43623	Trafficking	25 years CS 10 years without the possibility of parole	8-12-1994	Granted Concurrent with immediate parole eligibility
Sandy Shaw #24126	1 st Degree Murder	Life CS Life	2-13-1987 & 11-4-1994	Denied

Action Taken June 6, 2002

Community Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Cindy Riddle	2 nd Degree Murder	Life with possibility of parole	1-11-1979	Granted Commuted to time served Rights restored without the right to bear arms
Nancy Madison	DUI	1 year	11-8-1993	Granted Rights restored with right to bear arms
Sang Man Shin	Att Lewdness with a minor	2 years probation	8-10-1988	Granted Rights restored without right to bear arms
James Anderson	DUI	1-25 years	8-25-1997	Granted Rights restored with right to bear arms
Debra Caballes	Poss of Controlled Substance	3 years probation	6-1-1992	Granted Rights restored with right to bear arms

Action Taken November 20, 2002

In-Custody Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Ethel Callier #19529	1 st Degree Murder UDW	Life w/out parole CS life w/out parole	4-04-1984	Granted Commuted to concurrent sentences of Life with the possibility of parole
Walker, Theresa #26530	1 st Degree Murder UDW	Life with possibility of parole CS life with possibility of parole	7-28-1988	Granted Commuted to run concurrently with immediate parole eligibility
Alario, Joseph #18954	1 st Degree Murder	Life without the possibility of parole	11-16-1983	Granted Commuted to Life with the possibility of parole with immediate parole eligibility
Norman Crew #16705	1 st Degree Murder	Life with CC Life with CS Life with CS Life with	12-29-1981	Denied Parole eligibility date changed to match that of Russell Crew (9/1/2004)
Russell Crew #18444	1 st Degree Murder	Life with CS Life with CS Life with CS Life with	6-14-1983	Denied with modification to have sentence match that of Norman Crew Parole eligible on 9/1/2004
Tomas Nevius #17789	1 st Degree Murder	Death	11-8-1982	Granted Sentence commuted to life without the possibility of parole

Action Taken November 20, 2002

Community Case

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Carlos Denton	Trafficking	5 years probation	11-29-1988	Granted Rights restored including the right to bear arms

Action Taken December 12, 2003

In-Custody Cases

Hartkopf, Heidi NDOC #50323	1 st Degree Murder & Robbery	Life with the possibility of parole CS 12 years	5-13-1996	Request for Commutation denied
Castaneda, Armida NDOC #73401	Trafficking of a Controlled Substance	Sentenced to 10-25 years	7-8-2002	Granted immediate parole eligibility
Farrow, Vicki NDOC #65633	Trafficking of a Controlled Substance	Sentenced to 10-25 years	10-15-1998	Granted immediate parole eligibility
Olausen, John NDOC #14804	1 st Degree Murder, Kidnaping, UDW, Robbery, UDW	Sentenced to life without parole CS life without parole CS 15 years CS 15 years	12-7-1989	Request for Commutation denied
LaPena, Frank NDOC #28907	1 st Degree Murder	Sentenced to life without the possibility of parole	6-27-1989	Granted immediate parole eligibility
Chalmers, Ron NDOC #60629	Lewdness with a Minor	Sentenced to life with the possibility of parole	2-19-1999	Request for commutation denied
Azbill, Sylvester NDOC #13060	1st Degree Murder	Sentenced to life without the possibility of parole	1-3-1968	Request for commutation denied
Zaldivar, Gustavo NDOC #50643	Trafficking of a Controlled Substance	Sentenced to 10-25 years NDOC	4-11-1996	Granted immediate parole eligibility

Wright, Saron NDOC #63015	Robbery, Use of a Deadly Weapon Enhancement	Sentenced to 2-5 years CS 2-5 years	9-28-1999	Granted immediate parole eligibility
Allen, James NDOC #16446	1 st Degree Murder	Sentenced to life without the possibility of parole	9-23-1981	Granted immediate parole eligibility

Action Taken January 23, 2004

In-Custody Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Farmer, Jami NDOC #27156	1 st Degree Kidnaping, 2 nd Degree Kidnaping, Burglary, Extortion, Conspiracy - Violent Crime, Robbery, Battery with Intent to Commit Crime, Victim Over 65 Enhancement & Prisoner with a Weapon	Sentenced to three concurrent life w/possibility of parole (currently on parole) CS eleven 10 year concurrent sentences (discharged) CS 15 years (active sentence) CS 3 years	9-27-1993	The final 3 year sentence was commuted to run concurrent with the 15 year sentence
Sims, Anthony NDOC #30540	Habitual Criminal	Sentenced to life without the possibility of parole	1-30-1990	Request for commutation granted with immediate parole eligibility
Greene, George NDOC #38869	Kidnaping	Sentenced to 5-30 years	9-15-1993	Sentence commuted to a term of 20 years
Baccari, Lawrence NDOC #13718	1 st Degree Murder	Sentenced to life without the possibility of parole	7-17-1978	Request for commutation denied
Ficklin, Bennie NDOC #17796	1 st Degree Murder with Use of a Deadly Weapon	Sentenced to life without the possibility of parole	12-7-1982	Request for commutation denied

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
	Enhancement			
Turner, Ray NDOC #18366	1 st Degree Murder with Use of a Deadly Weapon Enhancement	Sentenced to life without the possibility of parole	5-19-1983	Sentence commuted to life with the possibility of parole with immediate parole eligibility
Turner, Roderick NDOC #30393	2 nd Degree Murder with Use of a Deadly Weapon Enhancement	Sentenced to life with the possibility of parole (currently on parole) CS life with the possibility of parole	12-13-1993	Sentence commuted to life with the possibility of parole with immediate parole eligibility

Action Taken July 7, 2004

Community Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Peter M Coca	DUI with Substantial Bodily Harm	3 years NDOC	8-31-1989	Full and unconditional Pardon
Charlene Johnson a/k/a Charlene Ashby	Sale of a Controlled Substance	5 years probation	9-30-1991	Full and unconditional Pardon
Scott Oveson	Possession of a Controlled Substance	2 years probation	1-29-1990	Full and unconditional Pardon

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Walter Ehrich III	Sale of Controlled Substance and Possession of a Controlled Substance With Intent to Sell	10 years NDOC	6-19-1985	Full and unconditioovesonnal Pardon
Etta D Francis-Hodges	25 counts of Obtaining Money Under False Pretenses	5 years NDOC	9-25-1986	Full and unconditional Pardon
Wayne K Wasano	Theft	3 years probation	2-23-1993	Full and unconditional Pardon
Doug Flanigan	Felony DUI	1 year NDOC	8-3-1990	Full and unconditional Pardon
Gregory D Smith	Attempt Possession of a Controlled Substance	4 years probation	8-17-1989	Full and unconditional Pardon
Daniel J Williams	Possession of Controlled Substance With Intent To Sell	5 years probation	8-21-1991	Full and unconditional Pardon
Lori Jefferies A/K/A Lori Lynette Brown and Kimberly Gene Arnold	Conspiracy to Commit Grand Larceny Possession of a Controlled Substance Furnishing a Controlled Substance to a State Prisoner	18 months probation 3 years NDOC 3 years NDOC	11-17-1981 4-25-1989 4-30-1990	Full and unconditional Pardon (all cases)

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Kurt Layne Sherman	Sale of a Controlled Substance	5 years probation	4-27-1991	Full and unconditional Pardon
Nishon Anise Burton	Possession of a Controlled Substance With Intent to Sell	5 years probation	9-29-1992	Full and unconditional Pardon
Marlin Olson	Felony DUI (2 cases)	1 year NDOC concurrent 4 years NDOC	11-16-1992 and 3-8-1993	Full and unconditional Pardon (both cases)
Michael Johnson	Felony DUI	18 months NDOC	4-11-1995	Full and unconditional Pardon
Arnold K Wratschko, Jr	Domestic Battery (M) Sale of a Trafficking Quantity of Controlled Substance	10 days in jail, suspended 5 years probation	8-26-1993 7-15-1994	Full and unconditional Pardon (both cases)

Action Taken November 15, 2004

In-Custody Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Shaw, Sandy NDOC #24126	1 st Degree Murder with Use of a Deadly Weapon	Life with the possibility of parole (on parole) CS life with the possibility of parole	04-27-1995	The life sentence for the Use of a Deadly Weapon Enhancement was commuted to allow immediate parole eligibility

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Kimberlin, Michelle NDOC #63410	Trafficking of a Controlled Substance	Life with the possibility of parole	11-8-1999	The life sentence was commuted to 15 years with immediate parole eligibility
Cabanilla, Linda NDOC #41618	1 st Degree Murder with Use of a Deadly Weapon	Life with the possibility of parole CS life with the possibility of parole	1-4-1994	The first life sentence was commuted to time served The second life term was commuted from 10 years to life, to 5 years to life
Bevil, Vicki NDOC #66277	Trafficking of a Controlled Substance	10-25 years	7-20-2000	This application was denied
Wood, Tony NDOC #13907	1 st Degree Murder	Life without the possibility of parole	11-2-1978	This application was denied
Kesner, Mark NDOC #48537	2 counts of DUI Causing Death	7-20 years (on parole) CS 7-20 years	12-8-1995	This application was denied
Ligotti, David NDOC #61231	2 counts of Robbery, 1 count of Burglary with a Firearm, Conspiracy to Commit Violent Crime and Use of a Deadly Weapon Enhancement	3-10 years (on parole) CS 2-8 years CC 2-6 years CC 1-4 years CS 2-8 years	4-22-1998	This application was denied
Jacobs, Johnny NDOC #35544	3 counts of Trafficking of a Controlled Substance	10 years CC 10 years (discharged) CS 25 years	9-30-1999	The 25 year sentence was commuted to 15 years with immediate parole eligibility
Wennerstrad, Tony NDOC# 45570	4 counts of Robbery and 4 counts of Use of a	Eight 12-year consecutive sentences	2-8-1995	4 of the 5 remaining consecutive sentences were commuted to run

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
	Deadly Weapon Enhancement			concurrent and all sentences were commuted immediate parole eligibility
Gaines, Mark NDOC #18989	6 counts of Robbery, 6 counts of Deadly Weapon Enhancement, 2 counts of Burglary and 1 count of Possession of Stolen Vehicle	Twelve 15-year consecutive sentences and three 10 year sentences	5-18-1988	All remaining sentences were commuted to run concurrent with the active sentence effective 11/15/2004, with immediate parole eligibility on all sentences
Ray, Jeffrey NDOC # 78712	Trafficking of a Controlled Substance and Conspiracy to Violate the Controlled Substance Act	Sentenced to 2-5 years CC 12-30 months	9-4-2003	Commutated to time served
McDowell, Roy NDOC #21833	2 counts of 1 st Degree Murder, 1 count of Robbery, 2 counts of Conspiracy to Commit Violent Crime, 1 count of Burglary, 3 counts of Use of a Deadly Weapon Enhancement	Life with the possibility of parole (currently on parole) CS life with the possibility of parole CC 15 years CS life with the possibility of parole CS life with the possibility of parole	11-18-1995	The two remaining consecutive life sentences were commuted to run concurrent with the active level

Action Taken February 10, 2005

Community Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Knudsen, Dwayne	DUI Causing Substantial Bodily Harm	2 years NDOC	2- 29- 1988	Granted an Unconditional Pardon
Pappas, Karl	Possession of a Controlled Substance; Sales of a Controlled Substance; Possession of a Controlled Substance	One year NDOC 54 months NDOC 6 years NDOC	6- 27-1973 5-24-1977 8 -19-1985	Granted a Pardon except the right to bear arms
Brewer, Gerald	Possession of a Controlled Substance	Time served	1-29-1992	Granted an Unconditional Pardon
Read, Jay	Possession of a Narcotic Drug	4 years NDOC, suspended, 2 years probation	4-27-1970	Granted an Unconditional Pardon
Allison, Timothy	Possession of a C/S	5 years probation, 1,000 hours of Community Service	4-21-1992	Granted an Unconditional Pardon
Ludwig, Melvin	Possession of Controlled Substance with Intent to Sell	6 years NDOC, suspended, 5 years probation	2-23-1994	Granted an Unconditional Pardon
Johnson, Michael	Embezzlement by Conversion	3 years NDOC, suspended, 3 years probation	10-15-1990	Granted an Unconditional Pardon
Cox, David	Possession of a Controlled Substance	2 years NDOC, suspended, 4 years probation	2-11-1991	Granted an Unconditional Pardon
Redman, Marlene	Conspiracy to Sell a Controlled Substance,	3 years CS 5 years NDOC, 5 years probation	9-12-1989	Granted an Unconditional Pardon

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
	Possession of a Controlled Substance			
Redman, Brent	Conspiracy to Sell a Controlled Substance, Possession of a Controlled Substance	3 years CS 5 years NDOC, suspended, 5 years probation	9-12-1989	Granted an Unconditional Pardon
Cook, Steven	Possession of a Controlled Substance	2 years in the NDOC	10-29-1987	Granted an Unconditional Pardon
McKay, Cheryl aka Ingle	Trafficking in a Controlled Substance	5 years NDOC, suspended, 5 years probation	6-26-1989	Granted an Unconditional Pardon
Dowdy, Randall	Misdemeanor Domestic Battery	2 days jail	8-9-1990	Granted an Unconditional Pardon
Smith, Gwen	Possession of a Controlled Substance For the Purpose of Sale	3 years NDOC, suspended, 5 years probation	8-25- 1992	Granted an Unconditional Pardon
Angle, Kenneth	Asking or Receiving a Bribe by a Public Officer or Employee	2 years NDOC, suspended, 2 years probation	6-29- 1990	Granted an Unconditional Pardon
Dorworth, Louis	Felony DUI	1 year NDOC	2-18-1993	Granted an Unconditional Pardon
Chapoose, Shaun	DUI Causing Substantial Bodily Harm to another Person	3 years NDOC	2-10-1992	Granted an Unconditional Pardon

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Jones, Kristen aka Hodges	Possession of a Controlled Substance Being Under the Influence of a Controlled Substance	2 NDOC, suspended, 3 years probation 3 years NDOC, suspended, 2 years probation	10-24-1994 3-7-1995	Granted an Unconditional Pardon
Velasquez, Byron	Possession of Stolen Property	3 years NDOC, suspended, 2 years probation	12-23-1975	Granted an Unconditional Pardon
McKimmy, Ronald	Misdemeanor Domestic Battery	120 days Washoe County Jail, suspended	2-1-2001	Request Denied
Lang, Reginald	Possession of a Controlled Substance	4 years NDOC, suspended, 4 years probation	11-6-1989	Granted an Unconditional Pardon
Street, Roy	Cheating at Gambling Conspiracy to Cheat at Gambling	2 years NDOC, suspended, 90 days probation 3 years NDOC, suspended, 1 year probation	10-24-1978 9-23-1982	Granted an Unconditional Pardon
Clay, Jeffrey	Possession of a Controlled Substance with Intent to Sell	5 years NDOC, suspended, 5 years probation	3-6-1991	Granted an Unconditional Pardon
Watson, Shawn	Burglary	5 years NDOC	3-17-1980	Granted an Unconditional Pardon
Lealcalaro, Ernest aka Leal, Ernesto	Sale of a Controlled Substance	3 years NDOC, suspended, 3 years probation	10-13-1986	Granted a Pardon except the right to bear arms
Monday, John	Possession of a Trafficking Quantity of a Controlled	15 years NDOC, suspended, 5 years probation	5-5-1992	Granted an Unconditional Pardon

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
	Substance			
Berry, Teresa aka O=Malley	Possession of a Controlled Substance for the Purpose of Sale	5 years NDOC, suspended, 5 years probation	9-12-1990	Granted an Unconditional Pardon
McDonald, Albert	Felony DUI	1 year NDOC	7-12-1988	Granted a Pardon except the right to bear arms
Bolz, Jeffrey	Burglary, Grand Larceny	6 years NDOC, suspended, 5 years probation	10-5-1992	Granted an Unconditional Pardon
Biers, Samuel	Ex-Felon in Possession of a Firearm	3 years NDOC	4-13-1990	Granted an Unconditional Pardon

Action Taken December 14, 2005

In-Custody Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Anselmo, Michael NDOC #35024	1 st Degree Murder & (2) counts of Aggravated Escape	Life without the possibility of parole CS 10 years CS 10 years	5-26-1972	Sentence commuted to life with the possibility of parole with immediate parole eligibility The 1 st Aggravated Escape charge to run concurrent to the life The 2 nd Escape charge remains consecutive
Baccari, Lawrence NDOC #13718	Sexual Assault (4) counts	5 years to Life all running consecutive	7-17-1978	Request denied

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Brillhart, Jeffrey NDOC #31332	Trafficking of a Controlled Substance	10 years to 25 years	5-09-1990	Request denied
Ficklin, Bennie NDOC #17796	1 st Degree Murder with the Use of Deadly Weapon	Life without parole CS Life without parole	12-7-1982	Sentences were commuted to run concurrently with immediate parole eligibility
Fuller, Robert NDOC #49233	Trafficking in a Controlled Substance	25 years	2-16-1996	Granted immediate parole eligibility
Gonzalez, George NDOC #46945	Trafficking in a Controlled Substance	25 years	7-10-1995	Commutated sentence to time served and remitted \$700,00000 in fines
Kerwin Lisa NDOC #29983	1 st Degree Murder with the Use of a Deadly Weapon	10 years to Life CS 10 years to Life	11-17-1989	Consecutive 10-Life sentence commuted to allow parole eligibility effective January 1, 2008
Lyons, Harold NDOC #16882	Habitual Criminal (Greater), Habitual Criminal (Greater), Trafficking in a Controlled Substance	Life without the possibility of parole CC 15 years to Life CC 10 years to Life	1-26-1989	Commutated sentence of life without the possibility of parole to time served with immediate parole eligibility on the concurrent life sentences
Martinez, Alberto NDOC #41240	Trafficking in a Controlled Substance	25 years	11-12-1993	Granted immediate parole eligibility

Action Taken December 14, 2005

Community Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Benza, Charles	Sale of a Controlled Substance	6 years NDOC, suspended, 3 years probation	7-18-1974	Granted an Unconditional Pardon
Casa, Carlos	Conspiracy to Possess a Controlled Substance	3 years NDOC, suspended, 5 years probation	7-8-1987	Granted an Unconditional Pardon
Dinan, Sean	Burglary, Possession of Stolen Property	2 years CS 3 years NDOC, suspended, 5 years probation	6-16-1987	Granted an Unconditional Pardon
Kominek, Lawrence	Possession of Stolen Property	2 years NDOC, suspended, 3 years probation	8-8-1989	Granted an Unconditional Pardon
McDonald, Albert	Felony DUI	1 year NDOC	7-12-1988	Request Denied
Montecino, Lance	Manufacture of a Controlled Substance	6 years NDOC, suspended, 5 years probation	5-21-1992	Granted an Unconditional Pardon
Montecino, Teresa aka Covarrubias	Manufacture of a Controlled Substance	6 years NDOC, suspended, 5 years probation	5-21-1992	Granted an Unconditional Pardon
Moore, Ezra	Possession of a Controlled Substance	2 years NDOC	12-12-1986	Granted an Unconditional Pardon
Mushkin, Michael	Attempt Under the Influence of a Controlled Substance	1 years NDOC, suspended, 2 years probation	1-28-1994	Granted an Unconditional Pardon
Ruprecht, Ronald	Possession of a Controlled Substance	2 years NDOC	11-28-1989	Granted an Unconditional Pardon
Santarelli, Phillip	Unlawful Use of	4 years NDOC, suspended, 3	9-18-1995	Granted a Pardon

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
	Coin in Gaming Machine	years probation		except the right to bear arms
Scott, Jon	Felony DUI	1 year NDOC	2-22-1993	Granted an Unconditional Pardon
Traylor, Martin	2 nd Degree Burglary	1 to 5 years NDOC	10-1-1957	Granted an Unconditional Pardon
Tripp, Jeffery	Possession of a Controlled Substance for Sale	4 years NDOC	12-19-1990	Granted an Unconditional Pardon
Vohland, Sharon	Possession of a Controlled Substance	3 years Diversion Rescinded in April 1990, 2 years NDOC	10-16-1987	Granted an Unconditional Pardon
Wells, Charles	Involuntary Manslaughter, Possession of a Controlled Substance	5 years CC 3 years NDOC	10-20-1993	Request Denied

Action Taken June 7, 2006

In-Custody Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Bobb, Clifton NDOC #42024	1 st Degree Murder, Conspiracy to Commit Murder, Accessory to Felony, Use of a Deadly Weapon	Life with the possibility of parole (parole denied until 2009) CS Life with the possibility of parole	1-3-1968	Sentences commuted to run concurrent with parole eligibility on 05-01-2009
Briggs, Bracia NDOC #84485	Voluntary Manslaughter with Use of Deadly Weapon	250 years to 750 years CS 250 years to 750 years	12-21-2004	Request denied

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Dixon, Marcus NDOC #64104	1 st Degree Murder, Attempt Murder and (2) counts of Use of a Deadly Weapon	20 years to Life CC 358 years to 16 years CS 20 years to Life CC 358 years to 16 years	1-13-2000	Sentences commuted to run concurrent with parole eligibility after 15 years
Dixon, Robert NDOC #28469	Trafficking in a Controlled Substance (2) counts	5 years to Life CS 5 years to Life	5-4-1989	Sentences commuted to run concurrent with immediate parole eligibility
Hines, Tony NDOC #14349	Robbery, 1 st Degree Murder ith Use of Deadly Weapon	15 years (expired) CS Life without CS Life without	4-18-1990	Request denied
Madazar, Sadri NDOC #46662	Robbery with Use of Deadly Weapon (9) counts	6 concurrent 8 year sentences (Disch) CS 6 concurrent 8 years sentences for UDW (Disch) CS 8 years (on parole) CS 8 years (on parole) CS 8 years CS 8 years CS 8 years CS 8 years	5-26-1995	Sentences commuted to time served
Maresca, Joseph NDOC #23245	1 st Degree Murder with Use of Deadly Weapon , Robbery/UDW, Robbery/UDW, Attempt Murder with Use of Deadly Weapon	Life without parole CC 30 years (expired) CC 30 years (expired) CS 20 years CS 20 years	9-19-1986	Sentences commuted to run concurrent with immediate parole eligibility
Palovich, Joseph NDOC #20171	1 st Degree Murder with Use of Deadly Weapon	Life without parole CS Life without parole	10-26-1984	Request denied
Pratt, Nelson NDOC #23163	1 st Degree Murder	Life without parole	9-16-1986	Sentence commuted to allow immediate parole eligibility

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Romero, Mark NDOC #54165	Trafficking in a Controlled Substance (2) counts, Possession of Stolen Property (3) counts, Possession of a Controlled Substance	25 years without parole CC with 6 additional sentences ranging from 4 to 10 years, all of which have discharged	6-3-1997	Sentence commuted to time served
Taylor, Mario NDOC #52053	2 nd Degree Murder with Use of Deadly Weapon	10 years to 45 years (paroled 1-6-2006) CS 10 years to 45 years	11-18-1996	Sentences commuted to run concurrent with parole eligibility after 15 years

Action Taken June 7, 2006

Community Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Ainsworth, Rachel	Possession of a Controlled Substance for Sale	5 years NDOC, suspended, 5 years probation	11-4-1993	Granted an Unconditional Pardon
Campbell, Tricia	Fraudulent Use of a Credit Card	12 to 30 months in NDOC, suspended, 3 years probation	8-20-1999	Granted an Unconditional Pardon
Dees, Don	Possession of Stolen Motor Vehicle	2 years NDOC, suspended, 2 years probation	12-3-1982	Granted an Unconditional Pardon
Evans, Nathan	Using a Controlled Substance	14 to 45 months NDOC, suspended, 2 years probation	11-9-1995	Granted an Unconditional Pardon
Jenkins, Lethell	Possession of a Controlled	9 years NDOC, suspended, 5 years probation	5-9-1990	Granted a Pardon except the right to

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
	Substance			bear arms
Milks, David	Possession of a Controlled Substance	4 years NDOC, suspended, 5 years probation, 60 days in jail	11-29-1994	Granted an Unconditional Pardon
Pimienta-Luna, Jose	Possession of a Ctrl Substance case #73554 Att Poss of Ctrl Substance case #75933 Burglary case #79460	4 years NDOC, suspended, 3 years probation 3 years NDOC, suspended, 3 years probation 2 years NDOC concurrent with case #75933	4-28-1986 4-21-1987 9-29-1987	Granted a Pardon except the right to bear arms
Rogers, Douglas	DUI Involuntary Manslaughter	Fined \$500, 48 hours Community Service 12 to 34 months NDOC, suspended, 3 years probation	12-10-1998	Granted an Unconditional Pardon
Sparks, Robert	Robbery with Use of Deadly Weapon	7 years CS 7 years NDOC, suspended, 5 years probation Probation Revoked	4-22-1977	Granted an Unconditional Pardon
Word, Thomas	Domestic Battery	Fined \$200, 2 days in jail, 48 hours Community Service	3-1-2000	Granted an Unconditional Pardon
Wrenn, Kevin	Sale of a Trafficking Quantity of Controlled Substance	10 years NDOC, suspended, 5 years probation	3-31-1993	Granted an Unconditional Pardon
Zimmerman, Troy	Felony DUI	18 months NDOC	8-30-1990	Granted an Unconditional Pardon

Action Taken November 14, 2006

In-Custody Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Burns, Anthony NDOC #18590	1 st Degree Murder with the Use of a Deadly Weapon	Sentenced to Life without the possibility of parole CS Life without the possibility of parole	7-23-1983	Sentences of Life without were commuted to run concurrent with immediate parole eligibility
Chalmers, Ron NDOC #60629	Lewdness with a Minor (3) counts	10 years to Life CC 10 years to Life CC 10 years to Life	2-19-1999	Request Denied
Crew, Norman NDOC #16705	1 st Degree Murder with the Use of a Deadly Weapon in count 2	10 years to Life CS 10 years to Life Note: Sentences were modified to run CC ordered by District Court Judge Griffin in Dept I, one week before the Pardon Board meeting	12-29-1981	NoAction Taken
Fletcher, Scott NDOC #44831	1 st Degree Murder case #31965 1 st Degree Murder case #34186	Life without the possibility of parole CS Life without the possibility of parole	12-15-1976 12-15-1976	Sentences of Life without were commuted to run concurrent with immediate parole eligibility
Gonzales, Robert NDOC #22094	1 st Degree Murder	Life without the possibility of parole	2-4-1986	Sentence commuted to life with the possibility of parole with immediate parole eligibility
High, Juan NDOC #19068	Use of a Deadly Weapon count 2 case #62503	8 years	12-14-1983	Commute all current and pending sentences to run concurrent with a

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
	<p>Burglary, Robbery/UDW, Robbery/UDW case #62508</p> <p>Conspiracy Violent Crime, Burglary, Robbery/UDW, Robbery/UDW case #62509</p> <p>Possession of a Controlled Substance case #9403024</p>	<p>5 years CS 8 years CS 8 years CS 5 years to Life CS 5 years to Life</p> <p>2 years CS 5 years CS 8 years CS 8 years CS 8 years CS 8 years</p> <p>2 years</p>	<p>12-14-1983</p> <p>12-14-1983</p> <p>05-08-1995</p>	<p>parole eligibility date of November 14, 2009</p>
Huffman, Lynn NDOC #21999	1 st Degree Murder with Use of a Deadly Weapon	Life without the possibility of parole CS Life without the possibility of parole	1-22-1986	Further psychological evaluation requested Placed on next Pardons Board agenda
Johnson, Michael NDOC #44831	Sexual Assault Victim Under 16 Years Old	Life without the possibility of parole	12-14-1994	Commutated the sentence to Life with the possibility of parole after 20 years
Pope, William NDOC #46627	Robbery with Use of Deadly Weapon 14 counts	Sentenced to fourteen - 9 year sentences all running consecutive	6-13-1995	Commutated counts VI through XIII to run concurrent with a parole eligibility date of August 12, 2008
Tellis, Gerald NDOC #24495	Use of Deadly Weapon, Attempt Murder with Use of a Deadly Weapon in counts II, III, IV,	10 years CS 14 years CS 14 years CS 7 years	6-18-1987	Commutated sentences II thorough VIII to run concurrent effective November 14, 2006 with immediate parole

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
	V, VII & VIII			eligibility
Vassar, Sean NDOC #26700	1 st Degree Kidnaping, Robbery, Battery w/ Intent to Commit a Crime in counts II, IV, XI & XIII	5 years to Life CS 15 years CS 10 years	7-15-1988	Commutated the 10 year & 15 year sentences to run concurrent to the Life sentence

Action Taken November 14, 2006

Parolee Case

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Ricks, Buddie	2 nd Degree Murder in counts I & II	10 years to Life CC 10 years to Life	6-5-1967	Commute sentences to time served

Community Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Adams, John	Grand Larceny	3 years NDOC, suspended, 5 years probation	4-22-1991	Granted an Unconditional Pardon
Fowler-Brown, Gloria	Lewdness with a Minor	5 years NDOC	3-16-1981	Request Denied
Fishman, Ronald	Attempt Solicitation of Murder	2 years NDOC, suspended, 5 years probation	11-7-1989	Granted a Pardon except the right to bear arms
	Lewdness with a	10 years CS 10 years NDOC,		Granted an

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Francl, George	Minor Under the Age of Fourteen Years	suspended 5 years probation	5-3-1984	Unconditional Pardon
Humble, John	Being Under the Influence of a Controlled Substance	14 to 35 months NDOC, suspended, 2 years probation	1-10-1996	Granted an Unconditional Pardon
Nielsen, Peter	Conspiracy to Commit Fraudulent Acts in a Gaming Establishment	2 years NDOC, suspended, 2 years probation	8-14-1990	Granted an Unconditional Pardon
Palombo, James	Sale of a Controlled Substance in cases #35604 & #35605	10 years NDOC 20 years NDOC, suspended, 5 years probation	1-24-1978	Granted an Unconditional Pardon
Paul, William	Statutory Sexual Seduction	3 years NDOC, suspended, 3 years probation	5-12-1988	Request Denied
Pimienta-Luna, Jose	Possession of a Ctrl Substance case #73554 Att Poss of Ctrl Substance case #75933 Burglary case #79460	4 years NDOC, suspended, 3 years probation 3 years NDOC, suspended, 3 years probation 2 years NDOC concurrent with case #75933	4-28-1986 4-21-1987 9-29-1987	Granted an Unconditional Pardon
Swan, Richard	Possession of a Controlled Substance with Intent to Sell	18 months NDOC, suspended, 18 months probation	12-3-1990	Granted an Unconditional Pardon

Action Taken April 25, 2007

In-Custody Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Joseph, Christopher NDOC #55290	Trafficking in a Controlled Substance	10 years to 25 years	11-24-1997	Minimum sentence commuted to allow immediate parole eligibility
Guzman, Jose NDOC #55612	Trafficking in a Controlled Substance	10 years to 25 years	10-30-1997	Minimum sentence commuted to allow immediate parole eligibility
Ramirez, Isidro NDOC #78187	Leaving the Scene of an Accident (Case #174913), Driving and/or Being in Actual Physical Control While Under the Influence of Intoxicating Liquor (Case #193432)	4 years to 10 years (Case #174913) 4 years to 10 years (Case #193432)	8-4-2003 11-13-2003	Minimum sentence commuted to allow for immediate parole eligibility
Dejesus, Manuel NDOC #87538	(2) counts of Trafficking in a Controlled Substance (Case #212896) (Case #180188)	2 years to 6 years (Case #212896) 2 years to 6 years (Case #180188)	8-15-2005 8-17-2005	Minimum sentence commuted to allow for immediate parole eligibility
Gill, Swaranjit NDOC #87762	Trafficking in a Controlled Substance	2 years to 5 years	9-8-2005	Minimum sentence commuted to allow for immediate parole eligibility
Murillo-Figueroa, Jamie NDOC #88493	Trafficking in a Controlled Substance	2 years to 8 years	11-3-2005	Minimum sentence commuted to allow for immediate parole eligibility

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Lizzarraga, Rogelio NDOC #89301	(2) counts of Possession of a Controlled Substance (Case #220894 & #216386), Sale of a Controlled Substance (Case #220748)	1 year to 3 years (Case #220894) 1 year to 3 years (Case #216386) 1 year to 3 years (Case #220748)	5-15-2006 12-27-2005 8-12-2006	Minimum sentence commuted to allow for immediate parole eligibility
Vasquez- Cisneros, Jaime NDOC #89404	Trafficking in a Controlled Substance	2 years to 5 years	1-19-2006	Minimum sentence commuted to allow for immediate parole eligibility
Torres-Peres, Nestor DOC #89410	Trafficking in a Controlled Substance	2 years to 5 years	1-24-2006	Minimum sentence commuted to allow for immediate parole eligibility
Grammillo, Peralta NDOC #89825	Possession of Stolen Property (Case #218793), Possession of Stolen Vehicle (Case #211177)	158 years to 5 years (Case #218793) 1 year to 3 years (Case #211177)	3-8-2006 2-1-2006	Minimum sentence commuted to allow for immediate parole eligibility
Guillen-Reyes, Jayme NDOC #91030	Trafficking in a Controlled Substance	1 year to 5 years	5-3-2006	Minimum sentence commuted to allow for immediate parole eligibility
Avila, Armando NDOC #91198	Attempted Grand Larceny Auto	1 year to 267 years	5-9-2006	Minimum sentence commuted to allow for immediate parole eligibility
Cabili, Ronie NDOC #91270	Possession of a Controlled	1 year to 3 years (Case #220721)	5-10-2006 5-15-2006	Minimum sentence commuted to allow for

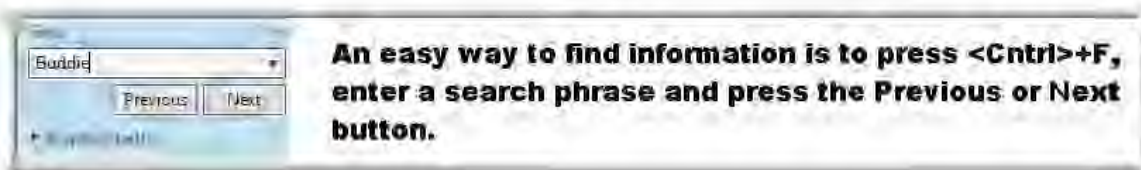
<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
	Substance with Intent to Sell (Case #220721), Theft (Case #208910)	1 year to 267 years (Case #208910)		immediate parole eligibility
Morales, Manuel NDOC #91542	(1) count of Burglary, (1) count of Grand Larceny	158 years to 5 years CC 158 years to 5 years	5-24-2006	Minimum sentence commuted to allow for immediate parole eligibility
Rodriguez, Gabriel NDOC #92199	Possession of a Controlled Substance with Intent to Sell	1 year to 4 years	7-10-2006	Minimum sentence commuted to allow for immediate parole eligibility
Lopez, Gabriel NDOC #92305	Trafficking in a Controlled Substance (Case #223277), Possession of a C/S (Case #196090)	1 year to 4 years (Case #223277) 1 years to 3 years (Case #196090)	11-18-2006 7-13-2006	Minimum sentence commuted to allow for immediate parole eligibility
Banuelos, Fred NDOC #92423	Fraudulent Use of a Credit Card (Case #05784), Uttering a Forged Instrument (Case #05792), Attempted Burglary (Case #061390)	133 years to 333 years CC 133 years to 333 years (Cases #05784 & #05792) 1 year to 267 years (Case #061390)	7-31-2006 8-2-2006	Minimum sentence commuted to allow for immediate parole eligibility
Ibarra, Miguel NDOC #92424	Possession of Controlled Substance for the Purpose of Sale	1 year to 250 years	7-18-2006	Minimum sentence commuted to allow for immediate parole eligibility
Izquierdo, Alejandro NDOC #92433	Possession of a Controlled Substance	1 year to 267 years	7-27-2006	Minimum sentence commuted to allow for immediate parole

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
				eligibility
Valencia-Garcia, Javier NDOC #92443	Conspiracy to Commit a Felony Under the Uniform Controlled Substance Act	1 year to 250years	8-7-2006	Minimum sentence commuted to allow for immediate parole eligibility
Medrano, Miguel NDOC #92609	Conspiracy to Violate Controlled Substance Act, Possession of a Controlled Substance with Intent to Sell	1 year to 250 years CC 1 year to 250 years	8-3-2006	Minimum sentence commuted to allow for immediate parole eligibility
Gonzalez-Vargas, Alejandra NDOC #92627	Conspiracy to Violate Controlled Substance Act	1 year to 250 years	8-7-2006	Minimum sentence commuted to allow for immediate parole eligibility
Pedroza, Silviano NDOC #92716	Trafficking in a Controlled Substance	1 year to 250 years	8-8-2006	Minimum sentence commuted to allow for immediate parole eligibility
Lechuga-Reyes, Alejandro NDOC #92856	Attempted Grand Larceny	1 year to 250 years	8-29-2006	Minimum sentence commuted to allow for immediate parole eligibility
Martin-Gonzalez, Jorge NDOC #92863	Attempted Burglary (Case #061489), Attempted Possession of Stolen Property (Case #061093)	1 year to 3 years (Case #061489) 1 year to 3 years (Case #061093)	8-29-2006 9-5-2006	Minimum sentence commuted to allow for immediate parole eligibility
Nieto, Ruben	Grand Larceny	1 year to 3 years	8-24-2006	Minimum sentence commuted to allow for

- NDOC = Nevada Department of Corrections
- PED = Parole Expiration Date
- Poss = Possession
- UDW = Use of a Deadly Weapon

Because of the software used in creating this report, some of the information at the end of a page may be continued on the next page.

Also, here is a suggestion for quickly locating information. Use Adobe Reader's search or "Find" dialogue, and enter a name or an NDOC identification number.



Action Taken August 15, 1996:

In-Custody Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Hansen, Lesley # 35277	Trafficking (2) counts	25 years, CC 3 years	10/28/1991	Granted Parole eligibility in 11/1996
Wicker, James #				Denied
Michell, Paul #				Denied
Zimmer, Kim D #				Granted Parole eligibility in 11/1996

STATE OF NEVADA

ADDRESS ALL COMMUNICATIONS TO:

PARDONS BOARD
1677 OLD HOT SPRINGS ROAD
SUITE A
CARSON CITY, NEVADA 89706
TELEPHONE (775) 687-6568
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DENISE DAVIS, Executive Secretary



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BOARD OF PARDONS

NEVADA BOARD OF PARDONS COMMISSIONERS HISTORICAL ACTIONS 1996 – 2019

The following report details actions taken by the Board of Pardons. There are many different types of pardons. These range from granting parole eligibility to a full and unconditional pardon.

Following are explanations of some of the language used in the report.

- In-Custody cases refer to applicants who were incarcerated at the time.
- Community cases are brought to the Board's attention by individuals who were currently residing in the community, and were not incarcerated.
- Parolee cases are brought to the Board's attention by individuals who were serving a sentence, but were released from prison under supervision of the Department of Public Safety, Division of Parole and Probation.
- Consent Agenda Community cases – The Board considered a request without a meeting. For example, at the request of Immigrations & Customs Enforcement, <http://www.ice.gov>.
- CC = Concurrent Sentence – Sentences are "concurrent," when the time served on one sentence is also applied to another sentence.
- CS = Consecutive Sentence – Sentence are consecutive when one sentence must be discharged or pardoned before the inmate begins to serve another sentence.
- C/S = Controlled Substance
- Consp = Conspiracy
- DUI = Driving Under the Influence

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Esqueda-Rivera, Candelario NDOC #93202	Possession of a Controlled Substance with Intent to Sell	Maximum of 3 years	9-11-2006	Minimum sentence commuted to allow for immediate parole eligibility
Rubio, Gustavo NDOC #93361	Driving and/or Being in Actual Physical Control While Under the Influence of Intoxicating Liquor	1 year to 250 years	8-7-2006	Minimum sentence commuted to allow for immediate parole eligibility
Arreola, Valdemar NDOC #93810	Trafficking in a Controlled Substance	1 year to 250 years	10-3-2006	Minimum sentence commuted to allow for immediate parole eligibility

Action Taken May 29, 2007

In-Custody Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Santibanez-Garcia, Jose NDOC #57651	Trafficking in a Controlled Substance	10 years to 25 years	4-28-1998	Minimum sentence commuted to allow for immediate parole eligibility
Rojas, Cuautemoc NDOC #59745	(2) counts of Trafficking in a Schedule I Controlled Substance	10 years to 25 years CC 10 years to 25 years	11-17-1998	Minimum sentence commuted to allow for immediate parole eligibility
Rodriguez-Maya, Yahaira	Trafficking in a Controlled	10 years to 25 years	3-15-2002	Minimum sentence commuted to allow for immediate parole

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
NDOC #72232	Substance			eligibility
Alcocer, Jose NDOC #88862	Trafficking in a Controlled Substance	2 years to 7 years	11-29-2005	Minimum sentence commuted to allow for immediate parole eligibility
Coronado-Sanchez, Arturo NDOC #89066	Trafficking in a Schedule I Controlled Substance Other Than Marijuana 14-28 Grams	2 years to 7 years	12-20-2005	Minimum sentence commuted to allow for immediate parole eligibility
Huerta-Sanchez, Jose NDOC #89916	Principals to Trafficking a Controlled Substance	2 years to 5 years	2-23-2006	Minimum sentence commuted to allow for immediate parole eligibility
Gacula, Jesus NDOC #90864	Trafficking in a Controlled Substance (Case #C219929), Possession of a Controlled Substance with Intent to Sell (Case #C217714)	2 years to 10 years (Case #C219929) 117 years to 4 years (Case #C217714)	4-11-2006 2-13-2006	Minimum sentence commuted to allow for immediate parole eligibility
Pacheco, Marcos NDOC #90934	Driving Under the Influence	2 years to 7 years	4-26-2006	Minimum sentence commuted to allow for immediate parole eligibility
Hernandez-Serrano, Angel NDOC #91174	Trafficking in a Controlled Substance	2 years to 5 years	5-9-2006	Minimum sentence commuted to allow for immediate parole eligibility
Caceres-Suazo, Jose	Burglary (Case #CR6467),	1 year to 250 years (Case #CR6467)	10-2-2006 5-18-2006	Minimum sentence commuted to allow for

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
NDOC #91292	Attempted Burglary (Case #CR06-0773)	1 year to 267 years (Case #CR06-0773)		immediate parole eligibility
Medina, Ramiro NDOC #91386	Attempted Grand Larceny Auto	1 year to 283 years	5-9-2006	Minimum sentence commuted to allow for immediate parole eligibility
Nunez-Lopez, Martin NDOC #91388	Attempted Possession of Stolen Property (Case #C221768), Possession of Stolen Property (Case #C218190)	1 year to 267 years (Case #C221768) 1 year to 250 years (Case #C218190)	7-13-2006 5-22-2006	Minimum sentence commuted to allow for immediate parole eligibility
Palma, Armando NDOC #91936	Trafficking in a Controlled Substance	2 years to 5 years	6-13-2006	Minimum sentence commuted to allow for immediate parole eligibility
Lopez, Jesus NDOC #92157	Possession of Stolen Vehicle (Case #C223881), Possession of Stolen Vehicle (Case #C220124)	150 years to 6 years (Case #C223881) 1 year to 250 years (Case #C220124)	9-20-2006 6-26-2006	Minimum sentence commuted to allow for immediate parole eligibility
Arenta, Gabriela NDOC #92462	Trafficking in a Controlled Substance	2 years to 5 years	8-1-2006	Minimum sentence commuted to allow for immediate parole eligibility
Binkel, Antonio NDOC #92714	Possession of a Controlled Substance with Intent to Sell	1 year to 283 years	8-8-2006	Minimum sentence commuted to allow for immediate parole eligibility
Zamora, Noe	Possession of a	1 year to 250 years	8-10-2006	Minimum sentence

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
NDOC #92817	Controlled Substance			commuted to allow for immediate parole eligibility
Lopez, Marte NDOC #92855	Attempt to Commit Grand Larceny (Case #C225314), Attempt Possession of Stolen Vehicle (Case #C220150)	1 year to 267 years (Case #C225314) 1 year to 267 years (Case #C220150)	11-6-2006 5-10-2006	Minimum sentence commuted to allow for immediate parole eligibility
Delgado-Lara, Ricardo NDOC #92930	(2) counts of Trafficking in a Schedule I Controlled Substance	2 years to 5 years CC 2 years to 5 years	9-12-2006	Minimum sentence commuted to allow for immediate parole eligibility
Alvarez, Pablo NDOC #93022	Possession of Stolen Vehicle	1 year to 250 years	8-28-2006	A minimum sentence commuted to allow for immediate parole eligibility
Reyes, Josue NDOC #93040	Forgery (Case #C225800), Attempt Forgery (Case #C223095)	117 years to 4 years (Case #C225800) 1 year to 250 years (Case #C223095)	10-16-2006 7-24-2006	Minimum sentence commuted to allow for immediate parole eligibility
Correa, Miguel NDOC #93090	Possession of Stolen Vehicle	117 years to 4 years	8-29-2006	Minimum sentence commuted to allow for immediate parole eligibility
Herrera, Steve NDOC #93117	Possession of Stolen Vehicle	150 years to 4 years	9-5-2006	Minimum sentence commuted to allow for immediate parole eligibility
Ochoa-Vasquez,	Trafficking in a	2 years to 7 years	9-25-2006	Minimum sentence

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Juan NDOC #93302	Controlled Substance Level II			commuted to allow for immediate parole eligibility
Saldana, Salvador NDOC #93481	Attempt Grand Larceny Auto	1 year to 250 years	9-18-2006	Minimum sentence commuted to allow for immediate parole eligibility
Melchor, Raishe NDOC #93495	Grand Larceny	1 year to 3 years	9-20-2006	Minimum sentence commuted to allow for immediate parole eligibility
Rodriguez, Joel NDOC #93596	Possession of a Controlled Substance	1 year to 267 years	9-25-2006	Minimum sentence commuted to allow for immediate parole eligibility
Martinez, Magdaleno NDOC #93731	Attempted Burglary	1 year to 267 years	10-24-2006	Min. sent. commuted Allows immediate parole eligibility
Rodriguez- Lopez, Marcos NDOC #93794	Possession of a Controlled Substance with Intent to Sell	1 year to 250 years	10-12-2006	Minimum sentence commuted to allow for immediate parole eligibility
Alcaraz, Reymundo NDOC #93795	(2) counts of Trafficking in a Controlled Substance	1 year to 3 years CC 1 year to 3 years	10-12-2006	Minimum sentence commuted to allow for immediate parole eligibility
Hernandez, David NDOC #94255	Trafficking in a Controlled Substance	1 year to 250 years	11-7-2006	Minimum sentence commuted to allow for immediate parole eligibility Grant rescinded
Pestrana- Ramirez, Jose	Sales of a Controlled Substance	1 year to 3 years	1-9-2007	Minimum sentence commuted to allow for immediate parole

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
NDOC #94914				eligibility
Archaga, Pablo NDOC #94919	Possession of a Controlled Substance with Intent to Sell (Case #C229224), Sales of a Controlled Substance (Case #C226703)	1 year to 4 years (Case #C229224) 1 year to 3 years (Case #C226703)	3-7-2007 12-14-2006	Minimum sentence commuted to allow for immediate parole eligibility
Hernandez, Jose Ndoc #94962	Trafficking in a Controlled Substance	2 years to 5 years	1-17-2007	Minimum sentence commuted to allow for immediate parole eligibility
Soto-Rodriguez, Angel NDOC# 95102	Unlawful Sale of a Controlled Substance	1 year to 3 years	1-18-2007	Minimum sentence commuted to allow for immediate parole eligibility
Jaymes, Antonio NDOC #95360	Possession of a Controlled Substance with Intent to Sell	1 year to 283 years	1-24-2007	Minimum sentence commuted to allow for immediate parole eligibility
Sanchez, Levi NDOC #95421	Possession of Stolen Motor Vehicle	1 year to 250 years	2-16-2007	Minimum sentence commuted to allow for immediate parole eligibility
Carrasco, Samuel NDOC #95605	Attempt Possession of Stolen Vehicle	1 year to 267 years	2-6-2007	Minimum sentence commuted to allow for immediate parole eligibility
Rodriguez, Pedro	Possession of Stolen Motor	1 year to 3 years	2-7-2006	Minimum sentence commuted to allow for immediate parole

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
NDOC #89712	Vehicle			eligibility
Porras, Maria NDOC #90399	Trafficking in a Controlled Substance (Mid-Level)	2 years to 5 years	3-1-2006	Minimum sentence commuted to allow for immediate parole eligibility
Fierromonzon, Carlos NDOC #91494	Possession of a Controlled Substance with Intent to Sell	133 years to 4 years	5-23-2006	Minimum sentence commuted to allow for immediate parole eligibility
Garcia, Juan NDOC #92897	Trafficking in a Controlled Substance	1 year to 4 years	9-5-2006	Minimum sentence commuted to allow for immediate parole eligibility
Gonzalez-Gomez, Gerardo NDOC #93158	Possession of the Personal Identification Information of Another to Establish a False Status and/or Identity	1 year to 267 years	9-19-2006	Minimum sentence commuted to allow for immediate parole eligibility
Hernandez-Ramirez, Daniel NDOC #93560	Attempt Possession of Stolen Property	1 year to 250 years	9-13-2006	Minimum sentence commuted to allow for immediate parole eligibility
Buenrostro, Job NDOC #93891	Attempted Burglary	1 year to 250 years	10-5-2006	Minimum sentence commuted to allow for immediate parole eligibility
Arellano-Acosta, Jorge NDOC #93939	Attempt Possession of Stolen Vehicle	1 year to 267 years	11-9-2006	Minimum sentence commuted to allow for immediate parole eligibility Grant rescinded

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Dominguez, Rufino NDOC #93972	Attempt Possession of Stolen Vehicle	1 year to 267 years	10-24-2006	Minimum sentence commuted to allow for immediate parole eligibility
Hurtado-Rosas, Alejandro NDOC #93978	Grand Larceny	1 year to 3 years	10-24-2006	Minimum sentence commuted to allow for immediate parole eligibility
Pineda, Jose NDOC #94129	Possession of Stolen Vehicle	1 year to 267 years	11-1-2006	Minimum sentence commuted to allow for immediate parole eligibility
Gonzalez, Jose NDOC #95005	Attempted Burglary	1 year to 267 years	1-12-2007	Minimum sentence commuted to allow for immediate parole eligibility
Carmona-Rivera, Miguel NDOC #95096	Attempted Grand Larceny	1 year to 267 years	1-24-2007	Minimum sentence commuted to allow for immediate parole eligibility
Chavez, Henry NDOC 81436	Grand Larceny of a Motor Vehicle	158 years to 4 years	9-15-2006	Request Denied
Cerda-Estrada, Placido NDOC #88391	Trafficking in a Controlled Substance	3 years to 8 years	11-3-2005	Request Denied
Duran-Ceremo, Carlos NDOC #89385	Obtain/Use of Personal Identifying Information	15 years to 8 years	1-18-2006	Request Denied
Montes-Navarro, Jose NDOC #90300	Trafficking in a Controlled Substance, Unlawful Sale of a	2 years to 7 years CC 1 year to 3 years CC 1 year to 3 years	3-16-2006	Request Denied

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
	Controlled Substance, Conspiracy to Violate Controlled Substance Act			
Rivera-Ceballos, Blas NDOC #90664	Trafficking in a Controlled Substance	217 years to 10 years	4-11-2006	Request Denied
Jamies, Germain NDOC #91553	Possession of Stolen Vehicle	150 years to 4 years	5-30-2006	Request Denied
Viera, Oscar NDOC #92973	Possession of Stolen Vehicle	158 years to 4 years	8-24-2006	Request Denied
Lopez-Toral, Javier NDOC #93058	DUI	1 year to 25 years	9-12-2006	Request Denied
Lopez-Robles, Othoniel NDOC #93966	Trafficking in a Controlled Substance	117 years to 5 years	10-23-2006	Request Denied
Guevara, Javier NDOC #94334	Obtain/Use of Personal Identifying Information	1 year to 267 years	12-7-2006	Request Denied
Aguilar, Juan NDOC #94880	Possession of a Controlled Substance with Intent to Sell	1 year to 4 years	12-26-2006	Request Denied
Lopez-Florez, Florentino NDOC #95213	Trafficking in a Controlled Substance	15 years to 4 years	1-11-2007	Request Denied
Medrano, Pedro NDOC #95362	Attempted Possession of a Controlled Substance for Sale	1 year to 283 years	1-24-2007	Request Denied

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Lopez, Antonio NDOC #87004	Sale of Controlled Substance	150 years to 4 years	7-13-2005	Minimum sentence commuted to allow for immediate parole eligibility
Rios-Carrion, Cesar NDOC #90811	Trafficking in a Controlled Substance	1 year to 4 years	4-25-2006	Minimum sentence commuted to allow for immediate parole eligibility
Gonzalez-Castenada, Jaimi NDOC #92544	Trafficking in a Schedule I Controlled Substance 14-28 Grams	2 years to 5 years	8-15-2006	Minimum sentence commuted to allow for immediate parole eligibility

Action Taken September 19, 2007

In-Custody Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Mora-Marin, Eduardo NDOC #60039	Trafficking in a Controlled Substance	10 years to 25 years	12-17-1998	Minimum sentence commuted to allow for immediate parole eligibility
Arce-Virgen, Jose NDOC #64095	(2) counts of Trafficking in a Controlled Substance	10 years to 25 years CC 10 years to 25 years	1-28-2000	Minimum sentence commuted to allow for immediate parole eligibility
Sandoval, Marcos NDOC #65503	Trafficking in a Controlled Substance	10 years to 25 years	5-19-2000	Minimum sentence commuted to allow for immediate parole eligibility
Rivera-Jimenez, Joaquin	Trafficking in a Controlled	10 years to 25 years	5-22-2002	Minimum sentence commuted to allow for

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
NDOC #72322	Substance			immediate parole eligibility
Gamino, Jose NDOC #73500	Trafficking in a Controlled Substance	8 years to 25 years	7-17-2002	Minimum sentence commuted to allow for immediate parole eligibility
Arellano, Tereso NDOC #73625	Trafficking in a Controlled Substance	10 years to 25 years	7-2-2002	Minimum sentence commuted to allow for immediate parole eligibility
Fernandez, Alberto NDOC #77380	Trafficking in a Controlled Substance	5 years to 15 years	5-20-2003	Minimum sentence commuted to allow for immediate parole eligibility
Gonzalez, Miguel NDOC #81416	Trafficking in a Controlled Substance	5 years to 15 years	5-13-2004	Minimum sentence commuted to allow for immediate parole eligibility
Hernandez, Gerardo NDOC #92813	Trafficking in a Controlled Substance	233 years to 6 years	8-21-2006	Minimum sentence commuted to allow for immediate parole eligibility
Cervantes-Hernandez, Carlos NDOC #67128	Trafficking in a Controlled Substance	10 years to 25 years	10-31-2000	Request Denied
Estrada, Bernardo NDOC #68653	Trafficking in a Controlled Substance	10 years to 25 years	3-26-2001	Request Denied
Beas-Corchado, Enrique NDOC #70256	Trafficking in a Controlled Substance	10 years to 25 years	8-31-2001	Request Denied
Aguilar,	Trafficking in a	10 years to 25 years (Case	1-6-2004	Request Denied

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Encarnacion NDOC #73718	Controlled Substance (Case #179565), Trafficking in a Controlled Substance (Case #178057)	#179565) CC 10 years to 25 years (Case #178057)	7-8-2002	
Ruiz-Segura, Genaro NDOC #77918	Trafficking in a Controlled Substance	2 years to 10 years	7-22-2003	Request Denied
Martinez, Victor NDOC #83364	Possession of Stolen Vehicle	4 years to 10 years	3-30-2004	Request Denied
Aceves, Victor NDOC #84717	Trafficking in a Controlled Substance	2 years to 10 years	2-2-2005	Request Denied
Ruiz, Jose NDOC #85945	DUI	233 years to 6 years	4-18-2005	Request Denied
odriguez-Haro, Jose NDOC #88551	Trafficking in a Controlled Substance	4 years to 10 years	11-10-2005	Request Denied
Munoz, Ceasar NDOC #89682	Trafficking in a Controlled Substance, Sale of Controlled Substance	6 years to 15 years CC 1 year to 3 years	2-8-2006	Request Denied
Blackman, Andre NDOC #91778	Possession of Stolen Vehicle	2 years to 5 years	6-8-2006	Request Denied
Granadesnieves, Victor NDOC #92496	Possession of Stolen Vehicle (Case #223838), Burglary (Case #219458)	158 years to 5 years (Case #223838) CC 1 year to 4 years (Case #219458)	9-14-2006 7-31-2006	Request Denied

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Benitez-Gonzalez, Jorge NDOC #94860	Trafficking in a Controlled Substance	2 years to 5 years	1-16-2007	Request Denied

Action Taken September 19, 2007

Community Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Ceccarelli, Mark	Sale of Controlled Substance	6 years NDOC, suspended, 4 years probation	9-13-1993	Granted an Unconditional Pardon
Guilford, Bill	DUI	2 years to 250 years NDOC	3-16-1981	Granted a Pardon except the right to bear arms
Leighton, Robert	Attempt False Claims for Insurance Benefits, Use of Explosives to Damage or Destroy Property	3 years NDOC, suspended, 3 years probation 6 years NDOC, suspended, 5 years probation	9-28-1992 10-22-1992	Granted an Unconditional Pardon
Mooney, Mark	(2) counts of Sale of Controlled Substance	2 years to 5 years NDOC, suspended, 4 years probation	7-15-1996	Granted an Unconditional Pardon
Nash, Antonio	Misdemeanor Battery Constituting Domestic Violence	2 days jail	8-9-2001	Granted an Unconditional Pardon
Pearson, David	DUI, (2) counts DUI Within Seven Years After Having Been Convicted	150 years NDOC 2 years NDOC	4-19-1993 7-22-1996	Granted a Pardon except the right to bear arms

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
	Twice of the Same Offense			
Sanders, Wayne	Possession of a Controlled Substance with Intent to Sell	5 years NDOC, suspended, 5 years probation	6-21-1993	Granted an Unconditional Pardon
Singh, Jasvir	Misdemeanor Child Neglect	4 months jail, suspended	2-27-2003	Granted an Unconditional Pardon

Action Taken October 28, 2008

Community Cases

Dao, Thaiphong	Grand Larceny	2 years to 5 years NDOC, suspended, 3 years probation	5-13-1997	Granted an Unconditional Pardon
Jackson, Melba	Possession of a Controlled Substance with Intent to Sell	158 years to 4 years NDOC, suspended, 2 years probation	6-25-1998	Granted an Unconditional Pardon
Wood, Brian	(2) counts of Burglary	Originally sentenced to 190 Day Boot Camp but failed Court reinstated 1 year to 3 years NDOC, CS 1 year to 3 years NDOC	8-19-1996	Granted an Unconditional Pardon
Huerta, Crystal	Trafficking in a Controlled Substance	116 years to 4 years NDOC	6-5-2000	Granted an Unconditional Pardon
Booth, Thomas	Attempt Robbery	3 years NDOC, suspended, 3 years probation	3-23-1995	Granted an Unconditional Pardon
Kelley, Michael	Driving While Having 010 Percent or More by Weight of Alcohol in the	3 years NDOC	10-16-1992	Granted an Unconditional Pardon

	Blood			
Merchant, Tamika	Possession of a Controlled Substance with Intent to Sell	1 year to 4 years NDOC, suspended, 3 years probation	10-13-1997	Granted an Unconditional Pardon
Evans, Tamera	Grand Larceny	3 years NDOC, suspended, 3 years probation	2-9-1996	Granted an Unconditional Pardon
Anderson, Jeffrey	Grand Larceny	1 year NDOC, suspended, 150 years probation	9-30-1982	Granted an Unconditional Pardon
Dion, Gregory	DUI	1 year to 3 years NDOC	8-24-2000	Request Denied
Schulz, Raymond	Possession of a Controlled Substance for the Purpose of Sale	150 years to 375 years, suspended, 5 years probation	11-24-1997	Granted an Unconditional Pardon
Harper, Gregory	Battery/Domestic Violence	2 days jail	8-9-2001	Granted an Unconditional Pardon
Hernandez, Bruna	Unlawful Sale of a Controlled Substance	3 years NDOC, suspended, 2 years probation	5-14-1991	Granted an Unconditional Pardon
Adams, Kevin	Driving While Having 010 Percent or More by Weight of Alcohol in the Blood	1 year to 250 years NDOC	11-6-1996	Granted an Unconditional Pardon
Scott, Julia	Under the Influence of Controlled Substance	1 year to 4 years NDOC, suspended, 2 years probation	12-10-1998	Granted an Unconditional Pardon
Wroten, James	(2) cases of Trafficking in a Controlled Substance	3 years NDOC plus \$50,000 fine 9 years NDOC plus \$50,000 fine	12-18-1991 9-11-1991	Granted a Pardon except the right to bear arms
Howard, Steven	Attempt Battery Committed by a Prisoner Who is in	3 years NDOC, suspended, 5 years probation	2-28-1994	Granted an Unconditional Pardon

	Lawful Custody or Confinement			
Cahoon, Justine	Causing the Death of Another by Driving a Vehicle While Intoxicated	1 year NDOC plus \$2000 fine	9-25-1991	Request Denied
Zohner, Steven	Possession of Credit Card Without Consent of Owner	6 years NDOC, suspended, 5 years probation	9-7-1989	Granted an Unconditional Pardon
Fultz, Clarissa	Possession of a Controlled Substance, Trafficking in a Controlled Substance	2 years NDOC, suspended, 3 years probation 5 years NDOC plus \$50,000 fine	7-16-1993 2-22-1995	Granted an Unconditional Pardon
Altshuler, Paul	Leaving the Scene of accident Involving Personal Injury, Attempt Burglary	3 years NDOC 183 years to 458 years NDOC, suspended, 3 years probation	4-27-1988 4-3-1996	Granted an Unconditional Pardon
Swann, J Shannon	Battery	2 day jail plus \$330 fine and Anger Management Counseling	11-19-1998	Granted an Unconditional Pardon
Levy, Christopher	Attempt Embezzlement	2 years NDOC, suspended, 5 years probation plus pay \$4743 in restitution	3-17-1993	Request Denied
Nickerson, Anthony	Discharging a Firearm at or Into a Structure	150 years NDOC, suspended, 3 years probation	11-18-1994	Scratched from agenda
Friedel, Dora	Possession of a Controlled Substance	3 years NDOC, suspended, 3 years probation	7-27-1995	Granted an Unconditional Pardon
Wheeler, Daniel	(2) cases of Possession of a Controlled Substance	3 years probation 1 year to 4 years NDOC, suspended, 3 years probation	12-21-1998 6-1-1999	Granted an Unconditional Pardon

Arterburn, Joseph	Possession of a Controlled Substance for the Purpose of Sale	1 year to 266 years NDOC, suspended, 3 years probation	2-1-2000	Granted an Unconditional Pardon
Surber, Justin	Conspiracy to Commit Crime of Possession of Stolen Property	1 year jail, suspended, 3 years probation	1-19-2000	Granted an Unconditional Pardon
Thompson, Robert	(3) cases of Domestic Violence	6 months jail, 6 months jail, suspended, 10 days jail; 100 hours community service and pay \$500 fine, 6 months jail, suspended, 10 days jail; 100 hours community service and pay \$500 fine	5-5-1998 11-10-1998 6-17-1999	Request Denied

Action Taken October 29, 2008

In-Custody Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Brand, Thomas NDOC #44732	(3) counts of Robbery With the Use of a Deadly Weapon Enhancement, Attempt Robbery With the Use of a Deadly Weapon Enhancement	Six consecutive 15-year sentences Two consecutive 750 years sentences	3-24-1995	Remaining sentences commuted to run concurrent to each other, but consecutive to current active sentence
Whisenhunt, Kevin NDOC #15787	Robbery With the Use of a Deadly Weapon Enhancement, 1 st Degree Kidnaping With the Use of a	12 years CS 12 years CS 15 years CS 15 years CS 5 years CC 4 years CS 4 years	5-22-1983 4-26-1994	Request Denied

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
	Deadly Weapon Enhancement, Carrying a Concealed Weapon, Possession of Firearm by Ex-Felon, Possession of Controlled Substance			
McKinney, Mark NDOC #16966	(7) counts of Robbery With the Use of a Deadly Weapon Enhancement, Attempt Escape With Deadly Weapon Enhancement, Possession of Stolen Vehicle	10 years Thirteen consecutive 15 year sentences CS 1 year CC 10 years	4-23-1982 6-6-1988 12-23-1982	Request Denied
Smith, Michael NDOC #18250	(4) counts of Robbery With the Use of a Deadly Weapon Enhancement, Battery With the Use of a Deadly Weapon Enhancement, Battery, Conspiracy to Commit Robbery With the Use of a Deadly Weapon Enhancement, Burglary,	Eight consecutive 15-year sentences CS 10 years CC 1 years jail, two consecutive 6 years sentences CS 10 years (Case #C75111) 6 years CS 10 years CS six consecutive 15-year sentences (Case #C74915)	5-5-1987 7-17-1987	Remaining sentences commuted to run concurrent to each other and current active sentence

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
	(Case #C75111), Conspiracy to Commit Robbery, Burglary, (3) counts of Robbery With the Use of a Deadly Weapon Enhancement (Case #C74915)			
Huffman, Lynn NDOC #21999	1 st Degree Murder With the Use of a Deadly Weapon Enhancement	Life without the possibility of parole CS Life without the possibility of parole	1-22-1986	Request Denied
Davis, Roger NDOC #23363	1 st Degree Murder With the Use of a Deadly Weapon Enhancement	Life without the possibility of parole CS Life without the possibility of parole	10-29-1986	Request Denied
Hillman, Janine NDOC #25689	1 st Degree Murder With the Use of a Deadly Weapon Enhancement, Robbery With the Use of a Deadly Weapon Enhancement	Life without parole CS Life without the possibility of parole CC 30 years	3-11-1988	Request Denied
Klein, Nolan NDOC #28074	(2) counts of Robbery With the Use of a Deadly Weapon Enhancement, Burglary, Sexual Assault With the Use of a Deadly Weapon Enhancement	Four consecutive 750 year sentences CC 5 years CS two consecutive 5 years to Life sentences	3-16-1989	Request Denied
Welch, Thomas	1 st Degree Murder	Life without the possibility of	4-12-1989	To be placed on next

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
NDOC #28147		parole		Pardons Board agenda for further review
Olausen, John NDOC #14804	1 st Degree Murder, 1 st Degree Kidnaping With the Use of a Deadly Weapon Enhancement, Robbery With the Use of a Deadly Weapon Enhancement	Life without the possibility of parole CC Life without the possibility of parole CS Life without the possibility of parole CS 15 years CS 15 years	12-14-1979	Request Denied
Randolph, Michael NDOC #56439	(4) counts of Causing Bodily Harm by Driving While Having a 010 Percent or More of Alcohol in the Blood	8 years to 20 years CS 8 years to 20 years	1-15-1998	Minimum sentence commuted to allow for immediate parole eligibility
Boyer, Amalia NDOC #62240	2 nd Degree Murder With the Use of a Deadly Weapon Enhancement	10 years to 25 years CS 10 years to 25 years	7-27-1999	Minimum sentence commuted to allow for immediate parole eligibility
Avelar, Jesus NDOC #73166	Trafficking in a Controlled Substance	10 years to 25 years	6-6-2002	Minimum sentence commuted to allow for immediate parole eligibility If inmate granted parole, custody is to be transferred from NDOC to Department of Homeland Security, Immigration and Customs Enforcement

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Stoltz, Robert NDOC #19333	1 st Degree Murder	Life without the possibility of parole	5-22-1985	Request Denied
Cunningham, Jamie NDOC #39271	Habitual Criminal (Greater)	Life without the possibility of parole	10-18-1995	Request Denied

Action Taken November 18, 2009:

In-Custody Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Shuey, Jamie Lee NDOC #71379	First Degree Murder	Life with Parole	12-31-2001	Request Denied
Briggs, Brascia NDOC #84485	Voluntary Manslaughter with Use of Deadly Weapon	39 to 90 months	1-25-2005	Request Denied
Rutherford, Traci NDOC #56850	Second Degree Murder, Robbery	10 years to Life, CS 5 to 15 years	3-4-1998	Minimum sentence commuted to allow for immediate parole eligibility on Robbery
Smith, Michael NDOC #29056	(2) counts of Murder of the First Degree with Use of Deadly Weapon	Life without Parole, CS Life without parole, CS Life without Parole	7-27-1989	Enhancements commuted to run concurrent with immediate parole eligibility for count I and parole eligibility after 10 years for count II

Community Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Bergevin, Wayne Gilbert	Domestic Battery	2 days jail, 48 hours community service	9-20-2000	Granted Unconditional Pardon
Braese, Frederick Richard	DUI with Two or More Prior Conviction	12 to 30 months NDOC	1-11-1999	Granted Unconditional Pardon
Cobb, Steven Lloyd	Assault with a Deadly Weapon	48 months NDOC, suspended, 60 months probation	9-28-1992	Granted Unconditional Pardon
Garner, Eric Larmont	Assault with a Deadly Weapon	48 months NDOC, suspended, 60 months probation	6-9-1992	Granted Unconditional Pardon
Serfoss, Dannie Gene	DWI Third Offense (Case #571) DUI (Case #603)	(#571): 12 months NDOC (#603): 12 months NDOC	9-10-1991 7-26-1993	Granted Unconditional Pardon
Wheeler, Kathy Jo	Battery/Domestic Violence	No records on file for sanction	2-14-1995	Granted Unconditional Pardon
Nickerson, Anthony Gerald	Discharging a Firearm At or Into a Structure	18 months NDOC, suspended, 36 months probation	11-18-1994	Granted Unconditional Pardon
Smallwood, Jackie	Possession of Controlled Substance for Purpose of Sale (Case #C87-1269) Domestic Battery (Case #RJC 89-840)	(#C87-1269): 60 months NDOC, suspended, 60 months probation (#RJC 89-840): 90 days Jail	9-10-1987 3-17-1998	Granted Unconditional Pardon
Hernandez- Pereira, Ricardo E	Assault With a Deadly Weapon	72 months NDOC, suspended, 60 months probation	10-14-1994	Granted Unconditional Pardon
Arndell, Robert John	Sale of Controlled Substance	96 months NDOC	6-27-1974	Granted Unconditional Pardon

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Stephens, Gary David	Sale of a Controlled Substance (Case #90-00340C) Using a Controlled Substance (Case #CR95-1163)	(#90-00340C): 60 months NDOC, suspended, 36 months probation (#CR95-1163): 36 months NDOC, suspended, 36 months probation	6-25-1990 10-6-1995	Granted Unconditional Pardon
Anderson, Kevin	Possession of Controlled Substance with Intent to Sell (Case #C123804) Possession of Controlled Substance with Intent to Sell (Case #C124531)	(#C123804): 72 months NDOC, suspended, 36 months probation (#C124531): 72 months NDOC, suspended, 36 months probation	12-8-1994 1-11-1995	Granted Unconditional Pardon
Martinez-Garcia, Rosalinda	Possession of Controlled Substance (Case# CR92-0397) Possession of Drug Paraphernalia (Case #07-CR-3275)	(Case# CR92-0397): Record are sealed, Unknown (Case #07-CR-3275): 39 days Jail	Unknown 1-28-2008	Removed from agenda by attorney
Pope, Conan	Voluntary Manslaughter with Use of a Deadly Weapon	24 to 90 months, plus a consecutive 24 to 90 months for UDW	5-22-2001	Request Denied
Feazel, Jodi	Trafficking in a Controlled Substance (Case #C141678) Domestic Battery (Case #96-16176)	(#C141678): 12 to 36 months NDOC (#96-16176): Jail, suspended, Anger Control Counseling (#C146205): 12 to 36 months NDOC	9-11-1997 11-25-1996 10-22-1997	Granted Unconditional Pardon

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
	Possession of Stolen Vehicle (Case #C146205)			
Fuentes, Antonio Villagomez	Assault With a Deadly Weapon	24 months NDOC, suspended, 36 months probation	3-5-1990	Continued to April 27, 2010 agenda
Brown, William Wilds	Sale of Controlled Substance (Two counts)	96 months NDOC, CC 96 months NDOC, both suspended 60 months probation	5-4-1993	Request Denied
Padilla, Eugene Joseph	Causing the Death of Another by Driving a Vehicle While Intoxicated	36 months NDOC	4-30-1987	Request Denied
Susan Elizabeth Lehman	Possession of Controlled Substance	12 months NDOC, suspended, 36 months probation	10-2-1989	Granted Unconditional Pardon
Puente, Adrian Enrique	Assault with a Deadly Weapon	13 to 33 months NDOC, suspended, 36 months probation	11-13-1998	Request Denied
Rodriguez, Richard Todd	Burglary and Robbery With Use of a Deadly Weapon (Case #C85-1272) Possession of Controlled Substance (Case #88-01079C)	(#C85-1272): 60 months, CC 60 months, CS 60 months NDOC (#88-01079C): 12 months NDOC	12-4-1985 9-12-1988	Granted Pardon without the right to bear arms
Goodman, Russell Leon	Burglary	16 to 48 months NDOC	8-18-1998	Granted Unconditional Pardon

Action Taken November 18, 2009

Parolee Cases

Saunders, Kim	Second Degree	Life with Parole	8-11-1983	Continued to April 27,
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NDOC #18697	Murder			2010 agenda
McCuin, Consuelo West	Second Degree Murder	Life with Parole	8-23-1986	Request Denied
Larsen, Christopher G	First Degree Murder	Life with Parole	9-15-1975	Granted Pardon without the right to bear arms and sentence commuted to time served

Action Taken November 19, 2009

In-Custody Cases

Burns, Alisha NDOC #77669	Second Degree Murder	Life with Parole	1-23-2003	Request Denied
Serrano-Castro, Raul NDOC #78815	Trafficking in a Controlled Substance	120 to 300 months	10-7-2003	Request Denied
Carrillo, Antonio NDOC #44174	Trafficking in a Controlled Substance	360 months	10-11-1994	Granted immediate parole eligibility
D=Agostino, Frank NDOC #32883	First Degree Murder, UDW Robbery, UDW Arson I	Life without Parole, CS Life Without Parole, CS 180 months, CS 180 months, CS 180 months	7-21-1997	Continued to April 27, 2010 agenda
Dyer, Joseph NDOC #35736	Second Degree Murder, UDW Attempt Murder, UDW	Life with Parole, CS Life with Parole, CS 60 months, CS 60 months	1-16-1992	Granted commutation changing consecutive sentences to run concurrent
Johnson, Billy NDOC #58292	Robbery, UDW	60 to 160 months, CS 60 to 160 months	4-30-1999	Granted commutation changing consecutive sentences to run concurrent with immediate parole eligibility
Welsh, Thomas NDOC #28147	First Degree Murder	Life without Parole	4-12-1989	Granted commutation to Life with Parole

Gaston, Richard NDOC #43155	First Degree Murder with UDW	Life with Parole, CS Life with Parole	1-27-1994	Request Denied
Houser, Kevin NDOC #57336	First Degree Murder, Kidnapping with Substantial Bodily Harm,	Life with Parole, CS Life with Parole	4-15-1998	Granted commutation to sentences of 10 to 25 years, CS 10 to 25 years
Wright, John NDOC #37652	Robbery, Burglary, Robbery	180 months, CC 120 months, CS 180 months	1-4-1993	Request Denied
Werner, John NDOC #49376	First Degree Murder, First Degree Kidnapping	Life with Parole, CS 20 years	3-15-1996	Granted commutation changing consecutive sentence for First Degree Kidnapping to run concurrent with sentence for First Degree Murder
Antrim, Michael NDOC #44769	Trafficking in a Controlled Substance	25 years to Life	12-27-1994	Granted commutation changing sentence to 15 years to Life
Bassett, Lance NDOC #64715	Trafficking in a Schedule I Controlled Substance; Offer, Attempt, or Commission of Unauthorized Act(s) Relating to Controlled Substance; Conspiracy to Violate Controlled Substance Act, 2 nd Offense; Possession of Controlled Substance	120 to 300 months, CC 12 to 48 months, CS 24 to 60 months, CC 12 to 32 months	8-23-2001	Granted commutation on remaining consecutive sentence with immediate parole eligibility on all sentences
Rakers, Joel NDOC #79845	Second Degree Murder	Life with Parole	1-21-2004	Request Denied

Chance, Brian NDOC #88627	(2) Counts of Robbery with UDW; Burglary with a Firearm	26 to 120 months, CC 26 to 120 months, CS 26 to 120 months CC 26 to 120 months, CS 26 to 120 months	12-27-2006	Request Denied
Payne, Damion NDOC #1011239	Robbery with UDW	24 to 60 months, CS 12 to 30 months	11-13-2007	Granted commutation changing the minimum sentence for UDW to allow for immediate parole eligibility

Action Taken April 27, 2010

Parolee Cases

Saunders, Kim NDOC #18697	Second Degree Murder	Life with Parole	8-11-1983	Request Denied
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Action Taken April 27, 2010

Community Cases

Fuentes, Antonio Villagomez	Assault With a Deadly Weapon	24 months NDOC, suspended, 36 months probation	3-5-1990	Request Denied
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In-Custody Cases

Hovey, Jennifer NDOC #1016035	DUI Causing Substantial Bodily Harm or Death	24 to 60 months	3-6-2008	Continued to next Pardons Board when date scheduled
Haberle, Angela NDOC #82384	Trafficking in a Controlled Substance	120 to 300 months	5-14-2003	Granted immediate Parole Eligibility
Randall, Erik NDOC #70713	Causing the Death of Another by Driving While Intoxicated, Leaving the Scene of an Accident Involving the Death of a Human Being	60 to 180 months CS 48 to 120 months	10-10-2001	Request Denied
Jimenez, Jaime NDOC #81324	Robbery with UDW (4 counts), Burglary While in Possession of a Deadly Weapon (3 counts)	36 to 90 months, CS 36 to 90 months, CC 24 to 60 months, CC 36 to 90 months, CS 36 to 90 months, CS 24 to 60 months, CC 36 to 90 months, CS 36 to 90 months, CS 24 to 60 months, CS 36 to 90 months, CS 36 to 90 months	5-10-2004	Commutated the active UDW sentences in counts I and III (case # 192155) to allow for immediate parole eligibility and commuted the enhancements in counts V and VII to run concurrent with each Robbery sentence in counts V and VII, as well as commuted the sentences for Burglary While in Possession of a Deadly Weapon in counts IV and VI to run concurrent with the Robbery sentence in count V
Miranda, Justin NDOC #82297	Trafficking in a Controlled	120 to 300 months	7-30-2004	Granted immediate parole eligibility

	Substance			
Theus, Steven NDOC #17970	First Degree Murder	Life Without Parole	2-7-1983	Commutated from Life Without Parole to Life With Parole, with immediate parole eligibility
D=Agostino, Frank NDOC #32883	First Degree Murder, UDW Robbery, UDW Arson I	Life without Parole, CS Life Without Parole, CS 180 months, CS 180 months, CS 180 months	7-21-1997	Request Denied
Cordova, Clyde NDOC #60523	Second Degree Murder with UDW	120 months to Life, CS 120 months to Life	2-11-1999	Granted commutation for CS 120 months to Life to run concurrent with active sentence of 120 months to Life
Stewart, Lewis NDOC #64039	Conspiracy to Commit Robbery, Burglary, First Degree Kidnapping with UDW Victim over 65 Years or Older, Battery with Substantial Bodily Harm Victim 65 Years or Older, Robbery Victim 65 Years or Older	28 to 72 months, CC 48 to 120 months, CC 60 months to Life, CS 60 months to Life, CC 24 to 60 months, CS 24 to 60 months, CS 24 to 60 months, CS 24 to 60 months	1-19-2000	Request Denied
Hines, Tony NDOC #14349	Murder with UDW, Attempt Robbery with UDW	90 months, CS 90 months, CS Life without Parole, CS Life without Parole	2-9-1982	Request Denied

Action Taken November 17, 2010

Community Cases

Goldsberry, David S	Conspiracy to Commit Burglary	Six months Clark County Detention Center, suspended, 24 months probation	4-7-1992	Granted Unconditional Pardon
Medina, Jamie R	Sale of Controlled Substance; Possession of Controlled Substance	12 to 48 months NDOC, CS 12 to 48 months NDOC, both suspended, 60 months probation	10-20-1997	Granted Unconditional Pardon
Baker, Kellie A	Trafficking in a Controlled Substance	48 months NDOC	8-15-1995	Granted Unconditional Pardon
Smith, Mika L	Possession of Controlled Substance	12 to 48 months NDOC, suspended, 36 months probation	4-13-2000	Granted Unconditional Pardon
Morris, Jacqueline M	Robbery	72 months NDOC, suspended, 60 months probation	7-27-1994	Granted Unconditional Pardon
McDonald, Christopher K	Possession of Controlled Substance	12 to 34 months NDOC, suspended, 36 months probation	12-13-2000	Granted Unconditional Pardon
Brunner, Steven P	Domestic Battery	90 days probation	7-27-1994	Granted Unconditional Pardon
Brown, Joel A	Driving Under the Influence of Alcohol (Third Offense)	12 months NDOC	11-19-1996	Granted Unconditional Pardon
Moser, Kirk S	Battery Domestic Violence	2 days Las Vegas City Jail, 48 hours community service	2-20-2002	Granted Unconditional Pardon
Frehner, Lorinda G	Possession of Controlled Substance;	24 months NDOC, suspended, 24 months probation; 120 months NDOC, suspended, 60 months	10-6-1986; 9-11-1991; 5-20-1996	Granted Unconditional Pardon

	Trafficking in Controlled Substance; Possession of Controlled Substance	probation; 12 to 32 months NDOC, suspended, 60 months probation		
Martin, John E	Attempt Theft	12 to 30 months NDOC, suspended, 36 months probation	10-6-1998	Granted Unconditional Pardon
Rudd, Charlene D	Possession of Controlled Substance	48 months NDOC, suspended, 36 months probation	12-13-1994	Granted Unconditional Pardon
Spear, Laura Lea	Possession of Controlled Substance; Attempt Possession of Controlled Substance with Intent to Sell	12 months NDOC, suspended, 36 months probation; 12 to 30 months NDOC, suspended, 36 months probation	9-12-1994; 4-17-1997	Granted Unconditional Pardon
Salcedo, Raquel	Transporting Controlled Substance	16 to 72 months NDOC, suspended, 36 months probation	6-20-1996	Granted Unconditional Pardon
Maefield, Calvin L	Battery/Domestic Violence (2 convictions)	180 days jail, suspended, 12 months probation (both convictions)	10-15-2003	Request Denied
Nannini, Anthony P	Causing the Death of Another by Driving a Vehicle While Having 010% or More by Weight of Alcohol in the Blood	36 months NDOC	6-12-1996	Granted Unconditional Pardon
Hamblin, Edwin L	Domestic Battery/Violence	Fined \$15000	1-29-1992	Granted Unconditional Pardon
Butler, Timothy	Invasion of the	12 to 48 months NDOC,	6-13-2000	Granted Pardon

L	Home	suspended, 48 months probation		without the right to bear arms
Retzer, Matthew	Attempt Invasion of the Home	12 to 30 months NDOC, suspended, 24 months probation	5-2-2000	Request Denied
Stevenson, Eric W	Driving While Having 010% or More by Weight of Alcohol in the Blood	24 months NDOC	2-15-1995	Granted Unconditional Pardon
Sutliff, Kevin	Domestic Battery 1 st Offense	90 days Washoe Jail, suspended, 36 months to complete weekly domestic violence counseling, 48 hours community service	10-8-2002	Granted Unconditional Pardon
Sagastume, Gustavo A	Conspiracy to Obtain Money Under False Pretenses; Conspiracy to Commit Battery with a Deadly Weapon	12 months Washoe Jail, suspended, 36 months probation; 12 months Washoe Jail, suspended, 36 months probation	6-18-1992; 9-6-1996	Granted Unconditional Pardon
Fishman, Ronald	Attempt Solicitation of Murder	24 months NDOC, suspended, 60 months probation	11-7-1989	Request Denied

Action Taken November 17, 2010

Parolee Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Jepson, Montie NDOC #12852	Second Degree Murder	Life with Parole	3-29-1977	Request Denied

Action Taken June 29, 2011

In-Custody Cases

Ausiello, Marian NDOC #93082	Trafficking in C/S	120 to 300 months	3/10/2008	Request Denied
March, Michelle NDOC #1012904	Trafficking in C/S	120 to 300 months	12/14/2007	Request Denied
Miller, Phyllis NDOC #44543	First Degree Murder w UDW	Life without, CS Life without	11/21/1994	Request Denied
Camacho, Ruben NDOC #72934	Trafficking in C/S	120 to 300 months	5/17/2002	Request Denied
McKinney, Mark NDOC #16966	(4) counts Robbery with UDW	(7) CS sentences of 15 years	3/25/1982	The CS sentence for UDW count 4 and sentences in counts 5,6 and 7 are to run CC with Robbery count 4 All in case #81403 No change to PED of 9/11/2012
Jara, Luis NDOC #92526	Trafficking in C/S	120 to 300 months	8/9/2006	Request Denied
Avendano-Dias, Jesus NDOC #1046688	Trafficking in C/S	120 to 300 months	12/13/2007	Request Denied
Villegas,- Camacho, Enrique NDOC #82834	Trafficking in C/S	120 to 300 months	10/17/2002	Conditional pardon granted transferring custody from NDOC to ICE for deportation to Mexico for sentence in count 2 of case #030142
Maricio, Gerardo	Trafficking in C/S	120 to 300 months	12/22/2005	Request Denied

NDOC #78273				
Navarro-Sedano, Victor NDOC #78273	Trafficking in C/S	120 to 300 months	8/20/2003	Conditional pardon granted transferring custody from NDOC to ICE for deportation to Mexico for sentence in case #CR03-0436B
Dudo, David NDOC #60607	First Degree Kidnapping	60 months to Life	2/10/1999	Request Denied

Action Taken August 11, 2011

Consent Agenda - Community Cases (Consideration without meeting)

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Anderson, Shirley T	Trafficking in a Controlled Substance	12 to 48 months NDOC	8/15/1997	Granted Unconditional Pardon
Anderson, Dirk T	Trafficking in a Controlled Substance	12 to 48 months NDOC	8/15/1997	Granted Unconditional Pardon
Zaleski, Donald	Trafficking in a Controlled Substance	12 to 48 months NDOC	8/15/1997	Granted Unconditional Pardon
Novotny, Christine A	Sale of Controlled Substance and Possession of Controlled Substance	60 months NDOC, suspended, 36 months probation	8/27/1991	Granted Unconditional Pardon

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Romo, Ricardo	Trafficking in a Controlled Substance	24 months NDOC, suspended, 36 months probation	6/6/1989	Granted Unconditional Pardon
Palsgrove, Cary L	Trafficking in a Controlled Substance	12 to 48 months NDOC	6/9/1999	Granted Unconditional Pardon
Thacker, Joseph F	Conspiracy to Commit Fraudulent Act in Gaming Establishment	48 months NDOC, suspended, 48 months probation	11/15/1994	Granted Unconditional Pardon
	Possession of Controlled Substance with Intent to Sell	48 months NDOC, suspended, 36 months probation	3/16/1990	Granted Unconditional Pardon

Action Taken November 16, 2011

Community Cases

Schamber, Hyla	Consp To Commit Possession of Controlled Substance; Poss of Controlled Substance	36 months probation; 12 to 48 months NDOC	3/4/1996; 10/6/1997	Granted pardon without the right to bear arms
Larson, Rick	Reckless Driving	12 to 60 NDOC, 60 months probation	10/4/2000	Granted Unconditional Pardon
Ogden, Jeanne	Two convictions	60 months probation; 12 to 48	1/25/1996;	Granted Unconditional

	for Uttering a Forged Instrument	months NDOC	10/23/1996	Pardon
Perri, John Sy	Sale of Cont Substance and Conspiracy to Sell Controlled Substance	60 months probation	2/23/1993	Granted pardon without the right to bear arms
Parrish, Christine	Poss of Controlled Substance for Purpose of Sale	60 months probation	10/18/1999	Granted Unconditional Pardon
Partelow, Aaron	Poss of Controlled substance	24 months probation	10/19/1998	Granted Unconditional Pardon
Silsby, Edward III	Poss of Controlled Substance for Purpose of Sale	60 months probation	7/15/1996	Continued to next agenda

Parolee Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
DiGennaro, Ernest NDOC #16996	First Degree Murder, Two counts of Attempted Murder	Life with Parole	4/1/1982	Request Denied

Action Taken November 16, 2011

In-Custody Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Tsatsa,	Two counts of	Life CC Life CS Life CC Life	7/29/1986	Request Denied

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Theodore NDOC #22857	First Degree Murder with UDW			
Brillhart, Jeffrey NDOC #31332	Six counts of Sexual Assault	Six consecutive sentences of Life with Parole	6/1/1990	Counts VI & VII commuted to run CC with Count V
Reed, Robert NDOC #46852	First Degree Murder with UDW	Life with Parole CS Life with Parole	7/7/1995	Request Denied
Rivas-Bonilla, Francisco NDOC #65158	Second Degree Murder with UDW	Life with Parole CS Life with Parole	4/21/2000	Request Denied

Action Taken December 20, 2011

Consent Agenda - Community Cases (Consideration without meeting)

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Flack, Dennis	Unlawful Possession for Sale of a Schedule IV Controlled Substance	36 months probation	8/14/2002	Granted Unconditional Pardon
Kirkwood, John	Attempted Theft	36 months probation	4/12/2001	Granted Unconditional Pardon
Cerio, Kimberly	Possession of a Controlled Substance for Purpose of Sale	24 months probation	4/28/1995	Granted Unconditional Pardon
Johnson, Wendell	Unlawful Sale of Controlled Substance	36 months probation	9/1/1998	Granted Unconditional Pardon
McBride, Denise	Possession of Controlled Substance	60 months probation	5/19/1986	Granted Unconditional Pardon
Nielsen, Daniel	Possession of Controlled Substance (2 convictions)	12 to 48 months NDOC; 36 months probation	11/21/2000 ; 11/29/2000	Granted Unconditional Pardon
Hardy, Bonita	Unlawful Sale of Controlled Substance	24 months probation	10/15/1996	Granted Unconditional Pardon
Henderson, Robert	Possession of Controlled	60 months probation	8/9/1985	Granted Unconditional Pardon

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
	Substance			

Action Taken April 30, 2012

Consent Agenda - Community Cases (Consideration without meeting)

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Torres, Salvador N	Under the Influence of Controlled Substance	12 to 48 months NDOC, suspended, probation 4 years	2/17/1998	Granted Unconditional Pardon
Sutherland, Stephen M	Driving and/or being in Actual Physical Control While Under the Influence of Liquor	1 year NDOC	2/13/1996	Granted Unconditional Pardon
Martin, Brandon R	Conspiracy to Sell Controlled Substance	3 years NDOC, suspended, 2 years probation	10/26/1995	Granted Unconditional Pardon
Williams, Kenneth R	Possession of Stolen Property; Attempt Poss Stolen Property	4 years NDOC, suspended, probation 5 years	9/2/1976; 8/10/1977	Granted Unconditional Pardon

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Lockwood, John G	Sale of C/S; Possession of C/S (2 counts); Attempt Poss C/S	2 years NDOC, suspended, 3 years probation	3/29/1974; 5/16/1980; 4/10/1991	Granted Unconditional Pardon
Hood, Christopher A	Poss C/S	12 to 36 months NDOC, suspended, 36 months probation	8/31/2004	Granted Unconditional Pardon

Action Taken November 8, 2012

In-Custody Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Michenfelder, Robert NDOC 17931	Robbery UDW, Robbery, UDW and Battery by a Prisoner	Serving: 72 months, CC 120 months, CS 120 months, CS 72 months		Granted Commutation

Community Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Edward Silsby III	Possession of Controlled Substance for the Purpose of Sale	12 to 48 months, suspended, 5 years probation	1996	Granted Unconditional Pardon

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
David Wayne Maxwell	Reckless Driving Causing Substantial Bodily Harm	2 years NDOC, suspended, 5 years probation	1998	Granted Unconditional Pardon
Christine Theresa Muldoon	Possession of Controlled Substance (two counts)	4 year NDOC, suspended, 4 years probation	1991	Granted Unconditional Pardon
Roderick Lovell Polk Sr	Possession of Controlled Substance	12 to 48 months NDOC, suspended, 3 years probation	2000	Granted Unconditional Pardon
Gardner Seely	Attempted Grand Larceny	1 year NDOC	1981	Granted Unconditional Pardon

Action Taken January 07, 2013

Consent Agenda - Community Cases (Consideration without meeting)

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Soza, David R	Manufacture a Controlled Substance	19 to 48 months NDOC, suspended, not to exceed 3 years probation	2001	Request Denied

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Burnet, Tamara	Driving a Motor Vehicle While Under the Influence of Intoxicating Liquor and/or Having 010 Percent by Weight of Alcohol in the Blood Within Two Hours of Driving in 1998; Driving Under the Influence, Third Offense Within the Last Seven Years	12 to 30 months NDOC	1998	Granted Unconditional Pardon
Hillyard, Jeffery	Possession of Controlled Substance	3 years NDOC, suspended, probation not to exceed 3 years	1990	Granted Unconditional Pardon
Porter, Gregory B	Possession of Controlled Substance	Probation not to exceed 3 years	1990	Request Denied
Bunker, Robert K	Driving a Motor Vehicle Under the Influence of Intoxicating Liquor	6 years NDOC	1993	Granted Unconditional Pardon
Concannon, Elizabeth	Theft	5 years NDOC, suspended, Probation not to exceed 5 years	1995	Granted Unconditional Pardon

Action Taken November 18, 2013

Community Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Curry, William	Battery/Domestic Violence	45 days in Jail, suspended, for year	07/22/1996	Granted Unconditional Pardon
Gillette, Kevan W	Reckless Driving	24 months to 72 months NDOC, Suspended, 5 years probation	08/30/2001	Granted Unconditional Pardon
St Andry II, Alfred C	Battery	6 months Jail, suspended, for a year	06/05/1996	Granted Unconditional Pardon
Dyson, JC S	Robbery	6 years NDOC, suspended, 5 years probation	01/16/1992	Request Denied
Casey, Alan E	Burglary	24 to 60 months NDOC, suspended, 3 years probation	10/19/2000	Granted Conditional Pardon
Dawson, Shawnnycy	Burglary	29 to 73 months NDOC, suspended, 4 years probation	02/27/1998	Granted Unconditional Pardon
Brundtland, Alfred D	Assault & Battery; Battery; Possession of Controlled Substance (2 counts)	30 days Jail, suspended 60 days Jail, suspended 12 to 48 months	02/27/1994 10/10/1995 01/25/2000 05/23/2002	Granted Unconditional Pardon

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
		NDOC, suspended, 3 years probation 2001 probation extended for two years 32 to 48 months NDOC suspended, 3 years probation Probation Revoked		
Brown Jr, Howard E	Battery/Domestic Violence	2 days Jail	06/10/2003	Granted Unconditional Pardon
Hall, Brian A	Conspiracy to commit the Crime of Burglary; Burglary	1 year Jail suspended 3 years probation and 6 years NDOC, suspended, 5 years probation	04/07/1983 08/04/1983	Granted Unconditional Pardon
Jenkins Sr, Bobby J	Battery /Domestic Violence	Counseling and meetings with the Judge	02/12/1997	Granted Unconditional Pardon
Morris, Michael T	Battery	48 hours Jail	10/18/2000	Request Denied
Tryheart, Gary L	Robbery w/ Use of Firearm	3 years NDOC, consecutively, 3 years NDOC	04/25/1986	Granted Unconditional Pardon
Meacham, David	Obtaining Property Under False Pretenses; Battery	3 years NDOC, suspended, 3 years probation Fine	11/08/1990 01/07/1991	Granted Unconditional Pardon

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Belcher, Bruce	Attempt Illegal Discharge of Firearm	2 years NDOC, suspended, 5 years probation	04/21/1993	Granted Unconditional Pardon
Thomson, Tommy L	Involuntary Manslaughter	4 years NDOC, suspended, 36 months probation	04/21/1993	Granted Unconditional Pardon
Deweerd, Russell	Reckless Driving; DUI	6 years NDOC, suspended, 5 years probation concurrent 1 year NDOC	12/03/1986	Granted Unconditional Pardon
Mattern Jr, Donald	Possession of Stolen Property;(2 Counts) Burglary;	4 years NDOC, consecutively 4 years NDOC, suspended, 5 years probation with 30 days Jail to be served on weekends 6 years NDOC, suspended, 5 years probation concurrent	09/26/1995 01/14/1997	Request Denied

Action Taken November 18, 2013

Inmate Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Dixon, Marcus NDOC # 64104	Murder 1st Degree concurrent UDW	180 months to Life	2000	Continued
Hein, Jamie NDOC # 1103912	Murder II	10 to 25 years NDOC	2007	Request Denied
Alvarez, Francisco NDOC # 71340	Trafficking a Controlled Substance	120 to 300 months NDOC	2001	Granted Immediate Parole Eligibility

Action Taken December 30, 2013

Consent Agenda - Community Cases (Consideration without meeting)

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Jensen, Chad J	Conviction	Sentence	Date of Sentence	Action
Rottenbucher, Dennis K	Unlawful Taking of a Motor Vehicle & Failure to Stop on Signal of Peace Officer	1 year Jail, Suspended, 3 years probation 12 to 36 months NDOC, Suspended, 36 months probation	1992 1996	Granted Unconditional Pardon

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Robertson, Marvin M	Possession of Controlled Substance	3 years NDOC, suspended, 3 years probation	1993	Granted Unconditional Pardon
Brown, Steven P	Possession of Controlled Substance	3 years NDOC, suspended, 3 years probation	1991	Granted Unconditional Pardon
Hughes, David M	Unlawful Sale of a Controlled Substance	5 years NDOC, suspended, 5 years probation	1986	Granted Unconditional Pardon
Frazier, Brent A	Possession of Controlled Substance	4 years NDOC, suspended, 4 years probation	1989	Granted Unconditional Pardon
	Att Poss Of A Controlled Substance	3 years NDOC, suspended, 5 years probation	1990	Granted Unconditional Pardon

Action Taken May 1, 2014

Consent Agenda - Community Cases (Consideration without meeting)

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Sullivan-Olson, Marie	Attempt Embezzlement	years NDOC, suspended, 5 years probation	1986	Granted Unconditional Pardon
Neumann, Charlotte	Sale of a		1996	Granted

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
	controlled Substance x 2 Possession of a Controlled Substance			Unconditional Pardon

Action Taken June 19, 2014

Consent Agenda - Community Cases (Consideration without meeting)

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Mocaby, John Allen	Poss Of Stolen Property	3 years NDOC, suspended, 3 years probation	1998	Granted Unconditional Pardon
Cartwright, Winfred Allen	Poss Of Controlled Substance	2 years NDOC, suspended, 2 years probation	1994	Granted Unconditional Pardon

Action Taken November 18, 2014

Inmate cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Dixon, Marcus NDOC # 64104	Murder 1 st Degree cc UDW	180 months to Life	2000	Pardoned to the limited extent necessary to qualify him for parole consideration under the provisions of NRS 2131215(2)
Jackson, James NDOC # 24291	Habitual Criminal consecutive Attempt Grand Larceny Of Motor Vehicle	Life without	1987	Sentence of Habitual Criminal (Greater) Life without parole commuted to time served & immediate parole eligibility on cs Attempt Grand Larceny of Motor Vehicle
Wright, Anthony NDOC # 63621	Habitual Criminal Greater consecutive Habitual Great concurrent Habitual Greater	120 months to Life	1999	Active sentence of Habitual Criminal (Greater) commuted to 24 to 60 months with a parole eligibility of March 1, 2015 followed by his consecutive/concurrent Habitual Criminal (Greater) also commuted to 24 to 60 months

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Huebler, Charles NDOC 7895	Lewdness with a Minor under the age of 14	10 to Life	2003	Granted Compassionate Release upon approved release plan with Lifetime Supervision Pursuant to NRS 176113
Wynn, Otis NDOC # 55496	UDW consecutive Robbery consecutive UDW	30 to 120 months consecutive 30 to 120 months consecutive 30 to 120 months	1997	Remaining two consecutive sentences to run concurrent with active sentence

Community Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Surman Michael	Attempt Robbery	2 years NDOC, suspended, 2 years probation	1992	Granted Unconditional Pardon
Hawkins, Kenneth	Burglary	12 months to 48 months NDOC, suspended, 3 years probation	2000	Granted Unconditional Pardon
Abdullahi, Maryam	Coercion	2 years NDOC, suspended, 4 years probation	1984	Granted without the Right to Bear Arms

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Sheets, Guy	Conspiracy to Commit Insurance Fraud & Obtaining Money Under False Pretense	12 to 32 months, concurrently, suspended, 3 years probation	2002	Granted without the Right to Bear Arms
Romo, Randy	Possession of CS with the Intent to sell & Domestic Battery	12 to 32 months NDOC, suspended, probation not to exceed 3 years & fines	1999 1993	Granted Unconditional Pardon
LeWarne, Mario	Discharging a Firearm into A House & Spousal Battery	2 years NDOC, suspended, probation Not to exceed 4 years ; fine	1993 1991	Granted Unconditional Pardon
Leach, Connie	Battery & Battery Constituting Domestic Violence	Domestic Violence Counseling and Community Service	2001	Granted without the Right to Bear Arms
Kaplan, Laurence	Domestic Battery	180 days in jail, suspended, counseling, and fines	2001	Request denied
Jackowiak Daniel	Causing Substantial Bodily Harm to Another by	3 years NDOC and fines	1987	Granted Unconditional Pardon

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
	Driving a Vehicle While Intoxicated			
Mendoza-Lopez, Edgar	Attempt Leaving the Scene of an Accident	2 years NDOC, suspended, 4 years probation	1993	Granted Unconditional Pardon
Day, Richard	Domestic Battery	Fines and assessment fees	1989	Granted Unconditional Pardon
Woods, Carl	Robbery	9 years NDOC	1984	Granted Unconditional Pardon
Balentine, Ronald	Battery Domestic Violence	1 year probation	1998	Granted Unconditional Pardon
Lee, Kelly	Battery Domestic Violence	Suspended sentence complete anger management	1996	Granted Unconditional Pardon
Capra, Kevin	Drawing a Weapon in a Threatening Manner	90 days jail, suspended, 1 year	2000	Granted Unconditional Pardon

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Robinson, Barron (AKA Robinson, Bryon)	Conspiracy to Commit Robbery	12 to 48 months NDOC, suspended, probation not to exceed 5 years	1999	Granted Unconditional Pardon
Akin, Stephen	Attempt Uttering a Forged Instrument	12 to 32 months NDOC, suspended, probation not to exceed 18 months	1999	Granted Unconditional Pardon
Fiske-Giraud, Maggi (AKA Adam, Maggi Koza, Maggi)	Murder 1 st Degree	Life without Parole, commuted to 15 years to Life concurrent 15 years to Life in 2001	1980	Request denied
Gillum, Steven	Battery Domestic Violence	fines and anger management	1992	Granted Unconditional Pardon
Farnum, Warren (AKA Farnum, Billy)	Possession of Stolen Property, Attempt Burglary, Attempt Burglary	3 years NDOC, suspended, probation not to exceed 3 years consecutive to 3 years NDOC, suspended, probation not to exceed 3 years, 18 to 48 months NDOC, suspended, probation not to exceed 3 years	1994 1994 1998	Request denied

Action Taken January 15, 2015

Consent Agenda - Community Cases (Consideration without meeting)

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Berryman, Terri Lynette AKA Monger, Terri Lynnette	Possession of a Schedule I or Schedule II Controlled Substance for the Purpose of Sale and Sale of a Controlled Substance and Possession of a Controlled Substance	42 months NDOC, concurrent, suspended, 24 to 36 months probation & 12 to 48 months NDOC, suspended, 2 years probation	1983 2001	Granted Unconditional Pardon

Action Taken March 30, 2015

Consent Agenda - Community Cases (Consideration without meeting)

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Gyger, Eric	Possession of a Controlled Substance	1 to 4 years NDOC, suspended, 3 years probation	2005	Denied Unconditional Pardon
Gray, Denise AKA Woods, Denise	Supplying a controlled Substance	4 years NDOC, suspended, 5 years probation	1990	Granted Unconditional Pardon

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Harley, Kevin	Driving While Having 0310 Percent or More Weight Of Alcohol In the Blood	1 year NDOC	1993	Granted Unconditional Pardon

Action Taken July 16, 2015

Consent Agenda - Community Cases (Consideration without meeting)

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Difurt, Delvis Ordunez	Sale of a Controlled Substance	35 years NDOC, suspended, 5 years probation	1995	Granted Unconditional Pardon
Perez-Ramirez Claudio,	Supplying a controlled subst.	12 to 32 months NDOC, suspended, 3 years probation	1996	Granted Unconditional Pardon

Action Taken August 12, 2015

Consent Agenda - Community Cases (Consideration without meeting)

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Lindeman, Jeremy Scott	Conviction	Sentence	Date of Sentence	Action

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
	Offer, Attempt or Commission of Unauthorized Act Relating to a Controlled or Counterfeit Substance	12 to 36 months NDOC, Suspended, probation not to exceed 3 years	2003	Granted Unconditional Pardon

Action Taken November 16, 2015

Inmate cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Stark, John, NDOC #41716	Murder 1 st	Life without		Request denied
Perez, Adolfo NDOC # 75933	Trafficking CS Trafficking	10 to 25 years cs 10 to 25 years		Granted commutation of sentence Remaining sentences to run CC with a PED of 10-01-2018 exp date of 03-01-2025 and 03-01-2029
Hein, Jamie NDOC# 1003912	Murder 2 nd Degree	10 to 25 year		Request denied
Boice, Rocky NDOC #75211	Use of Deadly Weapon Enhancement	10 to 25 years		Granted commutation of sentence to time severed

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Jones, Robert	Murder 1 st	Life without		Request denied

Action Taken November 16, 2015

Community Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Macareno-Ruiz, Antonio	Sale of a Controlled Substance (3 counts)	3-5 year sentences to run concurrently	1987	Grant Conditional Pardon
Ellrege, Richard	Battery Domestic Violence	100 hours of community service	1995	Grant Unconditional Pardon
Jensen, Steven	Battery Domestic Violence	Unknown	1988	Grant Conditional Pardon
Olsen, Raymond	Battery Domestic Violence	60 days in jail, suspended stay out of trouble for a year	2008	No action

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Rowe, Barbara AKA Snow, Barbara	Battery Domestic Violence	60 days in jail, suspended stay out of trouble for a year	2009	Request denied
Cross , Charles	Battery Domestic Violence	30 days n jail, suspended 28 days	2005	Grant Unconditional Pardon
Cappa, Timothy	Battery Domestic Violence	90 days jail, suspended, 3 years	2002	Grant Unconditional Pardon
Ross, Shawn	Possession of Controlled Substance	Probation not to exceed 5 years	1997	Grant Unconditional Pardon
Elides, Gregory	Grand Larceny	4 years NDOC, suspended 2 years probation	1975	Granted Unconditional Pardon
Bennett, Michael	Armed Robbery (2 counts)	5 years for each count to run concurrently	1975	Granted Unconditional Pardon
Orozco, Eduardo	Domestic Battery	2 days in jail & counseling	1996	Request denied

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Feller, Darin	Domestic Battery	2 days in jail, suspended 60 days in jail and counseling	2004	Grant Unconditional Pardon
Olsen, Shaun	Driving and/ or Being Actual Physical Control While Under the Influence of Intoxicating Liquor	36 to 120 months NDOC	1999	Grant Unconditional Pardon
Bostandjiev, Rusi	Battery	2 days jail	2000	Granted Unconditional Pardon
Ogden, Nathan	Unlawful Taking of a Vehicle & Failing to Stop as Required on Signal of Police Officer	1 year county jail, suspended, probation 3 years& 12 to 30 months NDOC, suspended probation 3 years	1999	Continued
Green, Rick	Driving Under the Influence With Two or More Priors, Possession of Controlled Substance & Domestic Battery	DUI- 12 to 30 months NDOC, Possession- 3 years NDOC, suspended, 3 years probation & Domestic- No contact with victim for 6 months	2001 1988 2001	Granted Unconditional Pardon

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Cunningham, William	Misconduct of a Public Officer	12 to 36 months NDOC, suspended, probation 36 months	2007	Granted Unconditional Pardon
Cimorelli, Vincent	Attempt Burglary	3 years NDOC, suspended, 3 years probation	1983	Grant Unconditional Pardon
Stephens, Joe	Possession of Controlled Substance	3 years NDOC, suspended, 3 years probation	2005	Grant Unconditional Pardon
Pendleton, Thomas	Burglary 2 nd Degree	3 years NDOC, suspended, 1 years probation	1962	Granted Unconditional Pardon
Ruzzine, Andrea	Conspiracy to Commit Theft	Pay restitution in the amount \$27,5000	2012	Granted Conditional Pardon
Woodward Sharon AKA Kimbro, Sharon	Conspiracy to Commit the Crime of Burglary & Possession of Stolen Property	1 year jail, suspended, probation 2 years & 3 years NDOC	1980 1982	Granted Unconditional Pardon
Boykin, Elizabeth	Child Abuse & Neglect	6 months jail, suspended, 1 year probation	2004	Granted Unconditional Pardon

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Avila-Avila, Jose	Attempted Burglary	12 to 32 months NDOC, suspended probation 3 years	1998	Granted Unconditional Pardon

Action Taken December 3, 2015

Consent Agenda - Community Cases (Consideration without meeting)

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Nigro, Kurtis	Possession of Stolen Property	12 to 32 months NDOC, suspended, probation 2 years	1997	Granted Unconditional Pardon
Solorzando, Serena	Attempted Embezzlement	12 to 32 months NDOC, suspended, probation 4 years	2000	Granted Unconditional Pardon
Cannon, John	Sale of a Controlled Substance	4 years NDOC, suspended, 3 years probation	1990	Granted Unconditional Pardon

Action Taken March 30, 2016

Consent Agenda - Community Cases (Consideration without meeting)

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Barber, Gary	Embezzlement	12 months NDOC, suspended, probation 3 years	1990	Request Denied
Bouge, Margene	DUI	12 to 30 months NDOC	2001	Request Denied
Denstaedt, George	Attempt Forgery	12 to 48 months NDOC, suspended, probation 3 years	1998	Granted Unconditional Pardon
Simpson, Phillip	Possession of a Controlled Substance	2 years NDOC, suspended, probation 2 years	1998	Granted Unconditional Pardon
Smith, Eugene	Possession of a Controlled Substance (2)	Probation 3 years & 4 years NDOC, suspended, probation	1994 & 1995	Granted Unconditional Pardon
Huff, Cody	Possession of a Cheating Device	3 years NDOC, suspended, 3 years probation	1990	Granted Unconditional Pardon
Syruws, Nicole	Possession of a Controlled Substance	2 years NDOC, suspended, 3 years probation	1990	Granted Unconditional Pardon

Action Taken May 17, 2016

Inmate cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Alwedainani, Mohammad NDOC #54745	Use of Deadly Weapon (2), Burglary & Robbery	14 to 72 months cs 22 to 96 months cs 35 to 156 months cs 35 to 156 months	2004	Granted commutation Remaining sentences to run cc with a PED of 09-01-2016 Must deport to the Kingdom of Saudi Arabia
Thomas, Walter NDOC # 55883	Use of Deadly Weapon, consecutive, Robbery, consecutive Use of Deadly Weapon	Multiple sentences	1997	Granted commutation Remaining sentences to run cc with a PED of 09-01-2016

Action Taken May 17, 2016

Community Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Ogden, Nathan	Unlawful Taking of a Vehicle & Failing to Stop as Required on Signal of Police	1 year county jail, suspended, probation 3 years& 12 to 30 months NDOC, suspended probation 3 years	1999	Continued

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
	Officer			
Drapeau, William IV	Domestic Battery	\$200 fine	1994	Granted Unconditional Pardon
Artadi, Frances AKA Reddick, Frances	Domestic Battery	N/A	2003	Granted Unconditional Pardon
Warner, Kevin	Battery Domestic Violence	Fine	1994	Granted Unconditional Pardon
Scott, Philli	Embezzlement	36 to 60 months NDOC, suspended, probation 5 years	1996	Granted Unconditional Pardon
Trujillo, Walter	Malicious Injury to a Vehicle, Attempt Burglary & Disorderly Conduct	12 to 36 months NDOC, suspended, 2 years probation	2007,1996 & 2010	Granted Unconditional Pardon
Hallmark, Christifer	Disturbing the Peace	30 days jail, suspended, classes and adhere to special conditions	2006	Action Denied

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Sonner, Kathryn	Burglary & Battery with a Deadly Weapon	24 to 72 months NDOC, suspended, probation 3 years	2009	Granted Conditional Pardon
Lea, Edward	Burglary, Forgery & Theft	Burglary 12 to 48 months NDOC, Consecutive Forgery 12 to 32 months NDOC, concurrently Theft	2001	Granted Unconditional Pardon
McGregor, Brent	Battery	30days jail, suspended	1999	Granted Unconditional Pardon
Ranson, Cheyanne	Unlawful Sell of a Controlled Substance	12 to 36 months NDOC, suspended, 36 months probation	2011	Continued to the first meeting in 2018
Christopher Valvo	Child Abuse & Neglect	24 to 96 months, suspended, probation 5 years	1995	Action Denied
Staggs, Eva	Trafficking in a Controlled Substance	12 to 30 months NDOC, suspended, 36 months probation	2000	Granted Unconditional Pardon
Staten-Dubois, Stephanie	Battery with the Use of Deadly Weapon	24 to 60 months NDOC, suspended, probation 3 years	2009	Continued to next meeting

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Allen, Marcus	Sale of Controlled Substance (Marijuana) & Assault on Officer & Resist Arrest	12 to 32 months NDOC, suspended, probation 3 years	1998	Granted Unconditional Pardon
Tiansay, Damon	Possession of Substance	4 years NDOC, suspended, probation	2000	Granted Unconditional Pardon

Action Taken June 1, 2016

Consent Agenda - Community Cases (Consideration without meeting)

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Wyatt, Ashley	Robbery (2)	5 years NDOC consecutively, suspended 5 years probation	1995	Granted Unconditional Pardon
Speirer, Craig	Carry a Concealed Weapon & Possession of a Controlled Substance with	10 months jail, suspended, probation 2 years & 3 years NDOC, suspended, 1 year probation	1995 & 1996	Granted Unconditional Pardon

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
	the Intent to Sell			
Comer, Michael	Grand Larceny	16 to 72 months NDOC, suspended, 3 years probation	1998	Granted Unconditional Pardon
Arellano, Miguel	Attempted Burglary	2 years NDOC, suspended, 5 years probation	1995	Granted Unconditional Pardon

Action Taken August 15, 2016

Consent Agenda - Community Cases (Consideration without meeting)

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Justice, James	Burglary	5 years NDOC, suspended, 4 years probation	1988	Granted Unconditional Pardon

Action Taken October 4, 2016

Consent Agenda - Community Cases (Consideration without meeting)

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
<i>Lekar, Michael</i>	<i>Sale of a Controlled Substance</i>	<i>5 years NDOC, suspended, probation 5 years</i>	<i>1987</i>	<i>Granted Unconditional Pardon</i>

Action Taken April 18, 2017

Inmate Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Castro, Miguel NDOC#17610	Robbery w/ Use of Deadly Weapon	10 to 30 years	1982	Modified remaining two sentences to run concurrent with an immediate Parole Eligibility Date
Caballero, Herma NDOC#17608	Robbery c/s Use of Deadly Weapon c/s Prisoner w/ Weapon	36 to 180 months c/s 36 to 180 months c/s 14 to 72 months	1982	Restructured remaining sentences for Case Number 58836 to run concurrent with an immediate eligibility for parole to his consecutive case 85-00735C.

Community Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Ogden, Nathan	Unlawful taking of a Vehicle & Failing to Stop as Required on Signal of Police Officer	1 year county jail, suspended, probation two years, served 60 days jail & 12 to 30 months NDOC, suspended, probation 3 years.	1998	Granted an Unconditional Pardon
Dominquez, Miguel	Domestic Battery	Program & Fines	2007	Granted an Unconditional Pardon
Brown, James	Domestic Battery	Fine	1992	Granted an Unconditional Pardon
Stahl, Adonna	Possession of a Controlled Substance	12 to 48 months NDOC, suspended, probation 4 years	2002	Granted an Unconditional Pardon
Culbert, Devan	Possession of Stolen Property & Attempt Possession of a Controlled Substance, Marijuana	12 to 32 months NDOC, suspended, 3 year probation	2008 & 2011	Granted an Unconditional Pardon
Hawken, John	Domestic Battery	2 days jail	2004	Granted an Unconditional Pardon
Dodge, Timothy	Possession of Controlled Substance with the Intent to Sell	3 years NDOC	1994	Granted an Unconditional Pardon

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Marguglio, Thomas	Domestic Battery	Fine	1993	Granted an Unconditional Pardon
Davies, Kevin	Attempted Illegal Discharge of a Firearm	Two years NDOC, suspended, probation 3 years	1989	Granted an Unconditional Pardon
Fuentes, Yanco	Conspiracy to Sell a Controlled Substance & Trafficking in Controlled Substance	12 to 30 months NDOC	1997	Granted an Unconditional Pardon
Sullivan, Kenneth	Conspiracy to Commit Robbery & Robbery	4 years NDOC, suspended probation 5 years	1994	Granted Conditional Pardon
Reck, Thomas	Attempt Larceny from the Person	5 years NDOC, suspended probation 5 years	1990	Granted an Unconditional Pardon
McDemott, Shane	Attempt Robbery CT I & II	4 years NDOC consecutive, suspended probation 5 years	1986	Granted an Unconditional Pardon
Staten-Dubois, Stephanie	Battery with a Deadly Weapon	24 to 60 months NDOC, suspended, 3 years probation	2009	Action Denied
Garcia, Vicente	Possession of Controlled Substance with the Intent to Sell	12 to 32 months NDOC, suspended, 3 years probation	1997	Granted an Unconditional Pardon
Williams, Hugu	Possession of	12 to 36 months NDOC, suspended, 3 years probation	2000	Granted an Unconditional Pardon

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
	Controlled Substance with the Intent to Sell			
Sandoval, Juan	Domestic Battery (2)	Adhere to conditions	October 3, 1996(Dismissed) & May 4, 1996	Granted an Unconditional Pardon
Stewart, Ira	Domestic Battery (2) & Sale of Controlled Substance	5 years NDOC, suspended, 4 years probation	1991, 1994 & 1986	Granted an Unconditional Pardon
Gresham, Jason	Burglary	12 to 48 months NDOC, suspended, 5 years probation	2008	Granted an Unconditional Pardon
Papp, David	Possession of Controlled Substance, Conspiracy to Manufacture Controlled Substance & Battery on Spouse	6 years NDOC, suspended, 5 years probation, 12 to 36 months NDOC, suspended, 3 years probation	1986, 1988, 1999	Granted an Unconditional Pardon

Action Taken May 25, 2017

Consent Agenda - Community Cases (Consideration without meeting)

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Marvin, Dana	Conspiracy to Traffic in Controlled Substance	12 to 48 months NDOC, suspended, probation NTE 3 years	2000	Granted Unconditional Pardon
Simmett, Eric	Possession of Controlled Substance	12 to 48 months NDOC, suspended, probation NTE 3 years	1998	Granted Unconditional Pardon
Frost, Sean	Trafficking in a Controlled Substance	12 to 36 months NDOC, suspended, probation NTE 5 years	2004	Granted Unconditional Pardon
Mills, Charles Jr.	Conspiracy to use a Device to Illegally Affect the Operation of a Slot Machine	1 year NDOC, Suspended probation NTE 2 years	1985	Recalled by the Division of Parole and Probation due to errors in report Granted Unconditional

Action Taken September 18, 2017

Inmate Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Tallent, David	Unlawful Sale of a Controlled Substance		2001	Granted Unconditional Pardon
Cardin, Jack	Possession of Controlled Substance with the Intent to Sell		1983	Granted Unconditional Pardon

Action Taken November 8, 2017

Inmate Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Byers, Steven NDOC#39797	Habitual Criminal Count & Count II	120 months to life c/s 120 months to life	1993	Remaining consecutive sentence to run concurrent with active sentence
NcNair, Semario NDOC#1034958	Use of Deadly Weapon Enhancement, murder 2 nd degree,	60 to 180 months, active, 120 months to life, active, 12 to 48 months, discharged, 75 to 360 months, discharged, 60 to 180 months, discharged to	2009	Follow the recommendation of the Nevada Department of Corrections

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
	conspiracy, violent crime, Robbery with the Use of Deadly Weapon Enhancement & Robbery	the c/s enhancement		
Miranda-Zamarron, Roberto NDOC #87379	Trafficking Controlled Substance Count I, Trafficking Controlled Substance Count II, Trafficking Controlled Substance Count III & Trafficking Controlled Substance Count IV	Count I, 120 to 300 months to run c/s with count II, 120 to 300 months, count III, 120 to 300 months to run concurrent with count I & II, count IV, 120 to 300 months to run concurrent with count I & II	2005	Request Denied

Action Taken November 8, 2017

Community Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Quinones, Christopher	Battery Domestic Violence	Suspended 1 year sentence	2004	Granted an Unconditional Pardon
Santistevan, Job	Conspiracy to Receive, Possess or Withhold Stolen Goods, Conspiracy to Commit Felony Crime Under Uniform Controlled Substance Act 1 st & Possession of Controlled Substance for Purpose of Sale	(1998) 4 months Elko County Jail, suspended, 2 years probation & 30 days jail & (2004) Count I & II to run concurrently, Count I, 12 to 36 months, Count II, 12 to 34 months NDOC	1998 & 2004	Granted an Unconditional Pardon
Munson, Charles	Burglary 2 nd Degree	4 years NDOC, suspended, 2 years probation, parole revoked	1967	Granted an Unconditional Pardon
Mattern, Donald Jr.	Count I Possession of Stolen Property, Count II Burglary & Possession of Stolen Property	(1995) 4 years c/s NDOC, suspended, probation not to exceed 5 years & (1997) 6 years NDOC, suspended, probation not to exceed 5 years, concurrent to case 22614	1995 & 1997	Granted an Unconditional Pardon

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Wilson, Joseph	Battery, Disturbing the Peace & Domestic Battery	Fines	2002, 2004 & 2003	Granted an Unconditional Pardon
Reichenberg, Todd	Attempted Possession of a Controlled Substance for Purpose of Sale	12 to 34 months NDOC, suspended, probation 3 years	2003	Granted an Unconditional Pardon
Suson, Benjamin Sr.	Battery Domestic Violence	Fine	1993	Granted an Unconditional Pardon
Hamm, John	Domestic Battery	Fine & counseling	1995	Granted an Unconditional Pardon
Rode, Gregory	Disorderly Conduct & Battery Constituting Domestic Violence	30 days Jail, suspended, fined & counseling	2001 & 2002	Granted Conditional Pardon
Houston, Ralph	Possession of a Controlled Substance Count I & Carrying a Concealed Weapon Without a Permit Count II	Count I suspended, probation 3 years, Count II 1 year Humboldt County Detention Center, concurrent with Count I, suspended, probation 3 years	2000	Granted Conditional Pardon continues until November 2019
Stoneman, Dwight	Robbery with	6 years NDOC, c/s 6 years Deadly Weapon Enhancement	1993	Granted an Unconditional Pardon

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
	Use of a Deadly Weapon			
Wright, Harold	Possession of a Controlled Substance & Having a Blood Alcohol Content of 0.10 Percent by Weight of Alcohol in the Blood Within Two Hours of Driving	(1989) 1 years NDOC, suspended, probation 18 months with counseling & (2000) 12 to 30 months NDOC	1989 & 2000	Granted Conditional Pardon
Marquez, Jay Jay	Battery Domestic Violence	Fines & counseling	2006	Granted an Unconditional Pardon
Ludwig, Jason	Manufacturing Controlled Substance	12 to 48 months NDOC, suspended, probation not to exceed 4 years	1997	Granted an Unconditional Pardon
Larrabee, Steven	Disorderly Conduct & Failure to Report Child Abuse	Fines & parenting classes	1998 & 1999	Granted an Unconditional Pardon
Satonin, Paul	Sale of a Controlled Substance - Marijuana	6 years NDOC, suspended, probation not to exceed 3 years	1992	Granted an Unconditional Pardon
Long, Michael	Possession of	12 to 30 months NDOC, suspended, probation not to	2000	Granted an Unconditional Pardon

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
	Controlled Substance With Intent to Sell	exceed 4 years		
Sanford, David	Battery	30 days Douglas County Jail, suspended 6 months on the condition he violates no laws and no contact with victim	1994	Granted an Unconditional Pardon
Coakley, Allan	Battery	90 days Jail, suspended, ordered to stay out of trouble for 1 year	2004	Granted an Unconditional Pardon
Coello-Estrada, Raul	Trafficking in Controlled Substance	24 to 60 months NDOC	2000	Request denied
Conquest, Michael	Domestic Battery	2 days jail, fines & counseling	2001	Granted an Unconditional Pardon
Villanueva, Eric	Battery Constituting Domestic Violence	2 days jail, 48 hours community service & 6 months domestic violence legal rehabilitation	2007	Granted an Unconditional Pardon
Crowell, Christopher AKA Doyle, Christopher	Domestic Battery	Jail time, community service & counseling	2007	Granted an Unconditional Pardon
O'Neal, Shane	Burglary	1 year Washoe County Jail, suspended, probation not to exceed 3 years	1989	Granted an Unconditional Pardon
Burns, Scharle	Battery Constituting Domestic Violence	30 days jail, 28 days suspended for 2 years, violate no law & counseling	2007	Granted an Unconditional Pardon

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Thayer, Nathan	Possession of Controlled Substance	12 to 36 months NDOC, suspended, probation not to exceed 3 years	1997	Granted an Unconditional Pardon
Ruby, Michael	Reckless Driving	12 to 36 months NDOC, suspended, probation not to exceed 3 years	1997	Granted an Unconditional Pardon
Irvin, Richard	Domestic Battery, Count I & Count II	26 days jail on each count, no law violations for 6 months, 96 hours community service & counseling	2008	Granted Conditional Pardon continued to May 2018
Wintch, David	Battery Domestic Violence	Sentence specifics are unknown, case sealed	1996	Granted an Unconditional Pardon
Guardado-Canas, Melvin	Grand Larceny	12 to 32 months NDOC, suspended, probation not to exceed 60 months	2008	Granted an Unconditional Pardon
Steese, Frederick	Murder 2 nd Degree With Use of a Deadly Weapon	8 years NDOC, c/s 8 years for Use of a Deadly Weapon	2013	Granted an Unconditional Pardon
Landgren, Laurence	Domestic Violence, amended Disturbing Peace	Counseling, record sealed	1998, amended to 2000	Granted an Unconditional Pardon
Delahunty, Sean	Possession of Controlled Substance	12 to 48 months NDOC, suspended, probation not to exceed 3 years	1998	Continued until May 2018

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Mortenson, Darren	Driving Under the Influence	12 to 30 months NDOC	2002	Request denied
Goe, Julie	Breach of Peace with Fighting & Resist Public Officer	30 days jail, suspended, fines, counseling, no arrest/citations – any criminal activity for 1 year	2007	Granted an Unconditional Pardon

Action Taken January 11, 2018

Consent Agenda - Community Cases (Consideration without meeting)

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Biegler, Phillip	Possession of Controlled Substance & Conspiracy to Commit Possession of a Controlled Substance	12 to 48 months NDOC, suspended, probation NTE 3 years & 12 months Elko County Jail, suspended, probation NTE 24 months	1998 & 2006	Granted Unconditional Pardon
Long, Patricia	Conspiracy to Violate the Uniform Controlled Substance Act	12 to 32 months NDOC, suspended, probation NTE 3 years	2002	Granted Unconditional Pardon

Action Taken March 5, 2018

Consent Agenda - Community Cases (Consideration without meeting)

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Fattore, Frederick Paul Anthony	Possession of Controlled Substance	3 years NDOC, suspended, probation 5 years	1998	Granted Unconditional Pardon
Mullins, Victoria Celeste	Possession of Controlled Substance x 2	12 to 30 months NDOC, suspended, probation 3 years 14 to 48 months NDOC, suspended, probation 3 years	2008 2010	Granted Unconditional Pardon

Action Taken May 1, 2018

Inmate Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Diaz, Angel NDOC #67652	Use of Deadly Weapon & Murder 2 nd Degree	120 months to life c/s 120 months to life	2000	Request Denied
Gillis, Rodney NDOC #89642	Habitual Criminal	10 to Life	2010	Request Denied
Powell, Norman NDOC #47306	Habitual Criminal x 3	Life without x 3	1995	Request Denied
Carr, James NDOC #12134	Habitual Criminal X8	Life without x 8	1989	Commutation Granted Time Served

Action Taken May 1, 2018

Community Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Wodke, Lisa AKA Hurst, Lisa	Robbery & Battery	60 to 160 months NDOC, fees, restitution & 29 days jail, time served	1999 2004	Granted Conditional Pardon
O'Leary, Lisa	Possession of Controlled Substance & Child Endangerment	12 to 30 months NDOC & 1 year Clark County Detention Center, suspended, probation not to exceed 3 years	2001	Granted Unconditional Pardon
Delahunty, Sean	Possession of Controlled Substance	12 to 48 months NDOC, suspended, probation not to exceed 3 years	1998	Granted Unconditional Pardon
Ranson, Cheyanne	Unlawful Sale of a Controlled Substance	12 to 36 months NDOC, suspended, probation not to exceed 36 months, fees	2011	Request Denied
Bowers, Verne	Being an Accessory to a Felony	2 years NDOC, suspended, probation 3 years	1981	Granted Unconditional Pardon
Maccioli, Anthony	Possession of Controlled Substance With Intent to Sell & Conspiracy to Manufacture Controlled	12 to 32 months NDOC, suspended, probation not to exceed 3 years & 12 to 32 months NDOC, suspended, probation not to exceed 3 years	1998	Granted Unconditional Pardon

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
	Substance			
Ford, Raymond	Carrying Concealed Firearm or other Deadly Weapon	12 to 48 months NDOC, suspended, probation not to exceed 3 years	2004	Granted Conditional Pardon
Waldon, Scot	Possession of a Controlled Substance for the Purpose of Sale, Unlawful Sale of a Controlled Substance & Being an Ex-Felon in Possession of a Firearm	4 years NDOC, 6 years NDOC & 1 year NDOC	1984 1984 1988	Granted Unconditional Pardon
Nicholson, Danny	Conspiracy & Ex-Felon Failure to Register	3 years NDOC, suspended, probation for 3 years & fined	1988 1995	Granted Unconditional Pardon
Carter, Nickie	Attempted Embezzlement & Petit Larceny	25 to 36 months NDOC, suspended, probation for 2 years & fined	2002 2003	Granted Unconditional Pardon
Irvin, Richard	Domestic Battery x 2	26 days jail on each count, no law violations for 6 months, 96 hours community service & counseling	2008	Request Denied

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Mendoza, Jester	Attempt Burglary	12 to 48 months NDOC, suspended, probation for 3 years	2003	Granted Unconditional Pardon
Rampolla, Louis	Domestic Battery	Plea of nolo contendere and case was closed	2007	Granted Unconditional Pardon
Haynes, Dariel	Illegal Discharge of Firearm	2 years NDOC	1990	Request Denied
Faseag, James AKA Pningrow, Francis	Burglary, Robbery with Use of Deadly Weapon, Escape & Robbery	10 years (Burglary), concurrent, 15 years (Robbery), consecutive 15 years (Deadly Weapon) , 4 years (Escape) concurrent 4 years (Robbery) to NDOC	1984 1985	Granted Unconditional Pardon
Valdes-Diaz, Douglas	Domestic Violence, Possession of Controlled Substance with Intent to Sell, Disorderly Conduct & Conspiracy to Sell a Controlled Substance	Domestic-unknown, Possession of Controlled Substance with the Intent to Sell-12 to 34 months NDOC, suspended, probation 3 years, Disorderly Conduct-Unknown, and Conspiracy to Sell a Controlled Substance-24 to 72 months NDOC	1997 1998	Request Denied
Ramthun, Matthew	Principal to Malicious Destruction of Property	5 Years NDOC, suspended, 5 years probation	1989	Granted Unconditional Pardon

Action Taken July 18, 2018

Consent Agenda - Community Cases (Consideration without meeting)

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Gonzalez, Jesus	Possession of Controlled Substance	12 to 32 months NDOC, suspended, probation 2 years	06/17/2008	Granted Unconditional Pardon

Action Taken October 1, 2018

Consent Agenda - Community Cases (Consideration without meeting)

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Gunzburg, Danny	Possession of Controlled Substance	12 to 32 months NDOC, suspended, probation 2 years	08/26/1997	Granted Unconditional Pardon

Action Taken November 28, 2018

Inmate Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Walker, Cheryl	Use Of A Deadly Weapon	120-300 Months	03/02/2001	Granted Time Served

Action Taken November 28, 2018

Community Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Peters, Danial	Battery Causing Substantial Bodily Harm	12 to 60 NDOC, suspended, probation 5 years	05/12/2003	Request Denied
Terriquez-Rivas, Cruz	Trespassing (two cases), Possession Drug Paraphernalia, & Using a Controlled Substance	Trespassing-pled guilty & time served, Trespassing-Cited, Possession Drug Paraphernalia-Pled Guilty & time served, Using a Controlled Substance – 12 to 30 months NDOC, suspended, probation 18 months	07/12/2003 03/12/2013 08/08/2005 08/02/2007	Continued
Nelson, Clinton	Battery	122 days in jail, 120 suspended for one year, conditions & counseling	06/24/2002	Granted Unconditional Pardon
Wiener, DW Doc	Conspiracy to Commit Robbery	14 to 48 months NDOC, suspended, probation not to exceed 4 years	05/10/2012	Granted Unconditional Pardon
Lybrook, Brett	Burglary & Domestic Battery 1 st Offense	Burglary-12 to 48 months NDOC, suspended, probation not to exceed 4 years & Domestic Battery-Pled Guilty and case was administratively closed.	11/02/1998 & 04/05/2004	Granted Unconditional Pardon
Christensen, Michael	Battery Domestic & Sale of a Controlled Substance	Domestic-Fined \$100, Sale of Controlled Substance-Counts I & II, concurrent 9 years NDOC, consecutive, Count II,	4/30/1993 & 12/02/1994	Granted Unconditional Pardon

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
		9 years NDOC, suspended, probation for 5 years.		
Entrekin, Bruce	Embezzlement	3 years NDOC, suspended, probation 5 years	02/18/1998	Granted Unconditional Pardon
Osmavandani, Seyed Hojjat Azimi	Coercion & Cheating at Gambling	2 years NDOC, suspended, probation 4 years & 3 years NDOC, suspended, probation 3 years	02/18/1988	Granted Conditional Pardon
Post, John	Attempted Coercion	12 to 30 months NDOC, suspended, probation 3 years	04/14/1999	Request Denied
Barber, Mathew	Battery	Pled guilty and the case was closed.	04/23/1998	Granted Unconditional Pardon
Jones, Samuel	Domestic Battery 1 st Offense	Pled Guilty and the case was closed.	12/5/2006	Granted Unconditional Pardon
Vinson, Russell	Possession of Controlled Substance & Grand Larceny	12 to 30 months NDOC, suspended, probation 2 years & 12 to 30 months NDOC.	3/11/2003 & 11/29/2005	Granted Unconditional Pardon
Swift, Mitchell	Receiving or Possessing Stolen Property	Pled Guilty and was sentenced to 12 to 48 months, suspended, probation not to exceed 4 years.	3/30/1998	Granted Unconditional Pardon

Action Taken June 16, 2019

Inmate Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Johnson, Shane NDOC #94323	Murder 1 st Degree	20 to Life	11/03/2006	Request Denied
Vang, Kou NDOC #23341	Conspiracy to Commit Murder x 2, Murder 1 st Degree x2, & Use of Deadly Weapon Enhancement	72 months (2) & 10 to Life (3)	10/22/1986	Granted Immediately Parole Eligible
Maxey, Kenshawn NDOC #65345	Use of Deadly Weapon (5), Robbery (2), Kidnapping II, Battery, Murder I, & Murder II	Life without Parole		Continued until November 6, 2019
Eckert, Edward NDOC #13346	Robbery, Use of Deadly Weapon (2), Kidnapping I, Attempted Murder, & Battery with the Use of Deadly Weapon	27 to 180 months (2), 60 months (2), 46 to 240 months, & 22 to 120 months,	12/12/1977 03/23/1998	Request Denied

Action Taken June 16, 2019

Community Cases

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
Heard, Glercia	Attempt Forgery & Theft	6 months jail, suspended, probation 2 years & 12 to 32 months NDOC, suspended, probation 5 years	08/25/1999 & 12/12/2005	Granted Unconditional Pardon
Pineda-Lainez, Ronald	Attempt Possession of Stolen Vehicle & Carrying a Concealed Weapon	12 to 48 months NDOC, suspended, probation 2 years & Time Served	3/28/2006 & 3/7/2006	Granted Unconditional Pardon
Cortes, Jimena	Possession of Controlled Substance with Intent to Sell	12 to 30 NDOC, suspended, probation 3 years	04/25/2006	Granted Unconditional Pardon
Cortes, Juan	Assault with a Deadly Weapon	14 to 50 months NDOC, suspended, probation 3 years	06/20/2006	Granted Unconditional Pardon
Heater, Clarence	Possession of a Drug Which May Not Be Introduced into Interstate & Robbery With The Use of a Firearm	40 hours of community service	09/02/1994	Granted Unconditional Pardon
Brinkley, William	Battery & Ct. I Manufacturing a Controlled	30 days in jail, suspended, counseling & 12 to 72 NSP, & 12 to 48, & one year jail,	06/27/1994 & 06/02/1997	Granted Unconditional Pardon

<i>Applicant's Name</i>	<i>Conviction</i>	<i>Sentence</i>	<i>Date of Sentence</i>	<i>Action Taken</i>
	Substance, Ct. II Possession of a Controlled Substance , Ct. III Willfully Endangering a Child as a Result of Child Abuse	suspended, probation 5 years, 5 years probation CS to Ct. I, 3 years probation CC to Ct. II		
Cherms, Donald	Issuance of Check Without Sufficient Funds With Intent to Defraud	5 years NDOC	05/02/1979	Granted Unconditional Pardon
Clarkson, Eugene	Sale of Controlled Substance, Methaqualone	10 years NDOC, suspended, probation 5 years	02/14/1985	Granted Unconditional Pardon
Silsby, Edward	Possession of a Controlled Substance for the Purpose of Sale	12 to 48 months NDOC, suspended, probation 5 years	7/15/1996	Granted Unconditional Pardon
Willacey, Pamela	Drug Introduced Into Interstate Commerce	Fine	10/15/1996	Granted Unconditional Pardon

End Report

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EXHIBIT 2

EXHIBIT 2

1 CARSON CITY, NEVADA, WEDNESDAY, DECEMBER 14, 2005

2 11:24 A.M.

3 -o0o-

4 AGENDA ITEM A

5 MICHAEL ANSELMO

6 NDOC #35024

7 -o0o-

8 GOVERNOR GUINN: The next consideration for
9 a case is Michael Anselmo.

10 And Miss Cummings, are you going to be
11 representing him?

12 MS. CUMMINGS: Yes, Your Honor. If I may
13 just take a moment to switch files?

14 GOVERNOR GUINN: Absolutely. Yes.

15 If you're ready, you may identify yourself
16 and begin.

17 MS. CUMMINGS: Thank you, Governor.
18 Harriet Cummings here, together with Mr. Michael Anselmo,
19 who joins me in thanking you and the other Members of the
20 Board, as well as my colleagues representing the State of
21 Nevada, for being given the privilege of appearing before
22 you today.

23 If it please the Board, I will begin by
24 making some introductory remarks, and then Mr. Anselmo
25 would like to address you himself.

1 In addition, Pastor Mark Markeson is here
2 in Mr. Anselmo's support, and would like to address the
3 Board briefly later.

4 Mr. Anselmo has been incarcerated
5 approximately 32 years for the stabbing and murder of
6 22-year old Trudy Hiller outside of the Cal-Neva in July
7 of 1971. He himself was 19 years old at the time.

8 He was sentenced to life in prison without
9 the possibility of parole, a sentence that even he would
10 acknowledge was appropriate considering what he had done,
11 not only regarding the death of Miss Hiller, but also
12 considering his serious record as a juvenile.

13 Mr. Anselmo quickly adjusted to the
14 structured life of prison, having incurred a mere six
15 disciplinarys in 30-plus years of incarceration which,
16 as I'm sure you're well aware, is pretty remarkable.

17 From the beginning he got along well with
18 staff and inmates, and was put in a position of trust
19 working in the medical department. But unfortunately in
20 1976 he abused that trust and escaped from prison twice,
21 because he believed that if he did not he would never see
22 his dying father again, and indeed his father did pass
23 away later that year.

24 Ironically it was as a result of a
25 polygraph examination following the second escape that

1 Mr. Anselmo learned why he had gone from being a good
2 boy, a straight A student who came from a good, stable,
3 solid home, to a no-good drug abusing teenager who was
4 nothing but trouble. You see it was then that he
5 recalled the circumstances surrounding the death of his
6 baby brother who drowned when Mr. Anselmo was ten or
7 eleven years old.

8 Not long after, his parents divorced and
9 Mr. Anselmo blamed himself and held himself responsible
10 for his brother's death. He wasn't even allowed to
11 attend the funeral, and thus never has had closure over
12 this tragic accident. And as a consequence Mr. Anselmo
13 was consumed with guilt and filled with self-hatred, and
14 the numerous poor choices that he made between the ages
15 of 13 and 25 amply reflect that.

16 But coming to terms with his past marked a
17 watershed in Mr. Anselmo's life. Instead of just marking
18 time, he began applying himself and taking steps to
19 rehabilitate himself through education, programming, and
20 work. He gained useful insights into why, just why it
21 was that he had become such a bad apple as a teenager,
22 and as a result had a radical change in his attitude,
23 both for himself and for life.

24 Since his last Board appearance 15 years
25 ago Mr. Anselmo has obtained a high school diploma and

1 attended college, making the Dean's list and graduating
2 magna cum laude in 1993.

3 He has also obtained certificates in the
4 college's culinary arts programs. In addition,
5 Mr. Anselmo is a talented writer who is in the process of
6 writing a series of novels, demonstrating a skill,
7 imagination and willingness to see a project through to
8 completion.

9 He has availed himself of various
10 programming opportunities offered by the prison,
11 including the Beta program, the Alcohol and Substance
12 Abuse program, and Anger Management training.

13 He has received certificates of
14 appreciation, earned a certificate of achievement from
15 CAP, and completed first aid in CPR training. This is
16 all documented in the supplemental packets which I
17 provided you.

18 He has worked in various capacities in
19 prison, including serving as a lab tech and physical
20 therapist in the medical department, working in the
21 education department, serving as a clerk in the law
22 library, and most recently working as a porter. He has
23 received above average evaluations from his supervisor.

24 Mr. Anselmo is described as a
25 non-problematic inmate who gets along well with others.

1 And as one of his supporters aptly described, despite the
2 adverse circumstances he has bloomed where he was
3 planted, even though one wouldn't expect the prison to be
4 very fertile soil for personal growth.

5 Mr. Anselmo has experienced some serious
6 health problems in prison, the most serious of which was
7 a brain aneurysm in 1991 which required brain surgery as
8 well as several follow-ups due to complications.

9 Unfortunately, the brain surgery has
10 exacerbated the memory problems that tend to plague all
11 of us as we age. I have found in my dealings with
12 Mr. Anselmo that he does have some difficulty recalling
13 some particulars.

14 And although as a youth Mr. Anselmo had a
15 very serious drug problem, the only drug he now takes is
16 medication for seizures relative to the brain surgery.

17 His mental health has been and continues to
18 be good. Mr. Anselmo appears as being bright and well
19 adjusted. Recently I spoke with Dr. Art Vogt, who works
20 in the mental health unit at Northern Nevada Correctional
21 Center, and he informs me that Mr. Anselmo has had only
22 two brief contacts with them in the past ten years, the
23 last being six years ago. Dr. Vogt last saw Mr. Anselmo
24 personally in 1994, and at that time concluded that he
25 had quote: No signs of any significant mental disorder,

1 end quote. And Dr. Vogt's memo is also in the
2 supplemental packet that I provided to you.

3 Mr. Anselmo realizes that after 30-plus
4 years in prison adjusting to life on the outside would
5 certainly not be simple. However, he is an intelligent
6 man who perceives challenge as an opportunity for
7 personal growth. And if granted relief today Mr. Anselmo
8 plans to parole to Reno where he has an offer of
9 employment.

10 In addition, Mr. Anselmo is an animal lover
11 who would like to volunteer his time to work around
12 animals as he does have experience working with animals
13 as a youth.

14 He has friends in Reno who can assist him
15 in making his adjustment back to society. These include
16 Pastor Markeson, who will speak to you in a little while.

17 In addition, Mr. Anselmo has a broader
18 support network, including family and friends, who can
19 provide emotional as well as financial support. And I've
20 provided you letters both in the supplemental packets,
21 and additional letters which I just received last night
22 that I provided you this morning.

23 As I'm sure you are aware, there are
24 several purposes in sending someone to prison for
25 committing a serious crime, and first and foremost is of

1 course to punish the offender. And I would submit to you
2 that 33 years in prison, at least in the case of
3 Mr. Anselmo, is sufficient time to punish him for his
4 crimes.

5 And recall also that even if granted relief
6 today, Mr. Anselmo would remain under parole supervision
7 for the rest of his life.

8 A second purpose of incarceration is
9 deterrence to protect society from anyone re-offending.
10 And given Mr. Anselmo's maturity and remarkable
11 self-change, the likelihood of this being repeated is
12 slim indeed.

13 And finally, separating an offender from
14 society is intended to allow for rehabilitation. And the
15 significant personal transformation that has occurred in
16 Mr. Anselmo while in prison amply demonstrates that he
17 has benefited from the experience of incarceration and
18 has reformed.

19 To quote Nancy Markeson: Cannot justice be
20 tempered with mercy to give Michael Anselmo a second
21 chance?

22 He knows he can't give Trudy Hiller back
23 her life, but he believes that by becoming a productive
24 member of society perhaps he can, in a way more
25 meaningful than simply marking time in prison, pay back

1 the great debt that he owes to society.

2 And so in conclusion, Mr. Anselmo
3 respectfully asks that you exercise your collective
4 wisdom to show mercy on him and grant him the grace of
5 the opportunity of parole. A sentence of life without
6 parole is a sentence without hope, and we are asking that
7 you put light at the end of his tunnel. Thank you.

8 Mr. Anselmo would now like to address the
9 Board.

10 GOVERNOR GUINN: Thank you.

11 Mr. Anselmo?

12 INMATE ANSELMO: Governor, Attorney
13 General, Justices. I don't know any words I can say to
14 explain how sorry I am, how remorseful I am for taking
15 Trudy Ann Hiller's life. There are just no words.

16 In 1961 I was very normal. I lived in a
17 beautiful home, I had a brother I looked up to, I had a
18 baby sister, and our family was blessed with a little
19 child. He was the love of my life. I used to take him
20 out to play and everything. And one Saturday I took him
21 out just like normal, I was watching him, supposed to be
22 watching him, and it was our haircut day in the
23 neighborhood. When I got done with my haircut, I got
24 down and looked for him, and I couldn't find him. All of
25 us kids went to look for him.

1 I found him in the back pool, laying face
2 down in the pool. Instead of jumping in, I ran home. I
3 yelled, I screamed, I ran in the house, and I told my
4 mother that Tony was dead. She screamed: You killed my
5 baby.

6 I realized since 1962 to 1976 I have
7 violated the law a lot. I did a lot of things to hurt
8 people. I don't think I intentionally ever set out to
9 hurt anybody except myself. I've never wanted to hurt
10 anybody.

11 I developed a belief system that was: If I
12 cared for anything, if I loved anything, they were going
13 to die. And everything I loved, my little brother, he
14 died. And I lost pets. And in fact, I wasn't even
15 allowed to go to the funeral. I believe that is
16 punishment. I know today my parents didn't mean it.
17 It's just the way it came down then.

18 And then I got lucky in 1976 from all
19 people, from a police officer. This guy cared about his
20 job. He cared about finding out the truth. And it was
21 through that polygraph test and through him that I found
22 out that I had never dealt with my brother's death. I
23 didn't understand it. I didn't understand the accident.
24 And that's part of the healing process.

25 And luckily my family, friends, and some

1 people out at the prison really helped me get through
2 this and understand it.

3 After that, I started school, I grew up, I
4 started caring, and I became emotional. I care about
5 things now. I don't ever want to hurt anybody. I never
6 want to do anything wrong.

7 Recently I had a visit from my sister and
8 her kids and my mother. That's the first time I've ever
9 seen them together. It was the first time I ever felt
10 like a family, part of a family. And it was the most
11 joyful experience in my life.

12 There was this little niece, her little
13 girl, my niece, she lit up my life. We played Monopoly
14 and lost, and she started crying. She looked at me and
15 wiped her eyes and said, "We'll get them next time." She
16 showed unconditional love.

17 I know if this Board should grant relief,
18 should approve my application, there is no way I can
19 fail. I want to get out and be the son that my mother
20 wanted, be a brother that my brother and sister wanted.
21 I've got the love of the family. I've got support. I'm
22 not the same person that entered prison.

23 Thank you for hearing me.

24 GOVERNOR GUINN: Thank you, Mr. Anselmo.

25 MS. CUMMINGS: Pastor Mark Markeson would

1 like to address the Board.

2 MR. MARKESON: Mark, the last name is
3 Markeson, M-a-r-k-e-s-o-n.

4 Well, as Miss Cummings mentioned, I've
5 known Michael for a long time. I am a Pastor. However,
6 removing my profession from everything, Michael and I
7 will have known each other for over 40 years. We grew up
8 in the community together down there in Las Vegas. And
9 as many of you know, in those days it was a very small
10 community and if you lived on one side of town you pretty
11 much knew or knew of anyone that was on that end of town
12 in your age group.

13 So over the years I've known Michael, and I
14 would just have to say that as a pastor here in the
15 area - I've been up here about 18 years now - I would be
16 willing to offer him any type of community support to
17 help him reintegrate into society, and whatever it would
18 take to do should you release him.

19 GOVERNOR GUINN: Thank you, Pastor.

20 MR. MARKESON: Thank you.

21 GOVERNOR GUINN: Thank you.

22 Is that it?

23 MS. CUMMINGS: That concludes our
24 presentation, Governor.

25 GOVERNOR GUINN: Okay. Thank you.

1 Are there any questions from any of the
2 Members of the panel?

3 JUSTICE PARRIGUIRRE: I had a question.
4 And I'm not sure if this was originally charged as a
5 rape/murder/robbery, or if it was charged as simply a
6 first degree murder.

7 JUSTICE ROSE: It was charged as first
8 degree murder. There was no evidence of sexual assault.

9 JUSTICE PARRAGUIRRE: Okay. Thank you.

10 CHIEF JUSTICE BECKER: Mr. Whorton, in 1990
11 the prison recommended at that time actually granting of
12 a pardon, and for a variety of reasons the Board rejected
13 it. What's changed since 1990 that now the Board would
14 recommend or that you would recommend that he not be
15 pardoned?

16 MR. WHORTON: Justice Becker, we changed
17 Directors. I perhaps have a history of Mr. Anselmo. I
18 was a correctional officer and case worker at the Nevada
19 State Prison when he was incarcerated there during the
20 initial stages of his sentence, during the initial stages
21 of my career.

22 And counsel is absolutely correct that
23 prison is there to allow an opportunity for
24 rehabilitation. It is also there to protect the
25 community. In that regard, given the nature of the

1 offense, the circumstances of the offense, and the two
2 escapes from custody, I don't feel comfortable
3 recommending that this individual return to the community
4 at this time.

5 CHIEF JUSTICE BECKER: What was the nature
6 of the November 2004 infraction? It says, you list it
7 here as a major infraction. And I know the report
8 indicates that it had to do with apparently inappropriate
9 use of the telephones with another inmate, but --

10 INMATE ANSELMO: No, ma'am. I wrote a
11 friend over at camp, at the Stewart Camp.

12 CHIEF JUSTICE BECKER: You did what? I'm
13 sorry.

14 INMATE ANSELMO: I wrote a friend at the
15 Stewart Camp, someone I had worked with at the law
16 library, I had worked with in camp.

17 CHIEF JUSTICE BECKER: So it was an
18 unauthorized communication between the two inmates; is
19 that the --

20 INMATE ANSELMO: Yes, ma'am.

21 GOVERNOR GUINN: And what about the phone?
22 It says phone and mail.

23 INMATE ANSELMO: There was no phone call.

24 GOVERNOR GUINN: There was no phone call?

25 MR. WHORTON: Governor, that's just a

1 generalized statement.

2 GOVERNOR GUINN: A statement? Okay.

3 ATTORNEY GENERAL CHANOS: A question.

4 How old were you when your brother died?

5 INMATE ANSELMO: I believe I was 9, 9 or
6 10, sir.

7 MR. OWENS: Governor, may I be heard?

8 GOVERNOR GUINN: Yes, please.

9 MR. OWENS: My name is Steve Owens from the
10 Clark County District Attorney's Office.

11 Clark County's interest in this case is for
12 one of the aggravated escape charges. There are two.
13 One of them occurred in Clark County, for which
14 Mr. Anselmo received a ten-year consecutive sentence.

15 In reading the packet I'm also aware that
16 30 years ago our office gave up a charge of attempted
17 murder while he escaped. Today he relates that he
18 escaped because he needed to see his dying father, and
19 yet I'm aware from Justice Rose's comments during the
20 1990 Pardons Board hearing that he assaulted a woman.
21 For whatever reason, we gave that up in plea bargaining
22 and he received a plea to the aggravated escape charge
23 and got the ten years consecutive.

24 Our concern is that to deter somebody who
25 is serving a life sentence, to deter them from trying to

1 escape, to give them an incentive to obey the rules,
2 there needs to be some additional penalty. And if he is
3 given the commutation that he is asking for in regards to
4 our escape count, so that it runs concurrent with
5 whatever you choose to do on the murder sentence, there
6 will be no additional penalty.

7 And so I think to distinguish him from
8 others who are coming before the Board today who will be
9 applying for and perhaps receiving commutations of life
10 sentences and those individuals did not escape, I think
11 we distinguish somebody who does escape twice. And I ask
12 that the escape count, which will be a parole-able
13 offense, that it remain consecutive to whatever you
14 choose to do on the murder charges.

15 With that, I do know there is a Detective
16 Tom Green here from Washoe County who would like to
17 address the Board, and who has some information on that
18 murder charge.

19 GOVERNOR GUINN: Thank you, Mr. Owens.

20 Mr. Green?

21 MR. GREEN: I come before the Board to
22 request that you deny any clemency for Mr. Anselmo. It's
23 our position with the Washoe County Sheriff's Office, who
24 was the investigating agency in this case, that the crime
25 was extremely egregious. That from my review of the

1 case, although he was never charged with a sexual
2 assault, there was clearly a sexual component to the
3 homicide.

4 Unfortunately, Miss Hiller's family cannot
5 be here today. I have talked with the Washoe County
6 District Attorney's Office about the case as well, and
7 they also object to any change in his sentence.

8 While I agree with the counsel that he has
9 made steps to rehabilitate himself, I think that the
10 punishment has not been served, and I also think that his
11 chance for recidivism is very high.

12 GOVERNOR GUINN: Thank you.

13 ATTORNEY GENERAL CHANOS: If there is no
14 further discussion, I have a motion.

15 JUSTICE ROSE: I prefer to make a
16 statement, unless you have something more to say?

17 GOVERNOR GUINN: Did you have -- does that
18 mean no?

19 MS. CUMMINGS: Well, just to rebut the
20 concerns from the Clark County District Attorney's
21 Office, he made mention that there was an attempted
22 murder charge that was dropped relative to the second
23 escape, and I do have some newspaper articles dating back
24 to 1976 and 1977.

25 It's my understanding that following that

1 second escape Mr. Anselmo took refuge with a person by
2 the name of Susan Ford who subsequently, to protect her
3 own involvement in harboring him, accused him of having
4 attacked her. However, I do note that Miss Ford was in
5 fact herself convicted of harboring a prisoner. And so I
6 believe that the reason those charges were dropped is
7 that she herself was implicated in that matter.

8 GOVERNOR GUINN: Okay.

9 JUSTICE MAUPIN: May I ask a question
10 before Justice Rose --

11 GOVERNOR GUINN: Yes. Yes.

12 JUSTICE MAUPIN: Mr. Anselmo, was your
13 attempt to an escape in June of 1976, that was to see
14 your father? Is that why you were doing that?

15 INMATE ANSELMO: Yes, sir. I even told the
16 prison that.

17 JUSTICE MAUPIN: That's an interesting
18 statement at this point. Your statement to the Parole
19 and Probation at that time was, "When interviewed about
20 his escape Mr. Anselmo stated, 'What can I say? It was
21 probably a bad move. I'll accept whatever comes down.'"
22 That would have been a time for you to tell the Parole
23 and Probation officials of the extenuating circumstances
24 under which you wanted to leave custody, but you didn't
25 do that.

1 INMATE ANSELMO: I was stupid; a
2 smart-mouth back then; I was an idiot.

3 JUSTICE MAUPIN: All right.

4 GOVERNOR GUINN: Thank you.

5 Justice Rose?

6 JUSTICE ROSE: Yes. I prosecuted,
7 personally prosecuted this case 34 years ago against
8 Michael Anselmo as the Washoe County District Attorney.
9 We were both young men then at the time. Now Michael is
10 in his middle years, and I'm a senior citizen. So it's
11 been a long, long time.

12 Michael was convicted of first degree
13 murder, life without the possibility of parole, but the
14 jury was instructed, as they were at that time, that you
15 are to consider the life without possibility of parole to
16 be exactly what it says; however, there are other boards
17 and commissions to which the defendant can appeal. So
18 that the jury was informed that there might be a
19 modification of the sentence sometime in the future.
20 But they did return life without the possibility of
21 parole.

22 Now it's 33 years later, and Michael is one
23 of the longest-serving prisoners in our system. Most,
24 and perhaps all, who were sentenced in the late 60's or
25 early 70's have either died or been given some relief.

1 The system as it existed then when he was
2 convicted was that after 10 or 15 years this Board would
3 parole, would change the sentence, as Michael is asking
4 now, from life without to life with, and then between the
5 15th and 20th year the Parole Board would grant relief.
6 I saw a number of prisoners do just that. That was the
7 system. I'm not saying it was right or appropriate, but
8 that was the way it was. And at that time when you
9 served a murder conviction you would serve anywhere
10 from - a first degree murder conviction even life
11 without - you would serve anywhere from 10 to 20 years.

12 Things have changed now. I think there is
13 a good argument for why they should change. But most
14 people in Michael's situation had been processed out.

15 I defended Thomas Sarano, who was convicted
16 of first degree murder life without in '68 or '69, and he
17 was processed out in about 15 to 20 years.

18 And so that was the process then. Michael
19 unfortunately has complicated his situation by his two
20 escapes. And this of course has meant that he has done
21 much more time in the prison system. When he came before
22 me when I was a member of this Board 15 years ago, almost
23 to the day, I thought it was too soon, and the Board
24 voted no. And particularly I thought it was too soon
25 after the escapes, which I consider serious offenses.

1 But it's been 15 years since then, and he
2 has served more than three decades in prison, and I do
3 believe that he should have the opportunity to go before
4 the Parole Board in the hope of some day being released.

5 As we know, the Parole Board doesn't give
6 relief easily, and they insist that they be satisfied
7 that the person is no danger to society; that he has a
8 stable place to live; and a good chance of success on
9 parole. Since Michael at least has a reasonable chance
10 of being released some day, after serving 34 years in
11 prison it does seem to me that he should be given the
12 relief that so many others have been given prior to this
13 time who were in a similar situation, not including the
14 escape charges.

15 With regard to the allegations of a sexual
16 component, Trudy Hiller's nylons had been removed and she
17 was strangled with them, but there was no evidence of
18 anything more than that, as far as I can remember the
19 case; I was the prosecuting attorney and charging
20 attorney in the case. So there were some surrounding
21 situations, but I would have charged sexual assault if I
22 thought we had a reasonable chance of proving it.

23 And so for that reason I would move that
24 Michael Anselmo be given the relief that many in a
25 similar situation have been given, excluding the escapes,

1 and that the life without be converted to life with, and
2 that the two escape charges be run concurrent.

3 It seems to me that after 34 years in
4 prison Michael has paid for his crime and has earned the
5 right to appear before the Parole Board and maybe some
6 day be released from prison.

7 JUSTICE MAUPIN: Governor, I'm going to
8 second that motion. I have to say --

9 GOVERNOR GUINN: That was Justice Maupin
10 that seconded the motion.

11 JUSTICE MAUPIN: In seconding this motion I
12 have to say a couple things.

13 I'm not particularly impressed with the
14 retrospective explanation for why he wanted to escape.
15 I'm very skeptical of his recent epiphany with regard to
16 his childhood, but the most powerful argument that is
17 made in favor of this relief is that the prosecuting
18 attorney that actually prosecuted Mr. Anselmo now has
19 moved for this relief.

20 For that reason I second the motion.

21 GOVERNOR GUINN: It's been moved and
22 seconded. Any further discussion regarding any other
23 elements in the background material?

24 (No response.)

25 MR. SMITH: Governor, could I ask for a

1 clarification?

2 GOVERNOR GUINN: Yes.

3 MR. SMITH: I'm assuming that by running
4 the two escapes concurrent you're anticipating that would
5 be immediate parole eligibility on all three sentences?

6 JUSTICE ROSE: That's correct.

7 GOVERNOR GUINN: I guess I just have one
8 question of Justice Rose. When you were describing that,
9 are you saying that the difference between this and some
10 of these people who came through that era at that point
11 under the existing laws or 15, 20 years, at least getting
12 someone to look at the consideration for parole, maybe
13 turned down but maybe approved, are you saying that in
14 light of that of the 20, or the 15 to 20, in his case
15 it's 32-plus moving up, that that would offset those two
16 escapes that he attempted and carried out earlier in
17 his -- in 1976, 30 years ago?

18 JUSTICE ROSE: Yes, Governor, that's my
19 position, that he would have been processed out in the
20 normal course of things, in 15 to 20 years. Well, if we
21 add another 10 or 12 or 14 years for the escapes, I think
22 he's served his time for those. So in the normal course
23 of how things would have been processed at that time
24 without the escapes, he would have been released 15 years
25 ago, just as a rough estimate --

1 GOVERNOR GUINN: I see.

2 JUSTICE ROSE: -- or at least had
3 eligibility to --

4 GOVERNOR GUINN: Eligibility.

5 JUSTICE ROSE: -- to the Pardons Board.

6 But of course he's added - and rightfully
7 so - another 12, 14 years to his sentence by his own
8 actions.

9 GOVERNOR GUINN: It's been moved and
10 seconded.

11 And hearing no further questions or
12 discussions, do you understand the motion?

13 MR. SMITH: Yes, I do, Governor.

14 GOVERNOR GUINN: Call for the vote.

15

16 MR. SMITH:

17 JUSTICE PARRAGUIRRE: NO

18 JUSTICE HARDESTY: YES

19 JUSTICE DOUGLAS:

20

21 JUSTICE DOUGLAS: No, I cannot support the
22 recommendation. I've heard Justice Rose, I understand
23 his feelings, but nonetheless, based upon the event and
24 the two escapes and some dealings within the escape. No.
25

1 MR. SMITH:

2 JUSTICE GIBBONS: YES

3 JUSTICE MAUPIN: YES

4 JUSTICE ROSE: YES

5 CHIEF JUSTICE BECKER:

6
7 CHIEF JUSTICE BECKER: If he didn't have
8 the 2004 infraction I would have voted yes because, for
9 the same reasons as Justice Maupin, because of the fact
10 that Justice Rose who prosecuted him and he thinks this
11 is the appropriate relief, but I have difficulty doing
12 that with the 2004 infraction, so I'm going to vote no.

13
14 MR. SMITH:

15 ATTORNEY GENERAL CHANOS:

16
17 ATTORNEY GENERAL CHANOS: I hear what
18 Justice Rose has said, but given what I've seen in the
19 file I certainly am not convinced that Mr. Anselmo would
20 not be a danger to society. And given the heinous nature
21 of the crime, I would have to vote no.

22
23 MR. SMITH:

24 GOVERNOR GUINN:

25

1 GOVERNOR GUINN: Well, it looks like it's
2 four yes's and four no's. And I'm going to vote no, but
3 I would like to say that I believe that this needs some
4 clarity by this Board after some 30-plus years in prison.
5 And we do this once in awhile, and I would like to see,
6 at least in this particular case, if this person could
7 either come back for consideration at the end of at least
8 five years, and that puts it at probably as long as
9 anybody else has been there. And so I think we have to
10 at least pull something out for someone who has been
11 there for the 34.

12 Six of these, only six violations in
13 32-plus years is not bad, except for those two - for
14 whatever reasons - escapes. And I think even though it
15 would be a majority vote of no, I do believe that we
16 ought to give consideration to say if there is something
17 down the line at least give more consideration. And
18 again I'm just saying there is no way it arbitrates,
19 there's no way to say whether it should be three or five.
20 A while ago we did some, and at least let them come back
21 here, because they have no other place to go. And I
22 think this far into the sentences we ought to be looking
23 at that --

24 CHIEF JUSTICE BECKER: Governor, in light
25 of that would you entertain a motion that would make

1 him -- you could make them concurrent and set a parole
2 eligibility date, if you feel that way, and then let's do
3 it and not have it brought back to us --

4 GOVERNOR GUINN: That's probably a better
5 idea, in terms of I don't understand all of the nuances
6 of that.

7 But at some point, because we have a lot of
8 people who want to get in front of the Board over a
9 period of time, and these people go through, you know,
10 quite a few hundred of them to get the list down to where
11 it is. But they're short-termers. Most of them are
12 asking, and they get turned down because they got a
13 parole coming up. This is something of looking at parole
14 for an extended period, so that wouldn't bother me since
15 the motion failed certainly

16 JUSTICE HARDESTY: Governor, would the
17 Board also consider this alternative? That would be to
18 change the life without to five to life on the murder,
19 and run the Las Vegas escape consecutive and the other
20 escape concurrent?

21 This would allow the Parole Board, it seems
22 to me, to begin evaluation of this issue ask and leave it
23 in their hands as to their determination. If he were
24 made -- if he were granted parole on the murder, he could
25 begin serving time on the sentence for escape under the

1 old sentencing scheme. He wouldn't have to serve the
2 full ten, he would be up for parole based on their
3 discretion.

4 Is that right, Miss Salling?

5 MS. SALLING: I believe so, sir.

6 JUSTICE HARDESTY: All right. So I would
7 like to consider a motion that grants him relief changing
8 the murder sentence from life without to five to life,
9 run the one escape concurrent, and the Las Vegas escape
10 consecutive.

11 ATTORNEY GENERAL CHANOS: I've got a
12 question.

13 Do you want to see if there is a second
14 first, or --

15 GOVERNOR GUINN: Yes, let's see if we get a
16 second to this motion.

17 JUSTICE ROSE: I'll second that.

18 GOVERNOR GUINN: All right. It's been
19 moved and seconded. Justice Rose on the second.

20 Do you have a question?

21 ATTORNEY GENERAL CHANOS: Do we have any
22 kind of psychological examination or evaluation on
23 Mr. Anselmo?

24 There is a history, albeit distant, of
25 prowling, rape. There has been -- the body was found

1 naked; whether or not there was sufficient evidence to
2 prosecute for any kind of sexual involvement. Do we have
3 any kind of a psych work-up on Mr. Anselmo?

4 GOVERNOR GUINN: We would have to ask the
5 staff, I believe.

6 ATTORNEY GENERAL CHANOS: I didn't see one
7 in the file.

8 MR. WHORTON: Governor, Attorney General
9 Chanos, there is not a substantial evaluation in there.
10 There is just a very short one.

11 When we take an individual to the Board
12 they do have an opportunity to request a substantial
13 evaluation and review that --

14 ATTORNEY GENERAL CHANOS: All right.

15 MR. WHORTON: -- or you could return him
16 and we could do a --

17 ATTORNEY GENERAL CHANOS: Yes, just for my
18 own purposes, I'm not comfortable granting any relief
19 without seeing a psych work-up.

20 JUSTICE HARDESTY: Well, I would add that
21 by deferring this matter to the Parole Board - maybe
22 Miss Salling can comment on that, but the Parole Board is
23 going to look at that before they give any consideration
24 to parole. And I think that's an appropriate deferral of
25 this issue to that Board.

1 Is that correct, Miss Salling?

2 MS. SALLING: Certainly, Justice Hardesty.
3 The Board can request, as Director Whorton indicated, the
4 psychological report, and we would do so in this
5 instance.

6 MS. CUMMINGS: And certainly Mr. Anselmo
7 would not -- if you care to amend the motion to
8 specifically require a psych evaluation prior to going
9 before the Parole Board, Mr. Anselmo would of course be
10 very willing to do that.

11 JUSTICE HARDESTY: I'll do that.

12 Justice Rose, do you agree?

13 JUSTICE ROSE: I agree.

14 GOVERNOR GUINN: Now I'll ask the staff on
15 the motion and the first and the second to be sure that
16 we understand the length of time between today when he
17 would have that opportunity to come before the Parole
18 Board.

19 MR. SMITH: Governor, with regard to the
20 life without being converted to life with, he would be
21 immediately eligible for parole. The Board would then
22 make a decision to grant or deny.

23 If he's granted at any time, either now or
24 in the future, he would have to become eligible on the
25 consecutive escape charge for ten years.

1 And I believe that's under the one-third
2 law?

3 MR. WHORTON: That's under the one-quarter.

4 MR. SMITH: The one-quarter? So
5 approximately two years, maybe a little bit less,
6 depending on credits.

7 GOVERNOR GUINN: So he couldn't request and
8 be eligible to come before the Parole Board for two years
9 at least, or three?

10 MR. SMITH: Well, that would be if he's
11 granted on the life sentence. He would just be eligible
12 on the life sentence now. Once they grant him parole, he
13 would have to become eligible on the consecutive ten-year
14 sentence.

15 MS. SALLING: He wouldn't actually be going
16 out or have the opportunity to go into the community
17 until he became eligible on the escape charge after we
18 granted him on the murder charge.

19 GOVERNOR GUINN: And so when would that be?

20 MS. SALLING: In approximately two years,
21 if he got the parole at his first appearance from the
22 murder charge.

23 GOVERNOR GUINN: I see.

24 MS. SALLING: We would see him in probably
25 January or February on the murder charge. If we granted

1 him, then it would be approximately two more years before
2 he could become eligible for the escape.

3 Then we would have to grant him on that
4 before he would have the opportunity to actually be in
5 the community.

6 GOVERNOR GUINN: Yes, but if you didn't
7 approve it, then he remains in prison.

8 MS. SALLING: Yes, sir.

9 GOVERNOR GUINN: For whatever that ten-year
10 period is that the Justice is talking about.

11 MS. SALLING: Well, no.

12 MR. WHORTON: No, Governor. He would
13 remain -- if they did not grant in January at that first
14 appearance, he would continue on that life sentence.
15 That life sentence would remain in effect until he was
16 paroled onto that ten-year sentence.

17 GOVERNOR GUINN: Right. I understand. But
18 if they did parole him, as she was saying, then he starts
19 serving the ten-year period --

20 MR. WHORTON: That's correct.

21 GOVERNOR GUINN: -- and then he would have
22 to come back to them through the normal process --

23 MS. SALLING: In two years.

24 GOVERNOR GUINN: -- whenever he can get
25 there in two years --

1 MS. SALLING: In two years.

2 GOVERNOR GUINN: -- and they could still
3 either say no, and if they didn't and that was two years
4 later, he would have to serve out, unless they -- if they
5 never gave him parole he would have to serve out another
6 eight years beyond that. So it's a total of ten years
7 that he would have.

8 That's the motion the way I understand it.
9 Is that right?

10 JUSTICE HARDESTY: Right.

11 MR. WHORTON: Governor, it would be ten
12 years reduced by good time credits, so it would probably
13 be closer to six years, six-and-a-half, seven years.

14 GOVERNOR GUINN: Well, everybody gets
15 credits, good time credits.

16 MR. WHORTON: Yes.

17 GOVERNOR GUINN: But if they're any of
18 these other kinds of things he loses all those good time
19 credits.

20 So we're looking at 32, at least two is 34,
21 and then another six would be 38 before he could get out
22 without -- unless it came back here and a future Board
23 makes some other decision.

24 But it will not -- the way I understand
25 this now, when we changed our rules about six or seven

1 years ago, that once they're eligible for parole, they
2 don't come back to us unless you -- because you can
3 either let them out, so we're not saying -- we used to
4 get them, remember when you would turn down the parole,
5 and we would get them? We just said that shouldn't come
6 here. So this really means that he would not be coming
7 before us again, but at somewhere at 38 to 40 he might be
8 getting out.

9 MS. SALLING: Unless someone chose to see
10 him again. You certainly as a Board have that right.

11 GOVERNOR GUINN: Well, sure.

12 MS. SALLING: But if you didn't choose to
13 put him on, then you would not see him again and he would
14 be coming before the Parole Board for action.

15 JUSTICE MAUPIN: What would happen if they
16 made all the sentences concurrent and made him parole
17 eligible? And they wouldn't have to parole -- they could
18 parole him on the life sentence, but they wouldn't have
19 to parole him on the others.

20 MS. SALLING: Right.

21 JUSTICE MAUPIN: It seems to me that based
22 on the considerations that Justice Rose has offered us
23 and the consideration that Justice Hardesty has offered
24 us, that it might make more sense to commute the life
25 sentence to life with the possibility of parole, run all

1 of them concurrent, and then the Parole Board can
2 determine if and when he ever gets out. But they have
3 the ability to do that at the next time, or they can do
4 one at a time.

5 GOVERNOR GUINN: I see. I see. Well, or
6 extending it for certain, depending on the
7 incarceration --

8 JUSTICE MAUPIN: That would take the
9 amendment to Justice Hardesty's motion.

10 JUSTICE ROSE: I think that was the motion
11 that I made and was defeated.

12 JUSTICE HARDESTY: The import of my motion,
13 Governor, unless the staff views it differently, is to
14 give to Mr. Anselmo the opportunity to seek parole
15 eligibility now on the murder charge. There is no
16 guarantee, he's got a number of showings he needs to make
17 to satisfy that Board, and anybody who is that
18 experienced with that Board, like many of us as District
19 Court Judges have, that's a tough showing.

20 If he accomplished that, he's now doing
21 time on the escape just like anybody else would have to
22 do if they were convicted of escape, and he either proves
23 himself up for parole eligibility after two-and-a-half
24 years, or he doesn't. But he's treated like any other
25 defendant who has been convicted of escape. That's the

1 import of my motion.

2 And I except the Attorney General's
3 suggestion, and Mr. Anselmo's concurrence that any of
4 this is preceded by a psych eval.

5 ATTORNEY GENERAL CHANOS: Just so we're
6 clear, I appreciate the addition of the psych evaluation
7 to the Parole Board's consideration. But what I'm saying
8 is, is that I'm not comfortable supporting his request
9 absent my seeing a psych evaluation.

10 So I would vote against this.

11 JUSTICE HARDESTY: I guess the difference
12 then between us, General, is this. I have considerable
13 confidence in the Parole Board's evaluation of these
14 issues, and I'm comfortable deferring to them their
15 evaluation of this.

16 JUSTICE DOUGLAS: Governor?

17 GOVERNOR GUINN: Yes, Justice Douglas?

18 JUSTICE DOUGLAS: I, like the Attorney
19 General, I do have problems and reservations. I too
20 would like to see something, before I make a decision
21 that puts him in that position for them to even consider
22 it as far as deferring it to them.

23 So my vote will still be no.

24 GOVERNOR GUINN: Just one last statement
25 from my point.

1 This does, and I think, Mr. Owens, you were
2 indicating that there should be some repercussions for
3 an escape, and I think this is doing that. It's adding
4 something on, even though you can take action for life
5 with parole from life without parole. So they're really
6 adding at least up to two years, but depending on the
7 Parole Board it could go up to the ten minus any good
8 behavior. So they're adding a penalty for the escape.

9 MR. OWENS: I guess I would need some
10 clarification. I thought by having the sentences run
11 concurrent that he would then automatically be expired on
12 the escape charge because he's done way more than the ten
13 years; or is he going to start serving the ten years on
14 the escape charge if he --

15 JUSTICE HARDESTY: He doesn't begin serving
16 time on the Las Vegas escape charge until he's paroled on
17 the murder charge. So he's done no time on the escape
18 charge yet.

19 GOVERNOR GUINN: But he will under this
20 recommendation.

21 JUSTICE HARDESTY: But he would.

22 MR. OWENS: Well, I just want a
23 clarification from staff, that that's the effect that
24 this motion would have, is that he would now start the
25 ten years. He wouldn't be retroactively just given

1 credit for the ten years --

2 JUSTICE HARDESTY: No, he would be starting
3 the ten years --

4 GOVERNOR GUINN: No, we're starting the ten
5 years.

6 JUSTICE HARDESTY: He doesn't start the ten
7 until he gets parole versus starting the ten today.

8 MR. SMITH: For clarification, the motion
9 that we have is to commute the life without to five to
10 life; that the 2 ten-year consecutive sentences be run
11 concurrent with each other, but consecutive to the life
12 with sentences.

13 GOVERNOR GUINN: Right. That's true. So
14 there is a penalty phase attached to him spending time
15 for the escapes.

16 JUSTICE HARDESTY: No, that's not my
17 motion. My motion is to take the Reno escape and run it
18 concurrent to the murder charge.

19 MR. SMITH: Okay.

20 JUSTICE HARDESTY: The Las Vegas escape
21 runs consecutive to the murder charge.

22 JUSTICE ROSE: Governor, I might add that
23 we've looked at the best case scenario for Mr. Anselmo,
24 but as we all know the Parole Board is not reluctant to
25 dump someone for what they call a two or a three-year

1 dump, and to do it once or twice in a row. And so
2 Mr. Anselmo will never start serving that escape charge
3 if he's not paroled by them to that sentence.

4 GOVERNOR GUINN: Right. To that sentence.

5 JUSTICE ROSE: And so I would just guess
6 that Mr. Anselmo is going to do considerably more than
7 four or five years. That's just in my view of how the
8 Parole Board operates. Which is fine with me; I mean,
9 given the Board's previous vote.

10 GOVERNOR GUINN: Okay. I just got to keep
11 myself straight. I'm a non-judicial person, the only one
12 up here, so I want to understand.

13 What's the difference if you take the
14 Washoe escape and run it concurrent with the life to five
15 when we're interpreting it to say you got to get life --
16 well, you got to get five to life for parole, but if you
17 don't get that it continues to run, and neither one of
18 these take effect. But if they're running concurrent --
19 so I'm getting confused now. You're going to take the
20 Washoe and put it to the five to life, but I'm trying to
21 see the difference. So if you say if that were running
22 concurrent with the Las Vegas one -- because you can't
23 start either one of them, can you, until you get five to
24 life? So are we saying the same thing, or --

25 MR. WHORTON: We're saying the same thing,

1 Governor, you're correct. From a practical standpoint it
2 would have the same influence on --

3 GOVERNOR GUINN: Okay. And then I'm saying,
4 the way I understand it from my experience of
5 non-judicial, and I understand theirs from the judicial
6 side so --

7 JUSTICE HARDESTY: I wasn't trying to -- by
8 making that motion, Governor, I'm not trying to horse
9 around with the deal that --

10 GOVERNOR GUINN: No, I understand.

11 JUSTICE HARDESTY: -- so your understanding
12 is consistent with what my motion is.

13 GOVERNOR GUINN: That's what I wanted to
14 make sure, I just wanted to make sure.

15 All right. Any further discussion?

16 (No response.)

17 GOVERNOR GUINN: If not, you can call the
18 vote.

19

20 MR. SMITH:

21	JUSTICE PARRAGUIRRE:	NO
22	JUSTICE HARDESTY:	YES
23	JUSTICE DOUGLAS:	NO
24	JUSTICE GIBBONS:	YES
25	JUSTICE MAUPIN:	YES

1 MR. SMITH:

2 JUSTICE ROSE: YES

3 CHIEF JUSTICE BECKER: YES

4 ATTORNEY GENERAL CHANOS: NO

5 GOVERNOR GUINN: YES

6

7 MR. SMITH: Motion carries.

8 GOVERNOR GUINN: Thank you. You've got
9 your work cut out for you, Mr. Anselmo.

10 INMATE ANSELMO: Thank you for the chance.

11 GOVERNOR GUINN: You've got to follow all
12 the rules because you're going to have to spend some
13 time, but you're going to have to go through this.
14 Nothing is a cinch. I have worked with these people for
15 seven years, and they have the full authority to do what
16 they think is best for society and you. So pay
17 attention.

18 INMATE ANSELMO: I will. I thank the Board
19 for letting me make this next step forward.

20 GOVERNOR GUINN: That's all it is, is one
21 step.

22 It's 12:15. Do we want to break for lunch,
23 or do you want to just -- whatever you would like to do
24 here.

25 (Many Voices.)

1 JUSTICE HARDESTY: Why don't we take a
2 break --

3 JUSTICE GIBBONS: Our court reporter would
4 probably like to take a break.

5 GOVERNOR GUINN: Why don't we take about
6 30 minutes for lunch?

7 We'll break then until 12:45, and we'll be
8 back to move on with the cases.

9 (At 12:15 a.m. this date the lunch recess was taken).

10 -o0o-

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1 **2490**
2 J. Robert Smith (NSB #10992)
3 Jessica E. Whelan (NSB #14781)
4 Sydney R. Gambee (NSB #14201)
5 Holland & Hart LLP
6 9555 Hillwood Drive, 2nd Floor
7 Las Vegas, Nevada 89134
8 T: (702) 669-4600 / F: (702) 669-4650
9 jrsmith@hollandhart.com
10 jewwhelan@hollandhart.com
11 srgambee@hollandhart.com

12 Jennifer Springer (NSB #13767)
13 Rocky Mountain Innocence Center
14 358 South 700 East, B235
15 Salt Lake City, UT 84102
16 T: (801) 355-1888 / F: (801) 385-3699
17 jspringer@rminnocence.org

18 *Attorneys for Michael P. Anselmo*

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

MICHAEL PHILLIP ANSELMO,
Petitioner,

Case No. 271359
Dept. No. 6

v.

THE STATE OF NEVADA,
Respondent.

MOTION FOR LEAVE TO FILE REPLY

Petitioner Michael Anselmo hereby respectfully moves this Court for leave to file the Reply brief attached hereto as **Exhibit 1**.

On November 2, 2018, Mr. Anselmo filed his Post-Conviction Petition Requesting Genetic Marker Analysis of Evidence Within the Possession or Custody of the State of Nevada ("Petition"). On March 7, 2019, the Court entered its Order Granting, in part, Post-Conviction Petition Requesting Genetic Marker Analysis of Evidence; Order to Set Hearing; and, Order

1 Directing Preservation and Inventory of Evidence. On April 19, 2019, the Court held a hearing
2 at which it determined the location(s) of various evidence. After the hearing, Mr. Anselmo was
3 allowed to file a supplemental petition upon receiving the filed Evidence Inventories, requesting
4 testing of additional evidence. Mr. Anselmo filed his Notice of Non-Submission of
5 Supplemental Petition on August 29, 2019. Respondent filed its Response to Mr. Anselmo's
6 Petition on November 27, 2019, and this Motion follows.

7 The Court did not impose a deadline for Mr. Anselmo to file any reply after the
8 Respondent's response to his Petition. However, Respondent accuses Mr. Anselmo of
9 mischaracterizing the record and asserts that the requirements of NRS 176.0918 have not been
10 met. For the reasons detailed in the attached proposed Reply, Mr. Anselmo did not
11 misrepresent the record and his Petition fully complies with NRS 176.0918. Further, Mr.
12 Anselmo's Petition is timely and is not barred by principles of judicial estoppel. In the interest
13 of hearing this matter fully on the merits, Mr. Anselmo moves this Court for leave to file the
14 attached Reply.

15 The undersigned affirms pursuant to NRS 239B.030 that the preceding document does
16 not contain the social security number of any person.

17 DATED this 13th day of December, 2019.

18 HOLLAND & HART, LLP

19 /s/ J. Robert Smith

20 J. Robert Smith (NSB #10992)

21 Jessica E. Whelan (NSB #14781)

22 Sydney R. Gambee (NSB #14201)

23 ROCKY MOUNTAIN INNOCENCE CENTER

24 Jennifer Springer (NSB #13767)

25 *Attorneys for Petitioner Michael P. Anselmo*

CERTIFICATE OF SERVICE

Pursuant to Nev. R. Civ. P. 5(a), I hereby certify that on the 13th day of December, 2019,

I served a true and correct copy of the foregoing **MOTION FOR LEAVE TO FILE REPLY**
by the following method(s):

- ☒ **Electronic:** by submitting electronically for filing and/or service with the Eighth Judicial District Court's e-filing system and served on counsel electronically in accordance with the E-service list to the following listed below:

Division of Probation & Parole

Jennifer Noble, Esq.
Marilee Cate, Esq.
Appellate Division
Washoe County District Attorney
1 S. Sierra Street, South Tower, 4th Floor
Reno, NV 89501

- ☒ **U.S. Registered Mail:** by depositing same in the United States mail, first class registered mail postage fully prepaid to the persons and addresses listed below:

Office of the Attorney General
State of Nevada
100 N. Carson Street
Carson City, NV 89701

- ☒ **U.S. Mail:** a true copy was placed in Holland & Hart LLP's outgoing mail in a sealed envelope addressed as follows:

Keith G. Munro, Esq.
Washoe County District Attorney's Office
1 S. Sierra Street, South Tower, 4th Floor
Reno, NV 89501

/s/ Audrey Brown
An Employee of Holland & Hart LLP

LIST OF EXHIBITS

1. Motion for Leave to File Reply

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EXHIBIT 1

EXHIBIT 1

1 **3795**

2 J. Robert Smith (NSB #10992)
3 Jessica E. Whelan (NSB #14781)
4 Sydney R. Gambee (NSB #14201)
5 Holland & Hart LLP
6 9555 Hillwood Drive, 2nd Floor
7 Las Vegas, Nevada 89134
8 T: (702) 669-4600 / F: (702) 669-4650
9 jrsmith@hollandhart.com
10 jewhelan@hollandhart.com
11 srgambee@hollandhart.com

12 Jennifer Springer (NSB #13767)
13 Rocky Mountain Innocence Center
14 358 South 700 East, B235
15 Salt Lake City, UT 84102
16 T: (801) 355-1888 / F: (801) 385-3699
17 jspringer@rminnocence.org

18 *Attorneys for Michael P. Anselmo*

19
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IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

MICHAEL PHILLIP ANSELMO,
Petitioner,

v.

THE STATE OF NEVADA,
Respondent.

Case No. 271359
Dept. No. 6

REPLY IN SUPPORT OF PETITION FOR GENETIC MARKER ANALYSIS

Petitioner Michael Anselmo hereby submits this Reply in support of his Petition Requesting Genetic Marker Analysis of Evidence Within the Possession or Custody of the State of Nevada. This Reply is based on the following points and authorities, the pleadings and papers on file in this case, and any argument the Court may entertain.

1 I. DISCUSSION

2 A. **Mr. Anselmo's Petition Requesting Genetic Marker Analysis of Evidence**
3 **Satisfies NRS 176.0918**

4 Respondent argues the facts asserted by Mr. Anselmo in the Petition Requesting Genetic
5 Marker Analysis of Evidence ("Petition") do not comport with the record. Respondent's
6 arguments are incorrect.

7 First, Respondent states Mr. Anselmo "suggests police engaged in nefarious tactics and
8 mistreated him in order to obtain a confession" and "Detective Jenkins [] question[ed] Petitioner
9 on end for over two days." Respondent erroneously claims these assertions are not supported by
10 the record. In the original Petition, Mr. Anselmo contends he was without sleep for
11 approximately 36 hours and had not eaten by the time he was taken into police custody. *William*
12 *J. Whitmire Police Report*, p.8-9, July 17, 1971; *Trial Tr.* 415, 516, 621-628, 631-638. He was
13 then subjected to polygraph tests and intense interrogations for the next three days. *See id.*; *Trial*
14 *Tr.* 435-437, 439-440. After Mr. Anselmo was awake for 48 hours he was injected with
15 Coramine. *Trial Tr.* 515, 636. Mr. Anselmo submitted to another polygraph test the following
16 day. At that time Mr. Anselmo confessed to the murder. *Trial Tr.* 638-640. Although Mr.
17 Anselmo may have confessed in response to three days of intense questioning by police, at no
18 point does Mr. Anselmo suggest police "engaged in nefarious tactics"; that is the State's
19 characterization. Mr. Anselmo is simply informing the Court of the circumstances surrounding
20 his false confession, which call into question its reliability.

21
22
23 Second, Respondent implies the testimony of Dr. Laubscher is consistent with the
24 information Mr. Anselmo provided during his false confession. The State's implication is
25 without merit. Dr. Laubscher testified Trudy was stabbed fifteen times and died from manual
26 strangulation. *Trial Tr.* 374,378,389. He also observed over 100 bruises on Trudy's body. *Trial*
27 *Tr.* 376. Mr. Anselmo's false confession consists of him admitting to strangling Trudy with an
28

1 article of clothing and then stabbing her body three or four times. Trial Tr. 425. Thus, Dr.
2 Laubscher's testimony is directly inconsistent with Mr. Anselmo's statement.

3 Third, Respondent attempts to confuse the issue of whether semen was found in the
4 victim's vaginal cavity by suggesting that Mr. Anselmo misrepresented Dr. Laubscher's trial
5 testimony. Specifically, Respondent asserts that the Petition conclusively stated "Dr. Laubscher
6 concluded that the contributor of semen was either sterile or had received a vasectomy." But
7 that is not what was stated in the Petition. Instead, in the original Petition Mr. Anselmo states
8 "Dr. Laubscher opined that the contributor of the semen was either sterile or had received a
9 vasectomy based on the lack of sperm in the semen sample," which is a fact on record. *Trial Tr.*
10 *392-393*. Respondent merely offers further context in their response, stating Dr. Laubscher also
11 testified it was possible semen were not found in the sample of seminal fluid because of their
12 degenerative nature. *Id.* This is also accurate. Mr. Anselmo is required by statute to submit a
13 statement of facts that clearly describes the rationale behind testing. *See* NRS 176.0918(3). Mr.
14 Anselmo is not required to include every opinion submitted by Dr. Laubscher in the statement
15 of facts, especially when such opinions are unnecessary for describing the rationale behind the
16 testing.
17

18
19 Ultimately, Mr. Anselmo included Dr. Laubscher's testimony in the statement of facts to
20 show a factual scenario that meets the standard of testing. Dr. Laubscher testified seminal fluid
21 was discovered and examined. This DNA evidence is still available and should be tested
22 regardless of Dr. Laubscher's opinions from 1972. The evidence in this case was not "gross[ly]
23 mischaracterize[ed]" by Mr. Anselmo in his Petition as Respondent so asserts.¹ All elements of
24 NRS 176.0918 are satisfied.
25

26 **B. This Petition is Timely**

27
28 ¹ All facts asserted in Mr. Anselmo's Petition are facts derived from the record - specifically the Trial Transcript
and Police Reports, attached hereto as **Exhibit 1**.

1 Importantly, the Nevada law allowing for Post-Conviction Genetic Marker Analysis
2 does not include a Statute of Limitations. Rather, it recognizes that with the almost daily
3 scientific advancement of DNA testing, individuals with cognizable claims of innocence should
4 be able to petition a court at any time to have evidenced tested.² The State's claim that
5 Anselmo's Petition should be denied for failure to meet some imaginary timeliness standard
6 must be rejected.

7
8 Nevertheless, even if this Court were to consider the Doctrine of Laches, as the
9 Respondent suggests, it cannot be applied in this instance. Respondent argues there is
10 "significant prejudice to the State" if this Court should grant Mr. Anselmo's Petition.
11 Respondent, however, fails to identify any such prejudice.³ The alleged delay in filing Mr.
12 Anselmo's Petition does not "disadvantage" Respondent. *See State v. Eighth Judicial Dist.*
13 *Court (Hedland)*, 116 Nev. 127, 994 P.2d 692 (2000).

14
15 The Doctrine of Laches is a remedy most commonly seen in cases involving a writ of
16 mandamus or other like petitions. *See id.* at 135, 994 P.2d at 698; *see also Buckholt v. District*
17 *Court*, 94 Nev. 631, 633, 584 P.2d 672, 673 (1978). In *State v. Rosenthal*, the question of
18 "whether the doctrine of laches applies to the government" was before the Nevada Supreme
19 Court. 107 Nev. 772, 777, 819 P.2d 1296, 1301 (1991). The Court found it "unnecessary to
20 decide this issue" because "even if the laches doctrine applie[d], [defendant] failed to show all
21 of the necessary elements." *Id.* at 777-778, 819 P.2d at 1301. The Court emphasized that
22 "Laches is more than a party delaying the enforcement of his rights; it is a delay that works a
23

24
25 ² NRS 176.0918 purposefully does not place a statute of limitations on petitioners who seek post-conviction DNA
26 testing. Other states have imposed a statute of limitations initially, only to later amend the statute to reject the time
27 limitation on testing. *See The Justice Project, Improving Access to Post-conviction DNA Testing A Policy Review*,
28 2008, at 13,
[https://www.prisonlegalnews.org/media/publications/justice_project_improving_access_to_post_conviction_dna_t](https://www.prisonlegalnews.org/media/publications/justice_project_improving_access_to_post_conviction_dna_testing.pdf)
esting.pdf (last visited Dec. 9, 2019).

³ In *Harris v. State* the court focuses on "whether there are circumstances that prejudice the State" when applying
the Doctrine of Laches. 130 Nev. 435, 440, 329 P.3d 619, 623 (2014). The court concludes that "the State, not the
defendant, is in the best position to address that factor." *Id.*

1 disadvantage to another.” *Id.* at 778, 819 P.2d at 1301 (internal citations omitted). “As a result
2 of such delay, the condition of the party asserting laches becomes drastically altered, whereby
3 he cannot be restored to his former state” and “[t]he delay must cause actual prejudice.” *Id.* The
4 Respondent does not state any specific prejudice because the determination of whether an
5 individual was wrongfully convicted through DNA testing prejudices no one. To the contrary, it
6 corrects grievous mistakes that strengthen the criminal justice system and all of its stakeholders.
7

8 Further, the DNA evidence Mr. Anselmo seeks to test is not stale. “[T]he passage of
9 time erodes the reliability of factual determinations, as evidence can become stale and witnesses
10 may become unavailable.” *Stockmeier v. State*, 127 Nev. 243, 251, 255 P.3d 209, 214 (2011).
11 Hypothetically, if Mr. Anselmo was seeking to revisit his case based only upon witness
12 accounts, the Respondent may be able to claim prejudice as this crime occurred 48 years ago.
13 However, Mr. Anselmo’s potential new evidence of innocence has nothing to do with witness
14 accounts that might be stale. Instead, Mr. Anselmo is requesting that probative DNA evidence
15 collected from the crime scene and still in a condition that allows for DNA testing be tested.
16 DNA testing was not available at the time of Mr. Anselmo’s trial and it is the most reliable
17 evidence available that can conclusively prove Mr. Anselmo’s innocence. Therefore, as the
18 Respondent cannot show actual prejudice resulting from Mr. Anselmo’s alleged delay in filing
19 this Petition, the Doctrine of Laches does not apply, and this Petition is timely.
20
21

22 **C. Mr. Anselmo’s Admission to the Parole Board is Irrelevant**

23 Mr. Anselmo expressed remorse for taking Trudy’s life during his parole hearing. After
24 expressing this remorse, Mr. Anselmo received a reduced sentence which allowed him the
25 possibility of parole. Mr. Anselmo was released on parole on October 31, 2019, after spending
26 48 years in prison for a crime he did not commit. It is widely accepted that some individuals
27 falsely confess to crimes they did not commit at every stage of their case from initial
28

1 interrogations by police to guilty pleas and in the post-conviction context. Some of these false
2 confession cases resulted in the exoneration of the wrongfully convicted individuals.⁴ A few of
3 these exonerated individuals even “confessed” to the parole board, were released, and then were
4 later found innocent.⁵ Therefore this court should not estop Mr. Anselmo’s Petition from going
5 forward.
6

7
8 ⁴ The following is an incomplete list of cases involving false confessions by defendant that resulted in an
9 exoneration of the defendant(s): *People v. Wise*, 194 Misc. 2d 481 (2002) (false confessions during police
10 interrogation); *Also see* The National Registry of Exonerations,
11 <http://www.law.umich.edu/special/exoneration/Pages/detail.aspx> (last visited Dec. 9, 2019); Darryl Bailey (false
12 confession during police interrogation); James Blackmon (false confession during interrogation and pleaded
13 guilty); Lambert Charles (guilty plea); Dayna Christoph (false confession during interrogation and pleaded guilty);
14 Henry Cunningham (signed guilty confession); Peter Dallas (guilty plea); Robert Davis (false confession during
15 police interrogation. Notably, Davis had been awake for 24 hours when he confessed to the crime); James Dean
16 (pleaded guilty and gave false testimony); Joseph Dick Jr. (false confession during police interrogation and pleaded
17 guilty); Harold and Idella Everett (guilty pleas); James Frazier (false confession during police interrogation); Ralph
18 Frye (false confession during police interrogation); Ronnie Mark Gariepy (false confession during police
19 interrogation); Anthony Gray (false confession during police interrogation and pleaded guilty); Sammy Hadaway
20 (false confession during police interrogation, gave false testimony, and pleaded guilty); Zachary Handley (false
21 confession during police interrogation); Rodney Harris (signed guilty confession); Johnny Hincapie (false
22 confession during police interrogation); John Horton (false confession during police interrogation); Ralph A.
23 Jacobs Jr. (false confession during police interrogation and pleaded guilty); Latisha Johnson (false confession
24 during police interrogation); Kenneth Kagonyera (false confession during interview with DA, and pleaded guilty);
25 Eric Kelley (false confession during police interrogation); William M. Kelly Jr. (false confession during police
26 interrogation and pleaded guilty); Beth LaBatte (false confession during police interrogation); Ralph Lee (false
27 confession during police interrogation); Eddie Joe Lloyd (written false confession); Troy Mansfield (failed
28 polygraph test and pleaded guilty); Jose Maysonet (false confession during police interrogation); David McCallum
(false confession during police interrogation); Damian Mills (false confession during police interrogation and
pleaded guilty); Lorenzo Montoya (false confession during police interrogation); Rickey Newman (false confession
during police interrogation and pleaded guilty); Leroy Orange (false confession during police interrogation); Josue
Ortiz (false confession to police and pleaded guilty); James Pitts Jr. (false confession during police interrogation
and pleaded guilty); Davontae Sanford (false written confession and pleaded guilty); David Caraceno (false
confession during police interrogation); Alstory Simon (pleaded guilty); Christopher C. Smith (false confession
during police interrogation and pleaded guilty); Fred Steese (false confession during police interrogation); Willie
Stuckey (false confession during police interrogation); Michael Sturgeon (false confession during police
interrogation and pleaded guilty); Christopher Tapp (false confession during police interrogation); Jathan Tedtaotao
(false confession during police interrogation and pleaded guilty); Derek Tice (false confession during police
interrogation); Glenn Tinney (false confession during police interrogation and pleaded guilty); Jerry Townsend
(false confession during police interrogation); David Vasquez (false confession during police interrogation and
pleaded guilty); Willie Veasy (false signed confession); Daniel Villegas (false confession during police
interrogation); Earl Washington (false confession during police interrogation); Wayne Washington (false
confession during police interrogation and pleaded guilty); Shawn Whirl (false confession during police
interrogation and pleaded guilty); Danial Williams (false confession during police interrogation); Larry Williams
Jr. (false confession during police interrogation and pleaded guilty); Eric Wilson (false confession during police
interrogation); John Duval (false confession during police interrogation and false confession to parole board).

⁵ Notably, John Duval admitted guilt twice to the parole board before being exonerated in 2000. *See* The National
Registry of Exonerations, <https://www.law.umich.edu/special/exoneration/Pages/casedetail.aspx?caseid=3195> (last
visited Dec. 9, 2019). Several others have been paroled for various reasons before they were ultimately found
innocent (this is not an exhaustive list): Cheryl Beridon (paroled in 2000; pardoned in 2003); Sonia Cacy (paroled
in 1998; conviction vacated in 2016); Joel Covender (paroled in 2007; exonerated in 2014); Luis Diaz (paroled in

D. Testing Can Conclusively Establish Mr. Anselmo's Claims of Innocence Have Merit

Significant advances in forensic science allow genetic marker testing of the physical evidence that was not possible or even contemplated at the time of Mr. Anselmo's conviction. If genetic marker testing had been available prior to Mr. Anselmo's conviction, it could have excluded Mr. Anselmo as a suspect and the presence of the exculpatory evidence would have created a reasonable possibility that he would not have been prosecuted or convicted. Mr. Anselmo respectfully requests that this Court, pursuant to NRS 176.0918, grant his Petition.

The undersigned affirms pursuant to NRS 239B.030 that the preceding document does not contain the social security number of any person.

DATED this 13th day of December, 2019.

HOLLAND & HART, LLP

/s/ J. Robert Smith

J. Robert Smith (NSB #10992)

Jessica E. Whelan (NSB #14781)

Sydney R. Gambee (NSB #14201)

ROCKY MOUNTAIN INNOCENCE CENTER

Jennifer Springer (NSB #13767)

Attorneys for Petitioner Michael P. Anselmo

1993; exonerated based on DNA evidence in 2012); Willie Gavin (paroled in 2002; exonerated in 2014); Reginald Hayes (paroled in 1998; pardoned in 1999); Alvena Jennette (paroled 2007; exonerated 2014); Herbert Landry (paroled in 2014; exonerated in 2017); Yun Hseng Liao (paroled in 2015; exonerated in 2016); John Manfredi (paroled in 1993; exonerated in 1994); Sundhe Moses (paroled in 2013; exonerated in 2018); Darrel Parker (paroled in 1969; exonerated in 1991); Davey Reedy (paroled in 2009; pardoned in 2015); Anthony Robinson (paroled in 1997; exonerated in 2000); Shaun Rodrigues (paroled in 2011; pardoned in 2014); Anthony Shaw (paroled March 2015; exonerated September, 2015); William Vasquez (paroled in 2012; exonerated in 2015); Amaury Vollalobos (paroled in 2012; exonerated in 2015); Michael Vonallmen (paroled in 1994; exonerated in 2010); Terry Lee Wanzer (paroled in 1981; pardoned in 1991); Harold Weatherly (paroled in 1998; pardoned in 2007); Christopher Wickham (paroled in 2011; exonerated in 2019). The National Registry of Exonerations, <http://www.law.umich.edu/special/exoneration/Pages/detailist.aspx> (last visited Dec. 9, 2019).

CERTIFICATE OF SERVICE

Pursuant to Nev. R. Civ. P. 5(a), I hereby certify that on the 13th day of December, 2019,

I served a true and correct copy of the foregoing **REPLY IN SUPPORT OF PETITION FOR GENETIC MARKER ANALYSIS** by the following method(s):

- ☒ **Electronic:** by submitting electronically for filing and/or service with the Eighth Judicial District Court's e-filing system and served on counsel electronically in accordance with the E-service list to the following listed below:

Division of Probation & Parole

Jennifer Noble, Esq.
Marilee Cate, Esq.
Appellate Division
Washoe County District Attorney
1 S. Sierra Street, South Tower, 4th Floor
Reno, NV 89501

- ☒ **U.S. Registered Mail:** by depositing same in the United States mail, first class registered mail postage fully prepaid to the persons and addresses listed below:

Office of the Attorney General
State of Nevada
100 N. Carson Street
Carson City, NV 89701

- ☒ **U.S. Mail:** a true copy was placed in Holland & Hart LLP's outgoing mail in a sealed envelope addressed as follows:

Keith G. Munro, Esq.
Washoe County District Attorney's Office
1 S. Sierra Street, South Tower, 4th Floor
Reno, NV 89501

/s/ Audrey Brown
An Employee of Holland & Hart LLP

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LIST OF EXHIBITS

1. Police Report

13944835_v2

EXHIBIT 1

EXHIBIT 1

WASHOE COUNTY SHERIFF'S OFFICE

SUPPLEMENTAL OR CONTINUATION REPORT

Type of original report HOMICIDE	Date of original report 7/17/71	Case number 64064 Sub-4452
Victim or complainant HILER, Trudy Ann	Location of original occurrence Cal-Neva Lodge area	Date and time of supplement 7/17/71 0400

Additional details of offense, progress of investigation, etc.

7/17/71: 0400 hours, R.O. received a call from station Dispatcher MURRAY. MURRAY advised R.O. to report to station at once. MURRAY advised that there had been a body found near Cal-Neva Lodge.

0420 hours R.O. arrived at the station. R.O. was advised by Lt. BUTNER to standby at station until his arrival.

0530 hours, Deputy MANLEY entered the station with a subject. Subject identified as Michael P. ANSELMO. MANLEY advised subject ANSELMO was subject who discovered the body tentatively identified as Trudy Ann HILER, a subject listed as a Missing Person with this department.

0540 hours, R.O. talked with subject ANSELMO about the discovery. ANSELMO started conversation after R.O. offered him a cup of coffee. R.O. was awaiting arrival of Lt. BUTNER.

0545 hours Lt. BUTNER arrived at the station. Lt. BUTNER, R.O. and ANSELMO went into the office of Capt. JENSEN. Inside office Lt. BUTNER asked ANSELMO if he would give a detailed report of the discovery of the body. ANSELMO stated he got off work at approximately 2250 hours at the Cal-Neva Lodge. Duration of this report ANSELMO will be referred to as subject. Subject stated prior to getting off work in the Lakeview Room at the Cal-Neva Lodge where he is employed as a Bus Boy, he was talking with a group of co-workers. Subject stated that a girl named Karen was talking about how frightened she was to walk home. She had heard of the missing person and was afraid. ANSELMO stated that Karen had asked him to walk her home due to her fright. Subject stated that upon completion of her shift, he walked her home. Subject stated he told her "good night" and then returned to the Cal-Neva Lodge. Subject stated at that time he picked up his bus boy jacket, took his bus boy jacket home. Subject lives in Dorm #2, Room #2 on the property of Cal-Neva. Subject stated when he

This Offense is now

Unfounded ☐

Cleared by Arrest ☒

Cleared Otherwise ☐

Not Cleared (Inactive) ☐

Deputy William J. Whitmire

Investigating Officer

[Signature]

Supervisor Approving

Date 7/17/71

jvm
Date 7/18/71

WASHOE COUNTY SHERIFF'S OFFICE

SUPPLEMENTAL OR CONTINUATION REPORT

Type of original report HOMICIDE	Date of original report 7/17/71	Case number 64064 Sub-4452
Victim or complainant HILER, Trudy	Location of original occurrence Cal-Neva Lodge area	Date and time of supplement 7/17/71 0400 #2

Additional details of offense, progress of investigation, etc.

approached his dorm he heard a noise. Subject looked up the road, the road known as Crystal Drive, he saw a man dragging and forcing a female subject. Subject stated he hid behind a rock until man forcing woman had cleared the cross-road, cross-road known as Crystal Drive and Sommer Drive. Subject stated at this time he ran from the area of his dormitory to the Cal-Neva Lodge where he contacted a Security Guard, name unknown to him at that time. He and Security Guard at that time attempted to locate man and woman in the area. For further information on this report, refer to Deputy TRACKWELL, Sgt. NEVE.

At approximately 0600 hours, Lt. BUTNER left Substation with Judge William BEEMER, the Coroner, to go to the scene of the crime. At this time subject ANSELMO was left at this department. ANSELMO stated he would give a written report of what he had seen and his findings. ANSELMO had completed his report, subject asked ANSELMO if he would like some more coffee ANSELMO agreed to have coffee. He was out of cigarettes, R.O. gave ANSELMO a cigarette. R.O. and ANSELMO were in the office of Capt. JENSEN. ANSELMO remarked to R.O. "why are you guys trying to build a case on me". R.O. advised ANSELMO that this office was not trying to build a case on him nor anyone at this time. ANSELMO was advised that he had been a Witness to finding the body and that certain questions and certain answers had to be asked and answered. ANSELMO stated to R.O. that "you guys are stupid". R.O. asked ANSELMO the meaning of this statement. ANSELMO stated that upon arrival of the Washoe County Sheriff's Department at the scene of the crime, he did not feel that the officers upon arrival had given a thorough search of the area. ANSELMO stated that he had told them there was a body up in the bushes and they should have checked further. R.O. advised ANSELMO that R.O. knew that the Deputies at the scene had done all they could. ANSELMO was advised that it was dark at this time and the Deputies at the scene did not wish to disturb a crime scene, if in fact there was a crime

This Offense is now

Unfounded	<input type="checkbox"/>
Cleared by Arrest	<input checked="" type="checkbox"/>
Cleared Otherwise	<input type="checkbox"/>
Not Cleared (inactive)	<input type="checkbox"/>

Deputy William J. Whitmore

Investigating Officer

[Signature]

Supervisor Approving

Date 7/17/71

Date 7/18/71 *[Signature]*

WASHOE COUNTY SHERIFF'S OFFICE

SUPPLEMENTAL OR CONTINUATION REPORT

Type of original report HOMICIDE	Date of original report 7/17/71	Case number 64064 Sub-4452
Victim or complainant HTLER, Trudy	Location of original occurrence Cal-Neva Lodge area	Date and time of supplement 7/17/71 0400 #3

Additional details of offense, progress of investigation, etc.

scene. ANSELMO was advised that at the time it was reported there was not sufficient evidence to know that there had been a crime.

At approximately 0615 hours, the R.O. called Clark County Sheriff's Office, Las Vegas, Nevada asking for a complete record on subject Michael Phillip ANSELMO. R.O. also contacted Las Vegas Police Department asking for same record. R.O. learned from Las Vegas Police Department, subject ANSELMO had a quite lengthy record. Subject had been a suspect in several burglaries. Subject had been involved in a fraudulent use of a credit card, Subject had been convicted on this charge. Subject was listed as an Ex-Felon with Las Vegas Police Department. R.O. requested Las Vegas P.D. and Clark County Sheriff's Department to forward by TT complete information on ANSELMO.

ANSELMO came back into room where R.O. was at the R.O.'S request. At this time ANSELMO was asked by R.O. to explain again exactly how the body was found. ANSELMO on prior had stated he would like to have a drink of water. Subject had a drink of water went into lounge area of Sheriff's Department and sat down. Upon arrival back into the office of Capt. JENSEN, ANSELMO started relating the crime scene to R.O. again. Subject stated as stated before, this time subject completed by picking up where he and Security Guard left Cal-Neva. Subject stated that they went down the road where he had last seen the man forcing the woman. He said while at the cross-roads at Crystal Drive and Sommers Drive, he saw what he thought was a woman carrying a black purse. The Security Guard along with him told him that that was not a woman, it was a man carrying a black purse. ANSELMO stated that Security Guard took off running for this subject. ANSELMO stated he followed Security Guard. ANSELMO stated that subject disappeared in the area of the high-rise car parking at the Crystal Bay Club. ANSELMO stated at this time the Security Guard felt that it would be proper to return to the

This Offense is now

Unfounded ☐

Cleared by Arrest ☒

Cleared Otherwise ☐

Not Cleared (Inactive) ☐

Deputy William J. Whitmire
Investigating Officer

H. Burton
Supervisor Approving

Date **7/19/71**

Date **7/19/71**

WASHOE COUNTY SHERIFF'S OFFICE

SUPPLEMENTAL OR CONTINUATION REPORT

Type of original report HOMICIDE	Date of original report 7/17/71	Case number 64064 Sub-4452
Victim or complainant HILER, Trudy Ann	Location of original occurrence Cal-Neva Lodge area	Date and time of supplement 7/17/71 0400 #4

Additional details of offense, progress of investigation, etc.

Cal-Neva, call the local authorities and have them come back and check the area. ANSELMO did not agree with this, he stated that the cops had been there before and they had found nothing nor had they looked as he thought they should have. ANSELMO stated that he went back to the corner of Crystal and Sommer Drive. He walked down toward the deadend of Crystal Drive. He stated that this is the area he last saw the man forcing the woman into. ANSELMO stated that in that area he was walking through the brush. Subject stated he was walking uphill and stumbled and fell on bushes. Subject stated that in doing so his hands landed on the body of the deceased. Subject stated at this time he looked at the subject, he realized the subject was dead. ANSELMO at this time ran back to Cal-Neva where he contacted Security and Washoe County Sheriff's Department. Subject stated that the Washoe County Sheriff's Department arrived at the scene and he pointed out the location of the deceased. ANSELMO at this point stopped. R.O. asked if there was anything else ANSELMO stated "see what I mean, you people are trying to build a case against me.". R.O. again advised ANSELMO that this department was not trying to build a case against him, its just that the R.O. did not understand everything that he had included in his report. ANSELMO continued on the issue that the R.O. was trying to build a case against him due to the fact of the record he had in Las Vegas. ANSELMO repeatedly insisted that the cops in Las Vegas had picked him up, that he had been arrested several times on charges that were fictitious, that the Las Vegas Police Department and the Clark County Sheriff's Office had no justifiable reason for arresting him. ANSELMO then started explaining to R.O. several of the cases in which he had been booked and charged with and why he felt that they were false charges. R.O. listened to his explanation. Explanation was a common explanation that he had been at the wrong place at the right time and that the officers were always picking on him, that he had not committed these crimes, he had not

This Offense is now

Unfounded ☐

Cleared by Arrest ☒

Cleared Otherwise ☐

Not Cleared (inactive) ☐

Deputy William J. Whitmire
Investigating Officer

Date 7/17/71

L. Burton
Supervisor Approving

Date 7/18/71

WASHOE COUNTY SHERIFF'S OFFICE

SUPPLEMENTAL OR CONTINUATION REPORT

Type of original report HOMICIDE	Date of original report 7/17/71	Case number 64064 Sub-4452
Victim or complainant HILER, Trudy Ann	Location of original occurrence Cal-Neva Lodge area	Date and time of supplement 7/17/71 0400 #5

Additional details of offense, progress of investigation, etc.

committed these crimes, he had not committed the rape that they had accused him of in Las Vegas.

At this time R.O. had not received subjects rape sheet from Las Vegas. R.O. was unaware as to what subject was talking about. Subject explained to R.O. that he had been picked up on a rape charge and that he had been released. Subject stated that he was supposed to have stabbed a female subject in the throat while committing a burglary. Subject stated he did not commit the rape and assault nor did he commit the burglary. Subject stated that all the charges were dropped and he was charged with unlawful or fraudulent use of a credit card. Subject stated he had served fourteen (14) months in the Clark County Sheriff's Office facilities, that he had then been released on probation. At this time, he was on Probation as an Ex-Felon for the Fraudulent Credit Card Use. Subject stated he had been picked up several times for Marijuana. Subject stated on one time he was charged with it, the authorities had found one (1) bird seed in his possession.

Approximately 0645 subject and R.O. broke off the conversation.

At approximately 0715 R.O., Lt. BUTNER and ANSELMO returned to Capt. JENSEN'S Office for further questioning. ANSELMO was asked by Lt. BUTNER when he arrived in the local area. Subject stated he had arrived in the Incline-Crystal Bay area on Monday. R.O. asked subject what the date was, subject stated this past Monday. Subject stated he had arrived from Las Vegas to this area to get a job. Subject stated that he was to be employed by the Cal-Neva. The Cal-Neva advised him he must have a Work Card. Subject was advised to obtain a work card, that he would have to have a letter written by his Probation Officer and approval of the Washoe County Sheriff. Subject stated that on Wednesday, he had stayed up all night, he was awaiting to go to Carson City to see his Probation Officer and then to Reno to see

This Offense is now

Unfounded ☐

Cleared by Arrest ☒

Cleared Otherwise ☐

Not Cleared (Inactive) ☐

Deputy William J. Whitmire
Investigating Officer

[Signature]
Supervisor Approving

Date 7/17/71

Date 7/18/71 jym

WASHOE COUNTY SHERIFF'S OFFICE

SUPPLEMENTAL OR CONTINUATION REPORT

Type of original report HOMICIDE	Date of original report 7/17/71	Case number 64064 Sub-4452
Victim or complainant HILER, Trudy Ann	Location of original occurrence Cal-Neva Lodge area	Date and time of supplement 7/17/71 0400 #6

Additional details of offense, progress of investigation, etc.

Sheriff Robert J. GALLI about a work card.

Subject was asked several questions by Lt. BUTNER. Questions were preliminary, questions involving subjects name, age, date of birth, permanent resident address. Subject was then asked by Lt. BUTNER to go through the crime in which he explained had happened this date. Subject again told of crim, same as previous report. Subject stated he had covered the crime completely before and that that was the way it happened. Subject was asked by Lt. BUTNER when he arrived in this area. Subject again stated he had arrived in this area on Monday. Subject stated that he had taken a bus from Las Vegas to this area. Subject was asked if he had any money on him. Subject stated that his father had given him \$48.00 prior to leaving Las Vegas. Subject stated that he had come to this area with the intentions of seeking employment. Subject stated he went to the Cal-Neva Lodge to seek employment. Subject stated that he was hired. Subject was advised that he would have to obtain a Police Work Card through the Washoe County Sheriff's Office. Subject was advised since he was an Ex-Felon by this department that Sheriff Robert GALLI would have to approve said card. Subject was advised that he would have to go to his Probation Officer and get a letter from his Probation Officer and see the Sheriff at that time. Subject stated that he had been around Monday and Tuesday preparing to go to work, preparing to get his Sheriff's Card and get everything squared away. Subject stated he was made aware Wednesday at approximately Noon by his Probation Officer that he would have to go to Carson City to his Probation Officer's Office, meet him there at 0800 hours on Wednesday morning and from there go to Reno to the Washoe County Sheriff's Office. Subject stated he had stayed up the entire night, Wednesday night. Subject stated that he had just walked around. Subject stated he had been in the gaming room playing the pinball machines, mainly the baseball game the entire night.

This Offense is now

Unfounded	<input type="checkbox"/>
Cleared by Arrest	<input checked="" type="checkbox"/>
Cleared Otherwise	<input type="checkbox"/>
Not Cleared (inactive)	<input type="checkbox"/>

Deputy William J. Whitmire

Investigating Officer

[Signature]

Supervisor Approving

Date **7/17/71**

Date **7/18/71** jvm

WASHOE COUNTY SHERIFF'S OFFICE

SUPPLEMENTAL OR CONTINUATION REPORT


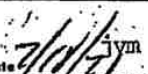
Type of original report HOMICIDE	Date of original report 7/17/71	Case number 64064 Sub-4452
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Additional details of offense, progress of investigation, etc.

Subject stated that he had left the Cal-Neva and walked up to the Crystal Bay Drug Store where he had bought a package of caramel candy and then returned to his room. Subject stated that he got up early in the morning and went to Carson City. Subject stated that he walked up to the corner of Stateline and S.R. 28, that the first car that came by gave him a ride. Subject stated he was given a ride by a tan Volkswagen. Subject could not recall license number or was not introduced to the driver. Subject stated that he was given a ride to where S.R. 28 meets Highway 50. Subject stated he had to walk from Highway 50 and S.R. 28 intersection the remaining distance to Carson City. Subject stated that he arrived at his Probation Officers Office approximately 0930. At this time he and his Probation Officer went to Reno to the Office of the Sheriff. He stated upon his completion of his appointment with Sheriff GALLI, he and his Probation Officer came to the Lake Tahoe area. His Probation Officer let him off at the Cal-Neva Lodge. He then was hired, due to the fact that he had a Work Card. Subject stated he did not work Tuesday or Wednesday. Subject was due to go to work Wednesday on Swing Shift. Subject stated he went to work at approximately 1500 hours on Thursday. Subject stated he completed a full days work at that time while working he had met subject Karen who he had previously stated he walked to her room.

R.O. at that time left the room. Chief Criminal Deputy BENHAM was in room with Lt. BUTNER talking with subject.. Lt. BUTNER and Chief BENHAM and witness had left for the scene of the crime. R.O. also left. R.O. was enroute to Cal-Neva Lodge. R.O. was to attempt to locate and interview two (2) subjects. R.O. could not locate subjects at that time. R.O. then with Deputy KELLER were approached by Lt. BUTNER. Lt. BUTNER had three (3) keys in his possession, one small gold key, made by Master; one large key, made by Cleveland this key had the #7 stamped on it; and one silver key stamped Post Office Department, do not

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<u>Deputy William J. Whitmire</u> Investigating Officer  Supervisor Approving	Date <u>7/17/71</u>  Date <u>7/18/71</u> Jym
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WASHOE COUNTY SHERIFF'S OFFICE

SUPPLEMENTAL OR CONTINUATION REPORT

Type of original report HOMICIDE	Date of original report 7/17/71	Case number 64064 Sub-4452
Victim or complainant HILLER, Trudy Ann	Location of original occurrence Cal-Neva Lodge area	Date and time of supplement 7/17/71 0400 #8

Additional details of offense, progress of investigation, etc.

duplicate, key #92462. R.O. had instructions from Lt. BUTNER to check these keys out. These keys had been obtained through a permission to search the subjects dormitory room, Dorm 2, Room 2, Cal-Neva Lodge. R.O. was checking these keys due to the fact that the ignition key ring from the victim, the vehicle the victim was driving was missing. R.O. went to 1005, Apt. #7 Commonwealth in Kings Beach. This is the address of the victim. The victim was living with three (3) other girls. R.O. contacted the said girls. Subjects stated they could not identify the keys. R.O. and Deputy KELLER went to Kings Beach Post Office. R.O.'s obtained from postal clerks the key the R.O. had belonged to Post Office Box 911. The victims Post Office Box was 732. R.O.'s at that time returned to WCCSD Incline. Subjects at this time were advised to transport witness ANSELMO to Sparks P.D. where ANSELMO was to submit to Polygraph. R.O. left for Sparks Police Department. Subjects arrived at Sparks Police Department at approximately 1150 hours. R.O. were met by Sgt. Gordon JENKINS of the Sparks Police Department and Polygraph Operator. Sgt. JENKINS was advised of the case. R.O.'s took report of the case as to up to that time.

While at Sparks Police Department the subject was in the Polygraph Room, R.O. and Deputy KELLER were in the viewing room. Sgt. JENKINS first talked with the subject for some length of time. Subject then advised to relax he was being hooked up for the actual test. R.O. listened while the test was being conducted. R.O. could see only partially the victim and Polygraph graph. Sgt. JENKINS gave the suspect a series of questions to answer. Subject was tested as the questions were asked. To the R.O. knowledge this subject was given six (6) sets of questions. At the end of this questioning, Sgt. JENKINS advised R.O. that it was his firm belief that this subject was possibly too tired to respond properly to the Polygraph. Subject advised R.O.'S he had not had sleep for approximately 36 hours. Subject was brought

This Offense is now

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Not Cleared (Inactive)	<input type="checkbox"/>

Deputy William J. Whitmire

Investigating Officer

Supervisor Approving

Date 7/17/71

Date 7/18/71

WASHOE COUNTY SHERIFF'S OFFICE

SUPPLEMENTAL OR CONTINUATION REPORT

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Additional details of offense, progress of investigation, etc.

out of the Polygraph Room and was taken into the Detective Office at the Sparks Police Department. R.O., Deputy KELLER and Sgt. JENKINS were talking with the subject. R.O. at that time was aware that the subject had told Chief Criminal Deputy BENHAM that he had committed a burglary at a motel in South Lake Tahoe, Nevada.

R.O. while talking with the subject told the subject he was being placed under arrest for that burglary at the request of South Lake Tahoe Police Department. R.O. in the presence of Deputy KELLER, Sgt. JENKINS read the subject his Constitutional Rights. Subject at that time advised R.O. that he could not stand the jail. Subject admitted that he did not commit the burglary. R.O. then asked the subject to repeat what he said. Subject would not repeat what he said. R.O. asked the subject if he did not commit the burglary who did. Subject stated he did not know. R.O. asked the subject if the burglary was only related to him. R.O. was aware at that time that the burglary had in fact been committed. R.O. was aware of the place of the burglary, the amount of money taken and how the burglary was committed. He stated he did not wish to talk about it. R.O. at that time placed subject under arrest. The subject was taken up to Sparks City Jail. Subject was booked at that time for burglary and hold for South Lake Tahoe Police Department. This was under direction of Chief Criminal Deputy BENHAM. Subject was booked into Sparks City Jail at 1430 hours.

Upon completion of booking, R.O. along with Deputy KELLER began to advise the subject could make a -phone call to anyone he wished. At this time he said he would like to call his father. Subject called his father in Las Vegas. Subject told his father that he was being booked for Murder, Rape and Burglary. Upon completion of the phone call to his father, the subject then walked back into the booking desk. R.O. was standing in the doorway,

This Offense is now

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Not Cleared (Inactive)	<input type="checkbox"/>

Deputy William J. Whitmire

Investigating Officer

[Signature]
Supervisor Approving

Date **7/17/71**

Date **7/18/71** *[Signature]*

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WASHOE COUNTY SHERIFF'S OFFICE

SUPPLEMENTAL ORIGINAL

REPORT

Type of original report HOMICIDE	Date of original report 7/17/71	Case number 64064 Sub-4452
Victim or complainant HILER, Trudy Ann	Location of original occurrence Cal-Neva e area	Date and time of supplement 7/17/71 0400 #10

Additional details of offense, progress of investigation, etc.

Deputy KELLER standing against booking counter at Sparks City Jail. Subject advised or asked Deputy KELLER, if I'm here why isn't John. Deputy KELLER looked at the R.O. The R.O. was also amazed. R.O. and Deputy KELLER then began to ask subject who was John? Subject stated, John was John SOARES. R.O. asked who or why John SOARES' name was brought into this. Cont. on page 11

Unfounded	<input type="checkbox"/>	This Offense is now	
Cleared by Arrest	<input type="checkbox"/>		
Cleared Otherwise	<input type="checkbox"/>		
Not Cleared (inactive)	<input type="checkbox"/>		

Whitmire Investigating Officer Date

Supervisor Approving Date