

# IN THE SUPREME COURT OF THE STATE OF NEVADA

EDWARD JOSEPH HONABACH,  
Appellant(s),

vs.

WILLIAM A. GITTERE, WARDEN,  
Respondent(s),

Electronically Filed  
Aug 04 2020 01:36 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

Case No: C-16-314092-2  
*Related Case A-20-812948-W*  
Docket No: 81402

# RECORD ON APPEAL VOLUME 2

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**I N D E X**

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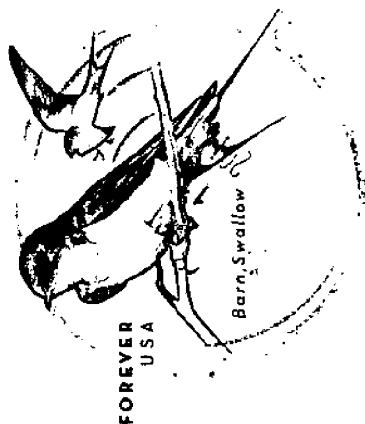
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**I N D E X**

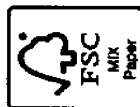
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Edward Hornbach #7029816  
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Clerk of the Court  
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SENT FROM CCDC



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FILED IN OPEN COURT  
STEVEN D. GRIERSON  
CLERK OF THE COURT

FEB 04 2019

BY, Vanessa Medina  
VANESSA MEDINA, DEPUTY

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Clark County District Attorney  
Nevada Bar #001565  
MEGAN THOMSON  
Chief Deputy District Attorney  
Nevada Bar #011002  
200 Lewis Avenue  
Las Vegas, Nevada 89155-2212  
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Attorney for Plaintiff

DISTRICT COURT  
CLARK COUNTY, NEVADA

C-16-314092-2  
AINF  
Amended Information  
4813596



THE STATE OF NEVADA,

Plaintiff,

-vs-

CASE NO. C-16-314092-2

DEPT NO. XXX

LUIS ANGEL CASTRO, #1918366,  
**EDWARD HONABACH**  
aka Edward Joseph Honabach, #7029816,  
FABIOLA JIMENEZ, #1957068,  
LIONEL KING, #1983132

AMENDED  
INFORMATION

Defendant.

STATE OF NEVADA }  
COUNTY OF CLARK } ss:


STEVEN B. WOLFSON, District Attorney within and for the County of Clark, State of Nevada, in the name and by the authority of the State of Nevada, informs the Court:

That LUIS ANGEL CASTRO, EDWARD HONABACH aka Edward Joseph Honabach, FABIOLA JIMENEZ, and LIONEL KING, the Defendant(s) above named, having committed the crime of **FIRST DEGREE KIDNAPPING RESULTING IN SUBSTANTIAL BODILY HARM (Category A Felony - NRS 200.310, 200.320 - NOC 50052)**, on or about the 7th day of March, 2016, within the County of Clark, State of Nevada, contrary to the form, force and effect of statutes in such cases made and provided, and against the peace and dignity of the State of Nevada, did willfully, unlawfully, and feloniously, seize, confine, inveigle, entice, decoy, abduct, conceal, kidnap, or carry away JOSE ORTIZ-SALAZAR, a human being, with the intent to hold or detain JOSE ORTIZ-SALAZAR against

1 his will, and without his consent, for the purpose of committing murder and/or robbery,  
2 resulting in substantial bodily harm to JOSE ORTIZ-SALAZAR, the Defendants being  
3 criminally liable under one or more of the following principles of criminal liability, to-wit: (1)  
4 by directly committing this crime; and/or (2) by aiding or abetting in the commission of this  
5 crime, with the intent that this crime be committed, by counseling, encouraging, hiring,  
6 commanding, inducing and/or otherwise procuring the other to commit the crime; and/or (3)  
7 pursuant to a conspiracy to commit this crime, with the intent that this crime be committed,  
8 Defendants aiding or abetting and/or conspiring, Defendants acting in concert throughout.

9 STEVEN B. WOLFSON  
10 Clark County District Attorney  
11 Nevada Bar #001565

12 BY

  
13 MEGAN THOMSON  
14 Chief Deputy District Attorney  
15 Nevada Bar #011002  
16  
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27 DA#16F03770X /cc/L4  
28 LVMPD EV#1603072804  
(TK)



ORIGINAL

1. **GPA**

2 STEVEN B. WOLFSON  
3 Clark County District Attorney  
4 Nevada Bar #001565  
5 MEGAN THOMSON  
6 Chief Deputy District Attorney  
7 Nevada Bar #011002  
8 200 Lewis Avenue  
9 Las Vegas, NV 89155-2212  
10 (702) 671-2500  
11 Attorney for Plaintiff

**FILED IN OPEN COURT**  
STEVEN D. GRIERSON  
CLERK OF THE COURT

FEB 04 2019

BY,   
VANESSA MEDINA, DEPUTY

DISTRICT COURT  
CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,

10 Plaintiff,

11 -vs-

12 EDWARD HONABACH  
13 aka Edward Joseph Honabach,  
14 #7029816

14 Defendant.

CASE NO: C-16-314092-2

DEPT NO: XXX

15 GUILTY PLEA AGREEMENT

16 I hereby agree to plead guilty to: **FIRST DEGREE KIDNAPPING RESULTING IN**  
17 **SUBSTANTIAL BODILY HARM (Category A Felony - NRS 200.310, 200.320 - NOC**  
18 **50052)**, as more fully alleged in the charging document attached hereto as Exhibit "I".

19 My decision to plead guilty is based upon the plea agreement in this case which is as  
20 follows:

21 This offer is conditional upon all four (4) Defendants accepting their respective  
22 negotiations and being sentenced. All Parties agree the State will have the right to argue for  
23 Life without the possibility of Parole, and the Defense will argue for Life with the possibility  
24 of Parole after fifteen (15) years. All Parties agree that no one will seek the term of years.

25 I agree to the forfeiture of any and all weapons or any interest in any weapons seized  
26 and/or impounded in connection with the instant case and/or any other case negotiated in  
27 whole or in part in conjunction with this plea agreement.

28 ///

C-16-314092-2  
GPA  
Guilty Plea Agreement  
4813696



1 I understand and agree that, if I fail to interview with the Department of Parole and  
2 Probation, fail to appear at any subsequent hearings in this case, or an independent magistrate,  
3 by affidavit review, confirms probable cause against me for new criminal charges including  
4 reckless driving or DUI, but excluding minor traffic violations, the State will have the  
5 unqualified right to argue for any legal sentence and term of confinement allowable for the  
6 crime(s) to which I am pleading guilty, including the use of any prior convictions I may have  
7 to increase my sentence as an habitual criminal to five (5) to twenty (20) years, life without  
8 the possibility of parole, life with the possibility of parole after ten (10) years, or a definite  
9 twenty-five (25) year term with the possibility of parole after ten (10) years.

10 Otherwise I am entitled to receive the benefits of these negotiations as stated in this  
11 plea agreement.

#### 12 CONSEQUENCES OF THE PLEA

13 I understand that by pleading guilty I admit the facts which support all the elements of  
14 the offense(s) to which I now plead as set forth in Exhibit "1".

15 I understand that as a consequence of my plea of guilty The Court must sentence me to  
16 imprisonment in the Nevada Department of Corrections for a minimum term of not less than  
17 FIFTEEN (15) years and a maximum term of not more than FORTY (40) years, OR for a  
18 minimum term of not less than FIFTEEN (15) years and a maximum term of LIFE, OR LIFE  
19 WITHOUT PAROLE. I understand that the law requires me to pay an Administrative  
20 Assessment Fee.

21 I understand that, if appropriate, I will be ordered to make restitution to the victim of  
22 the offense(s) to which I am pleading guilty and to the victim of any related offense which is  
23 being dismissed or not prosecuted pursuant to this agreement. I will also be ordered to  
24 reimburse the State of Nevada for any expenses related to my extradition, if any.

25 I understand that I am not eligible for probation for the offense to which I am pleading  
26 guilty.

27 I understand that I must submit to blood and/or saliva tests under the Direction of the  
28 Division of Parole and Probation to determine genetic markers and/or secretor status.

1 I understand that if I am pleading guilty to charges of Burglary, Invasion of the Home,  
2 Possession of a Controlled Substance with Intent to Sell, Sale of a Controlled Substance, or  
3 Gaming Crimes, for which I have prior felony conviction(s), I will not be eligible for probation  
4 and may receive a higher sentencing range.

5 I understand that if more than one sentence of imprisonment is imposed and I am  
6 eligible to serve the sentences concurrently, the sentencing judge has the discretion to order  
7 the sentences served concurrently or consecutively.

8 I understand that information regarding charges not filed, dismissed charges, or charges  
9 to be dismissed pursuant to this agreement may be considered by the judge at sentencing.

10 I have not been promised or guaranteed any particular sentence by anyone. I know that  
11 my sentence is to be determined by the Court within the limits prescribed by statute.

12 I understand that if my attorney or the State of Nevada or both recommend any specific  
13 punishment to the Court, the Court is not obligated to accept the recommendation.

14 I understand that if the offense(s) to which I am pleading guilty was committed while I  
15 was incarcerated on another charge or while I was on probation or parole that I am not eligible  
16 for credit for time served toward the instant offense(s).

17 I understand that if I am not a United States citizen, any criminal conviction will likely  
18 result in serious negative immigration consequences including but not limited to:

- 19 1. The removal from the United States through deportation;
- 20 2. An inability to reenter the United States;
- 21 3. The inability to gain United States citizenship or legal residency;
- 22 4. An inability to renew and/or retain any legal residency status; and/or
- 23 5. An indeterminate term of confinement, with the United States Federal  
24 Government based on my conviction and immigration status.

25 Regardless of what I have been told by any attorney, no one can promise me that this  
26 conviction will not result in negative immigration consequences and/or impact my ability to  
27 become a United States citizen and/or a legal resident.

28 ///

1 I understand that the Division of Parole and Probation will prepare a report for the  
2 sentencing judge prior to sentencing. This report will include matters relevant to the issue of  
3 sentencing, including my criminal history. This report may contain hearsay information  
4 regarding my background and criminal history. My attorney and I will each have the  
5 opportunity to comment on the information contained in the report at the time of sentencing.  
6 Unless the District Attorney has specifically agreed otherwise, the District Attorney may also  
7 comment on this report.

#### 8 WAIVER OF RIGHTS

9 By entering my plea of guilty, I understand that I am waiving and forever giving up the  
10 following rights and privileges:

- 11 1. The constitutional privilege against self-incrimination, including the right  
12 to refuse to testify at trial, in which event the prosecution would not be  
allowed to comment to the jury about my refusal to testify.
- 13 2. The constitutional right to a speedy and public trial by an impartial jury,  
14 free of excessive pretrial publicity prejudicial to the defense, at which  
trial I would be entitled to the assistance of an attorney, either appointed  
15 or retained. At trial the State would bear the burden of proving beyond  
a reasonable doubt each element of the offense(s) charged.
- 16 3. The constitutional right to confront and cross-examine any witnesses who  
17 would testify against me.
- 18 4. The constitutional right to subpoena witnesses to testify on my behalf.
- 19 5. The constitutional right to testify in my own defense.
- 20 6. The right to appeal the conviction with the assistance of an attorney,  
21 either appointed or retained, unless specifically reserved in writing and  
agreed upon as provided in NRS 174.035(3). I understand this means I  
22 am unconditionally waiving my right to a direct appeal of this conviction,  
including any challenge based upon reasonable constitutional,  
23 jurisdictional or other grounds that challenge the legality of the  
proceedings as stated in NRS 177.015(4). However, I remain free to  
24 challenge my conviction through other post-conviction remedies  
including a habeas corpus petition pursuant to NRS Chapter 34.

#### 25 VOLUNTARINESS OF PLEA

26 I have discussed the elements of all of the original charge(s) against me with my  
27 attorney and I understand the nature of the charge(s) against me.

28 ///

1 I understand that the State would have to prove each element of the charge(s) against  
2 me at trial.

3 I have discussed with my attorney any possible defenses, defense strategies and  
4 circumstances which might be in my favor.

5 All of the foregoing elements, consequences, rights, and waiver of rights have been  
6 thoroughly explained to me by my attorney.


7 I believe that pleading guilty and accepting this plea bargain is in my best interest, and  
8 that a trial would be contrary to my best interest.

9 I am signing this agreement voluntarily, after consultation with my attorney, and I am  
10 not acting under duress or coercion or by virtue of any promises of leniency, except for those  
11 set forth in this agreement.


12 I am not now under the influence of any intoxicating liquor, a controlled substance or  
13 other drug which would in any manner impair my ability to comprehend or understand this  
14 agreement or the proceedings surrounding my entry of this plea.

15 My attorney has answered all my questions regarding this guilty plea agreement and its  
16 consequences to my satisfaction and I am satisfied with the services provided by my attorney.

17 DATED this 9<sup>th</sup> day of February, 2019.

18  
19   
20 \_\_\_\_\_  
21 EDWARD HONABACH  
22 aka Edward Joseph Honabach  
23 Defendant


24 AGREED TO BY:

25   
26 \_\_\_\_\_  
27 MEGAN THOMSON  
28 Chief Deputy District Attorney  
Nevada Bar #011002

1 • CERTIFICATE OF COUNSEL:

2 I, the undersigned, as the attorney for the Defendant named herein and as an officer of the court  
3 hereby certify that:

- 4 1. I have fully explained to the Defendant the allegations contained in the  
5 charge(s) to which guilty pleas are being entered.
- 6 2. I have advised the Defendant of the penalties for each charge and the restitution  
7 that the Defendant may be ordered to pay.
- 8 3. I have inquired of Defendant facts concerning Defendant's immigration status  
9 and explained to Defendant that if Defendant is not a United States citizen any  
10 criminal conviction will most likely result in serious negative immigration  
11 consequences including but not limited to:
  - 12 a. The removal from the United States through deportation;
  - 13 b. An inability to reenter the United States;
  - 14 c. The inability to gain United States citizenship or legal residency;
  - 15 d. An inability to renew and/or retain any legal residency status; and/or
  - 16 e. An indeterminate term of confinement, by with United States Federal  
17 Government based on the conviction and immigration status.
- 18 Moreover, I have explained that regardless of what Defendant may have been  
19 told by any attorney, no one can promise Defendant that this conviction will not  
20 result in negative immigration consequences and/or impact Defendant's ability  
21 to become a United States citizen and/or legal resident.
- 22 4. All pleas of guilty offered by the Defendant pursuant to this agreement are  
23 consistent with the facts known to me and are made with my advice to the  
24 Defendant.
- 25 5. To the best of my knowledge and belief, the Defendant:
  - 26 a. Is competent and understands the charges and the consequences of  
27 pleading guilty as provided in this agreement,
  - 28 b. Executed this agreement and will enter all guilty pleas pursuant hereto  
voluntarily, and
  - c. Was not under the influence of intoxicating liquor, a controlled  
substance or other drug at the time I consulted with the Defendant as  
certified in paragraphs 1 and 2 above.

25 Dated: This  day of February, 2019.

  
ROBERT BECKETT, ESQ.

28 cc/L4

1 **AINF**  
2 STEVEN B. WOLFSON  
3 Clark County District Attorney  
4 Nevada Bar #001565  
5 MEGAN THOMSON  
6 Chief Deputy District Attorney  
7 Nevada Bar #011002  
8 200 Lewis Avenue  
9 Las Vegas, Nevada 89155-2212  
10 (702) 671-2500  
11 Attorney for Plaintiff

7 DISTRICT COURT  
8 CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,  
10 Plaintiff,

11 -vs-

12 LUIS ANGEL CASTRO, #1918366,  
13 **EDWARD HONABACH**  
14 aka Edward Joseph Honabach, #7029816,  
15 FABIOLA JIMENEZ, #1957068,  
16 LIONEL KING, #1983132

15 Defendant.

CASE NO. C-16-314092-2

DEPT NO. XXX

AMENDED  
INFORMATION

16 STATE OF NEVADA }  
17 COUNTY OF CLARK } ss:

18 STEVEN B. WOLFSON, District Attorney within and for the County of Clark, State  
19 of Nevada, in the name and by the authority of the State of Nevada, informs the Court:

20 That LUIS ANGEL CASTRO, EDWARD HONABACH aka Edward Joseph  
21 Honabach, FABIOLA JIMENEZ, and LIONEL KING, the Defendant(s) above named, having  
22 committed the crime of **FIRST DEGREE KIDNAPPING RESULTING IN**  
23 **SUBSTANTIAL BODILY HARM (Category A Felony - NRS 200.310, 200.320 - NOC**  
24 **50052)**, on or about the 7th day of March, 2016, within the County of Clark, State of Nevada,  
25 contrary to the form, force and effect of statutes in such cases made and provided, and against  
26 the peace and dignity of the State of Nevada, did willfully, unlawfully, and feloniously, seize,  
27 confine, inveigle, entice, decoy, abduct, conceal, kidnap, or carry away JOSE ORTIZ-  
28 SALAZAR, a human being, with the intent to hold or detain JOSE ORTIZ-SALAZAR against

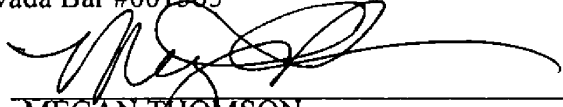
**EXHIBIT "1"**

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1 his will, and without his consent, for the purpose of committing murder and/or robbery,  
2 resulting in substantial bodily harm to JOSE ORTIZ-SALAZAR, the Defendants being  
3 criminally liable under one or more of the following principles of criminal liability, to-wit: (1)  
4 by directly committing this crime; and/or (2) by aiding or abetting in the commission of this  
5 crime, with the intent that this crime be committed, by counseling, encouraging, hiring,  
6 commanding, inducing and/or otherwise procuring the other to commit the crime; and/or (3)  
7 pursuant to a conspiracy to commit this crime, with the intent that this crime be committed,  
8 Defendants aiding or abetting and/or conspiring, Defendants acting in concert throughout.

9 STEVEN B. WOLFSON  
10 Clark County District Attorney  
Nevada Bar #001565

11 BY

  
12 MEGAN THOMSON  
13 Chief Deputy District Attorney  
Nevada Bar #011002

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(TK)



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253 - 264  
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1 **MEMO**  
2 STEVEN B. WOLFSON  
3 Clark County District Attorney  
4 Nevada Bar #001565  
5 MEGAN THOMSON  
6 Chief Deputy District Attorney  
7 Nevada Bar #11002  
8 200 Lewis Avenue  
9 Las Vegas, Nevada 89155-2212  
10 (702) 671-2500  
11 Attorney for Plaintiff

DISTRICT COURT  
CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,

10 Plaintiff,

11 -vs-

12 EDWARD HONABACH, aka,  
13 Edward Joseph Honabach, #7029816

14 Defendant.

CASE NO: C-16-314092-2

DEPT NO: XXX

15 **SENTENCING MEMORANDUM**

16 DATE OF HEARING: March 26, 2019  
17 TIME OF HEARING: 8:30 AM

18 COMES NOW, the State of Nevada, by STEVEN B. WOLFSON, Clark County  
19 District Attorney, through MEGAN THOMSON, Chief Deputy District Attorney, and hereby  
20 submits this Memorandum for the Court's consideration.

21 **STATEMENT OF THE CASE**

22 On March 10, 2016 a warrant was issued for Edward Honabach (hereinafter the  
23 Defendant) for the offenses of Conspiracy to Commit Murder, Attempt Murder with Use of a  
24 Deadly Weapon, Mayhem, Battery with Use of a Deadly Weapon Resulting in Substantial  
25 Bodily Harm, First Degree Kidnapping with Use of a Deadly Weapon, Extortion with Use of  
26 a Deadly Weapon, Robbery with Use of a Deadly Weapon and First Degree Arson. The  
27 Defendant was arrested and arraigned on March 14, 2016. At that time a preliminary hearing  
28 was set for March 28, 2016, however on that date an Amended Criminal Complaint

1 consolidating this defendant with Lionel King's case was granted and the preliminary hearing  
2 did not proceed. On April 12, 2016 the Defendant unconditionally waived his preliminary  
3 hearing without negotiations. The Defendant, and his co-conspirators were held to answer to  
4 the charges of Conspiracy to Commit Murder, Attempt Murder with Use of a Deadly Weapon,  
5 Mayhem with Use of a Deadly Weapon, Battery with use of a Deadly Weapon Resulting in  
6 Substantial Bodily Harm, First Degree Kidnapping with Use of a Deadly Weapon Resulting  
7 in Substantial Bodily Harm, Extortion with Use of a Deadly Weapon, Robbery with Use of a  
8 Deadly Weapon, and First Degree Arson. After arraignment several trial dates were set, with  
9 the final setting of February 4, 2019. On the morning of trial the Defendant, along with his co-  
10 conspirators, entered a contingent plea to First Degree Kidnapping Resulting in Substantial  
11 Bodily Harm, all parties agreeing that the term of years, fifteen (15) to forty (40) years in  
12 prison would not be sought, but rather the parties would argue for life with the possibility of  
13 parole after fifteen (15) years or life without the possibility of parole. Luis Castro should be  
14 sentenced to life without the possibility of parole.

#### 15 STATEMENT OF FACTS

16 On March 7, 2016 Las Vegas Metropolitan Police Department (LVMPD) Dispatch was  
17 inundated with calls about the residence at 1901 E. Oakey Boulevard. Initially the calls  
18 received were citizens concerned because the house was on fire, however the calls quickly  
19 became more urgent as people reported a man emerging from the home tied up, bleeding from  
20 several stab wounds and a slit throat. Fire trucks, paramedics and patrol officers rushed to the  
21 scene to address the multi-faceted emergency.

22 The fire department was the first to arrive, firefighters jumping to action to attempt to  
23 contain the blaze so the destruction would be limited to 1901 E. Oakey, hoping to and  
24 successfully protecting the residences feet from the inferno they fought. Exhibit 1. Paramedics  
25 with the fire department immediately stepping in where citizens had done their best to perform  
26 life-saving measures on Jose Ortiz-Salazar who had escaped from the home and lay in the  
27 yard, still bound at the feet and legs bleeding from a deep laceration to his neck. Paramedic  
28 Lovette removed the ties that bound Jose at the knees and feet while taking an account of what

1 wounds were life threatening and which required less immediate attention. Exhibit 2. Just  
2 before Jose was transported to the hospital the first patrol officer from LVMPD arrived and  
3 attempted to discern what had occurred, protect the scene from the chaos necessary to address  
4 the emergency and identify and detain witnesses for Detectives who would soon respond.  
5 Although Jose was in extreme pain and suffering from potentially lethal injuries he was able  
6 to convey two important pieces of information to the good Samaritans who stopped to help:  
7 Angel Castro did this to me and something muffled that was either taxes, or he got tax, or taxi.

8 Through interviews of witnesses on scene detectives learned that citizens observed the  
9 fire at approached to ensure that the home was vacant, however in so doing they discovered it  
10 was not. Witnesses heard the back sliding glass door shatter at which point Jose was observed  
11 coming out with his hands, knees and feet bound, quickly collapsing. The witnesses dragged  
12 him to the front yard, began applying pressure to his neck hoping to slow the bleeding and  
13 called police. Detectives next began interviews with residents of the surrounding homes  
14 hoping to gather more information about what had led up to the inferno. During those  
15 interviews witnesses described having seen an older light blue Chevrolet pick-up at the home,  
16 one describing it as a 1970's, two tone, light blue pick-up with a classic plate, around the home  
17 earlier in the day with rough descriptions of the people associated to the truck.

18 The process of being able to interview the victim, Jose, took longer because his wounds  
19 required immediate attention and limited his ability to communicate while they were initially  
20 healing. During the first interview with Jose he was not able to speak, but could mouth words  
21 and communicate with his hands and nods/shakes of his head. In that first contact Detectives  
22 learned his identity and were able to gather enough information from him to locate and contact  
23 his girlfriend. He further was able to convey that four people had committed the crimes against  
24 him and indicated one of them was Angel Castro.

25 Having limited ability to communicate with Jose, Detectives began the process of  
26 contacting his girlfriend, Yoselin. During an interview Detectives were able to begin to  
27 develop a picture of what occurred leading up to their arrival at the Oakey address. Yoselin  
28 described having had vehicle trouble on March 6. She told Detectives that because of that Jose

1 had taken her car after driving her to work, however it had broken down shortly thereafter.  
2 Jose called a friend of his, Angel Castro and asked for help towing the car back to her  
3 residence, agreeing to pay \$50 for the assistance. Yoselin told police that the next day, after  
4 attempts to fix the vehicle had been futile Angel Castro arrived at her home in a light blue  
5 older model Ford truck, driven by a white male adult with short reddish hair and bad skin, later  
6 identified as the Defendant. In addition to these two occupants, who she knew to live together,  
7 having met them before, the vehicle also contained a short skinny Hispanic male. The  
8 Defendant demanded \$50 from Jose and the short skinny Hispanic male mentioned a firearm  
9 in the truck. Yoselin observed Jose agree to leave with the three as he got into the truck.  
10 Yoselin did not hear from Jose again that day. Yoselin did inform detectives about Jose's  
11 family members telling her he had called them from someone else's phone number asking for  
12 \$300 on the same day of his disappearance, on describing a female voice in the background  
13 coaching him on what to say. Detectives showed photo-line ups to Yoselin and she picked out  
14 the Defendant. She also selected the photographs of Luis Castro and Lionel King, each from  
15 groups including five similar looking individuals and indicated they were present in the light  
16 blue truck that left with Jose that morning.

17 Once he was able to communicate more effectively Detectives conducted a taped  
18 statement with Jose. During the statement Jose described what went from a \$50 dollar debt to  
19 a near murder. Jose later testified in a preliminary hearing, in those two recorded statements  
20 he detailed the events of March 7. That day the Defendant, King and Honabach arrived at his  
21 home demanding payment for the tow they had agreed to perform the day before, when Jose  
22 did not have the money they took Yoselin's phone as collateral. Jose demanded that they leave  
23 his home but they refused. Jose got into the Defendant's light blue truck at Castro's command  
24 to avoid problems at the home, to avoid exposing his family to any issues. Honabach hit Jose  
25 in the head and he became scared, trying to comply with their demands. Jose described from  
26 nearly the first moment he entered the deserted house on Oakey the escalation of the torture  
27 he endured. Inside the house the Castro pushed him along and Honabach put a knife to his  
28 neck, telling him not to move, that they would kill him. Honabach and King then followed

1 Castro's orders to tie Jose up and Jimenez, who was already in the house when they arrived,  
2 brought him a beer, ordering him to hurry up and drink with her. The intent of the group clear  
3 as Fabiola Jimenez (hereinafter Jimenez) demanded from him "one reason to leave [him]  
4 alive," while the men stood around him. Castro then chastised Jose for not responding to  
5 Jimenez because it was disrespectful not to answer her question. Jose clearly told detectives,  
6 after his conversation with Jimenez it really got serious. At that point, presumably because  
7 they did not get the money they wanted, they pushed the chair he was tied to over and began  
8 to kick him, telling him that they were not playing, a message which was reinforced with the  
9 first stab wound from Honabach in the upper right arm. Exhibit 3. As he begged for an  
10 explanation of the abuse they asserted they "want this money right now, or you gunna die."

11 In order to get the money they demanded they allowed him three phone calls to attempt  
12 to gather the funds, with Castro telling him that if he didn't get enough in three phone calls he  
13 was done. They took numbers from his girlfriend's phone for the calls which Castro dialed  
14 however none of the three recipients of those desperate calls had money to give Jose. When  
15 the pleas for money ran out Honabach took his hand and with pinchers cut off Jose's finger,  
16 all the while telling him if he screamed the torture would be worse. Exhibit 4. Honabach, while  
17 mutilating Jose's hand got blood on his boots which upset him and caused him to kick Jose in  
18 the head. Jose then began pleading for his life, however the group was unreceptive as King  
19 then began stabbing him repeatedly and pulling his nails out. Exhibit 4-7. Then they grabbed  
20 his head and pulled it back as he tried to keep his head down to protect his neck while begging  
21 promising that he would do whatever Castro wanted. Without sympathy the defendant  
22 responded that they had already given him a chance, smiling and Jimenez hugged him. Jose  
23 recounted the first gash being done by Honabach, followed by Jimenez, after each, Castro  
24 yelling that the injury was too small. Jose described the terrifying indifference of Jimenez as  
25 she stood over him kissing Castro just before taking her turn slashing Jose's throat. Castro was  
26 the next to slash his throat proclaiming that his cut was enough. King then disagreed, stating  
27 it was his turn and took the final pass with the blade over his throat, cutting the wound larger  
28 and opening the injury further. Exhibit 8-9. At this point while Jose lay on the floor playing

1 dead to attempt to avoid any further injury, Castro asserted that Jose was in fact dead. At that  
2 point Jose quit hearing the voices of Castro and Jimenez and presumed they had gone to move  
3 the truck. While he lay on the ground he heard and felt the remaining two placing dried grass  
4 clippings, books and other flammable items on top of his body before setting the house on fire.

5 After being convinced all of his torturers had left the home, and waiting a prudent  
6 period of time to ensure it was correct Jose then was able to stand up and escape from the  
7 back door of the home before being engulfed in flames.

8 Jose, on March 7, had known Castro for about two months and had even given him all  
9 of his personal information because he had told Jose that he would do his taxes for him. He  
10 had previously met Honabach, who lived with Castro, but not had any conversations with him.  
11 Additionally, he knew Jimenez to be Castro's girlfriend. Jose had not met King before the day  
12 that all three men showed up to his home in the light blue Ford. Detectives showed Jose photo  
13 line-ups, each containing a picture of one of the four Defendants and he positively identified  
14 the Castro, Jimenez, King and Honabach as the four people who had caused his injuries, terror  
15 and nearly took is life.

16 Just days before the incident in our case the Defendant was a participant in another  
17 violent incident with Castro. On March 2, 2016 Robert Gerrard allowed his friend to use his  
18 scooter, but when she came back she no longer had the scooter and said her ex-boyfriend had  
19 taken it. She showed Robert where the ex-boyfriend, Castro, lived and Robert saw his scooter  
20 in the driveway so he started to walk it away. When he was just down the street a blue pickup  
21 truck with a white male driver and Castro as the passenger pulled up and both got out of the  
22 vehicle. The white male held a machete to Robert's chest while Castro told him that if he  
23 followed them as they took his scooter they would hurt him. Robert was shown two photo  
24 line-ups one with Castro and one with Honabach and he picked each of the two out with  
25 certainty. The Defendant was subsequently charged with Robbery with Use of a Deadly  
26 Weapon. That case was dismissed after negotiations were reached in this case.

27 //

28 //

1 ARGUMENT

2 While the Defendant did not have a significant criminal history at approximately thirty  
3 (30) years of age when he committed the instant offense, the combination of the facts of this  
4 case and his other contacts with the criminal justice system at that time demonstrate that he is  
5 a danger to our community and should not be permitted the opportunity at parole.

6 It is anticipated that the Defendant will argue that he is entitled to the opportunity at  
7 parole, citing his work history, that he has a limited criminal history and likely will weave in  
8 the criminal convictions sustained by the victim in this case since his nearly lethal torture. It  
9 is the State's position that none of this is sufficient to justify the risk of his release back into  
10 our community.

11 The Defendant's work history shows that despite his on-going struggle with addiction  
12 he has been able to be a productive member of society, showing that he is not so far under the  
13 control of the methamphetamine that he can be relieved of any of the responsibility for his  
14 actions. The fact that the Defendant had the wherewithal to maintain employment for years in  
15 each of his former jobs to include the job he had at the time of his arrest shows that while he  
16 was consistently using methamphetamine he still had the ability to reason and make decisions  
17 in his best interest; that the drugs had not taken over his life to the extent that they controlled  
18 his actions. The Defendant was able to make decisions motivated by more than his desire to  
19 obtain methamphetamine, and his conduct in this case is an example of his ability to reason  
20 and determine an outcome most likely beneficial to himself. A perfect example of this is his  
21 foresight to paint his truck immediately after the crime to reduce the likelihood of being  
22 identified. In this case, the same reasoning skills that kept him employed are also the basis of  
23 his decision that Jose needed to die in the abandoned house on Oakey, as demonstrated by his  
24 being the first of the conspirators to slit Jose's throat. Furthermore, all three of the available  
25 versions of what happened on March 7, 2016 put the Defendant at the forefront of the decision  
26 to burn the house down. Jimenez told police that in fact he affirmatively said they should burn  
27 the house down, placing not just Jose in danger but all of the residents of the neighborhood,  
28 not to mention the responding law enforcement and firefighters in danger. The Defendant's



1 ability to maintain employment demonstrates that he had the ability to reason and also that his  
2 involvement in this conspiracy was one of entertainment for him rather than some perceived  
3 necessity for money owed.

4 The Defendant's criminal history is minimal, consisting of one prior felony conviction  
5 when he was about twenty-five and the other case pending at the time of his arrest in this case.  
6 Notably all of the Defendant's contacts with law enforcement stems from violent accusations.  
7 The conviction he received in 2012 is an Assault and the other pending case involves him  
8 enforcing Castro's will by holding a machete to the victim while the two of them robbed him.  
9 This is consistent with what we know his role in this crime to be, as everyone asserts that he  
10 was the first to escalate the violence, being the first to hit Jose, the one to knock him onto the  
11 ground and the first to introduce the weapon into the crime. Arguably, Honabach was the most  
12 directly violent of the four co-defendants, hitting the victim before reaching the house, telling  
13 him that they would kill him and holding the knife to Jose's person, then stabbing him multiple  
14 times in the arm before cutting off his finger and then, according to the victim, being the first  
15 to slice the victim's throat. At every turn it was the Defendant's actions that escalated the  
16 conduct in this case, enforcing a debt due Castro, much like he enforced in the other open case.  
17 It is the State's belief that the original agreement between the parties was to kidnap Jose, to  
18 harm him and extort the money they felt Castro was owed but when Jose was not able to obtain  
19 money from anyone the agreement escalated into a plan to leave Jose dead. Notably, but for  
20 the fact that the victim came into contact with good Samaritans outside the house on Oakey  
21 who immediately began attempting to preserve his life, it is likely that this would have been a  
22 murder rather than simply the attempt at one. Legally, with the torture and mutilation that  
23 occurred in addition to the subsequent fire set, there would have certainly been sufficient  
24 aggravators under statute for the State to seek capital punishment. The Defendant should not  
25 receive the benefit of freedom for his luck in not having successfully killed the victim, though  
26 despite his conduct he believed he had succeeded. Furthermore, the fact that his first contacts  
27 came at the age of twenty-five is not a mitigator in terms of the appropriate sentence as it  
28 demonstrates a decision to begin to engage in violence and criminal behavior rather than it

1 being a lifestyle that he was unable to escape from. Often individuals claim criminal conduct  
2 is the result of drug use, however the Defendant cannot rely upon such an excuse here because  
3 he has engaged in the same narcotics use since the age of fifteen, based upon his statements to  
4 the Department of Parole and Probation, and managed to be gainfully employed for what  
5 appears to be the majority of his adult life. The Defendant demonstrated through his conduct  
6 that he makes reasoned decisions in order to reach what he thinks will benefit himself and does  
7 not have any hesitance because of the harm that he will cause anyone else, perhaps actually  
8 enjoying that agony based upon his methods of torture of the victim in this case. The nature  
9 of someone capable of slitting a man's throat, cutting off his finger, stabbing him repeatedly  
10 and then leaving him to incinerate in a house fire is someone who needs to be incarcerated for  
11 the rest of their lives, without an opportunity to be released back into society.

12 The State acknowledges that the victim in this case, after narrowly escaping with his  
13 life, began engaging in criminal activity which resulted in more than one felony conviction,  
14 however beyond the drug use which was occurring prior to March 7, 2016 nothing about his  
15 criminal record should be considered or be thought to mitigate the conduct of this Defendant  
16 on March 7 and the punishment he should receive for that conduct. For the Court to consider  
17 any of the behaviors of the victim in the intervening time would be to give justification to the  
18 Defendant's decision to formulate a plan to force a man who had done little more than become  
19 addicted to drugs and owe people money into an abandoned house, tie him up, torture him and  
20 ultimately leave him for dead. The community deserves to know that the Defendant will not  
21 again be at liberty to engage in violent behavior and the Defendant's conduct in this case merits  
22 a sentence of life without the possibility of parole.

23 While in custody on this case the Defendant has been subject to various disciplinary  
24 measures as the result of his violation of Detention Center rules. The most notable of them  
25 occurred on March 19, 2016 when the Defendant approached an Officer and told him "You  
26 better move me to [a different room], before I give my cellie a whooping." The Officer told  
27 the Defendant that he needed to get along with his cell mate and that he would not be moved  
28 on demand at which point the Defendant went back to his cell. About 2 minutes later the officer

1 heard yelling and had to respond to the cell where he observed the Defendant yelling "Fuck  
2 you" at his cell mate who was cornered in the cell. At that point the Defendant was obviously  
3 removed from the cell and assigned a new cell. If the Defendant is incapable of not starting  
4 physical confrontations in a highly structured and monitored environment then there is no  
5 reason for this Court to believe that he would not be a danger to the community if released  
6 where parole amounts to significantly less supervision than incarceration provides. The  
7 Defendant is a danger to the community and should not be granted an opportunity at parole.

8 **CONCLUSION**

9 Edward Honabach should be precluded from harming the community any further by  
10 the imposition of a sentence of life without the possibility of parole.

11 DATED this 22 day of March, 2019.

12 Respectfully submitted,

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

16 BY 

17 MEGAN THOMSON  
18 Chief Deputy District Attorney  
19 Nevada Bar #11002

20 **CERTIFICATE OF ELECTRONIC FILING**

21 I hereby certify that service of Sentencing Memorandum, was made this 22nd day of  
22 March, 2019, by Electronic Filing to:

23 ROBERT S. BECKETT, ESQ.  
24 Email: [vegaslawllc@gmail.com](mailto:vegaslawllc@gmail.com)

25   
26 Secretary for the District Attorney's Office  
27

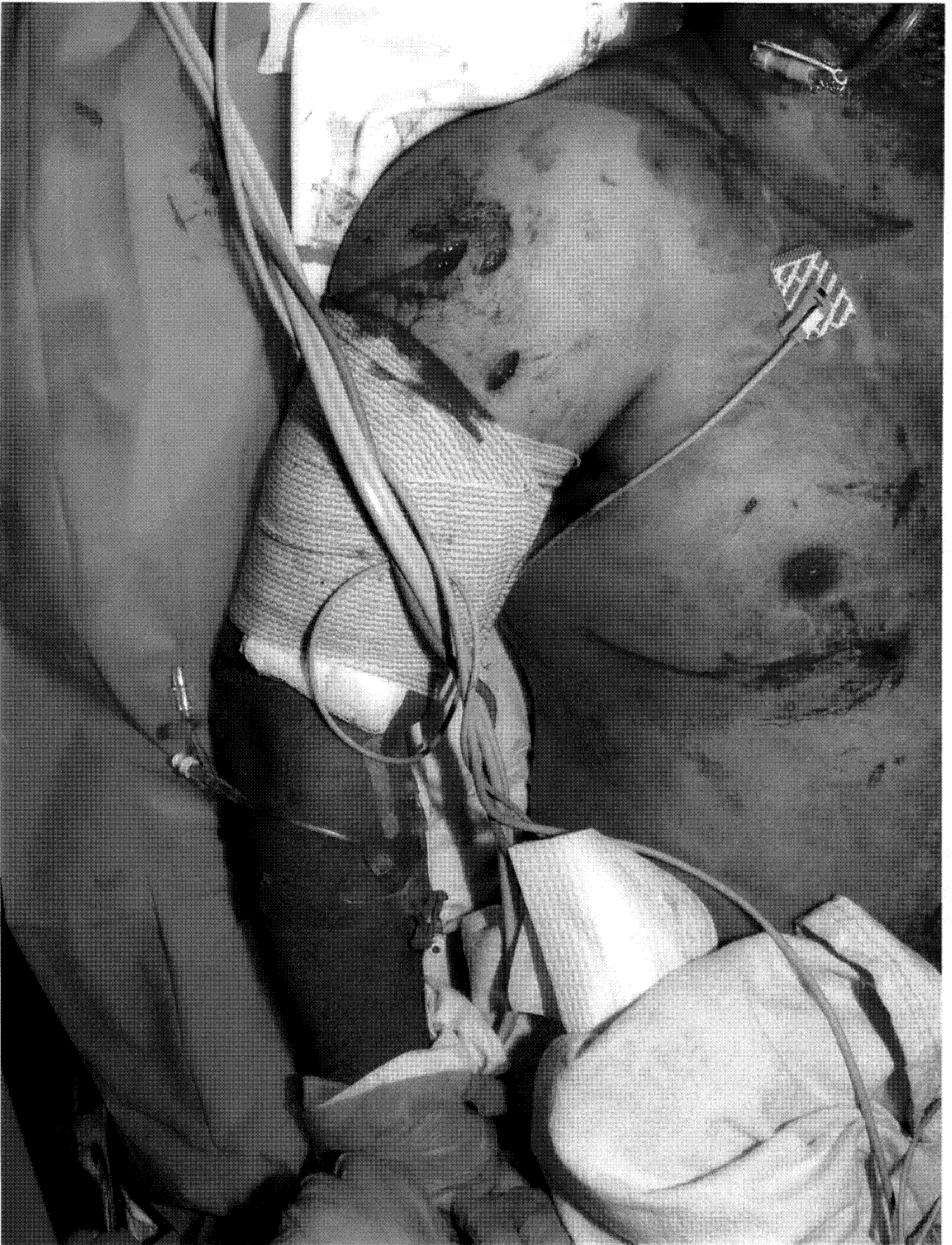
28 16F03770B/MT/ckb/L-4



## **EXHIBIT “2”**



## **EXHIBIT “3”**





## **EXHIBIT “4”**



## **EXHIBIT “5”**



## **EXHIBIT “6”**

## **EXHIBIT “7”**



## **EXHIBIT “8”**





## **EXHIBIT “9”**



ORIGINAL

Electronically Filed  
03/22/2019

*Steven B. Wolfson*  
CLERK OF THE COURT

1 NOTC  
2 STEVEN B. WOLFSON  
3 Clark County District Attorney  
4 Nevada Bar #001565  
5 MEGAN THOMSON  
6 Chief Deputy District Attorney  
7 Nevada Bar #011002  
8 200 Lewis Avenue  
9 Las Vegas, Nevada 89155-2212  
10 (702) 671-2500  
11 Attorney for Plaintiff

DISTRICT COURT  
CLARK COUNTY, NEVADA

12 THE STATE OF NEVADA,

13 Plaintiff,

14 -vs-

15 EDWARD HONABACH, aka,  
16 Edward Joseph Honabach, #7029816

17 Defendant.

CASE NO: C-16-314092-2

DEPT NO: XXX

STATE'S NOTICE OF EXHIBITS  
FOR SENTENCING MEMORANDUM

18 COMES NOW, the State of Nevada, by STEVEN B. WOLFSON, Clark County  
19 District Attorney, through MEGAN THOMSON, Chief Deputy District Attorney, and files  
20 this Notice of Exhibits.

21 EXHIBIT 1: CD-R

22 EXHIBIT 2:

23 EXHIBIT 3:

24 EXHIBIT 4:

25 EXHIBIT 5:

26 //

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RECEIVED

MAR 22 2019

CLERK OF THE COURT

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1 These Exhibits are in addition to any other Exhibits for which a separate Notice has  
2 been filed.

3 DATED this \_\_\_\_\_ day of March, 2019.

4 STEVEN B. WOLFSON  
5 Clark County District Attorney  
6 Nevada Bar #001565

7 BY 

8 MEGAN THOMSON  
9 Chief Deputy District Attorney  
10 Nevada Bar #011002

11 **CERTIFICATE OF ELECTRONIC MAILING**

12 I hereby certify that service of State's Notice of Exhibits for Sentencing Memorandum,  
13 was made this 2nd day of March, 2019, by Electronic Mailing to:

14 ROBERT S. BECKETT, ESQ.  
15 Email: vegaslawllc@gmail.com

16   
17 Secretary for the District Attorney's Office

18 16F03770B/ckb/L4  
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TO: SENTENCING MEMORANDUM

C-16-314092-2

EDWARD HONABACH, AKA,

EDWARD JOSEPH HONABACH, #7029816

DEPT. XXX

*Steven D. Grierson*

JOCP

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

EDWARD HONABACH aka  
Edward Joseph Honabach  
#7029816

Defendant.

CASE NO. C-16-314092-2

DEPT. NO. XXX

JUDGMENT OF CONVICTION

(PLEA OF GUILTY)

The Defendant previously appeared before the Court with counsel and entered a plea of guilty to the crime of FIRST DEGREE KIDNAPPING RESULTING IN SUBSTANTIAL BODILY HARM (Category A Felony) in violation of NRS 200.310, 200.320; thereafter, on the 26<sup>th</sup> day of March, 2019, the Defendant was present in Court for sentencing with counsel ROBERT BECKETT, ESQ., and good cause appearing,

THE DEFENDANT IS HEREBY ADJUDGED guilty of said offense and, in addition to the \$25.00 Administrative Assessment Fee and \$150.00 DNA Analysis Fee

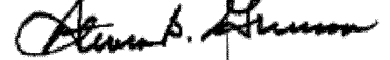
<input type="checkbox"/> Nolle Prosequi (before trial)	<input type="checkbox"/> Bench (Non-Jury) Trial
<input type="checkbox"/> Dismissed (after diversion)	<input type="checkbox"/> Dismissed (during trial)
<input type="checkbox"/> Dismissed (before trial)	<input type="checkbox"/> Acquittal
<input checked="" type="checkbox"/> Guilty Plea with Sent. (before trial)	<input type="checkbox"/> Guilty Plea with Sent. (during trial)
<input type="checkbox"/> Transferred (before/during trial)	<input type="checkbox"/> Conviction
<input type="checkbox"/> Other Manner of Disposition	

1 including testing to determine genetic markers plus \$3.00 DNA Collection Fee, the  
2 Defendant is sentenced as follows: LIFE WITHOUT THE POSSIBILITY OF PAROLE  
3 in the Nevada Department of Corrections (NDC).  
4

5 DATED: 27 day of March, 2019.

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8 JERRY A. WIESE  
DISTRICT COURT JUDGE  
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1 MOT

2 **Robert S. Beckett, ESQ.**

3 Nevada Bar #3383

732 South Sixth Street, Suite #100

3 Las Vegas, NV 89101

(702) 334-4886 Telephone

4 (702) 400-4001 Facsimile

Attorney for Defendant

5  
6 DISTRICT COURT  
CLARK COUNTY, NEVADA

7 STATE OF NEVADA,  
8 *Plaintiff,*

9 vs.

10 EDWARD HONABACH,  
11 *Defendant*

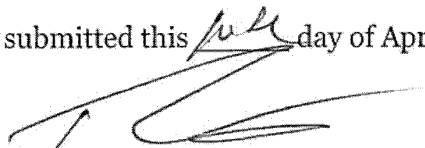
) Case No.: C-16-314092-2

) Dept. No.: 30

) **MOTION TO WITHDRAW AS**  
) **ATTORNEY OF RECORD**  
)

12 COMES NOW, ROBERT S. BECKETT, ESQ., attorney for the Defendant,  
13 EDWARD HONABACH, and moves this Honorable Court to enter its ORDER allowing  
14 counsel to withdraw in this action. This Motion is made and based upon the Points and  
15 Authorities attached hereto and Affidavit of Robert S. Beckett, Esq.

16 Respectfully submitted this 10th day of April, 2019.

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19 Robert S. Beckett, ESQ.  
20 Nevada Bar #3383  
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**NOTICE OF MOTION**

TO: ALL INTERESTED PARTIES

YOU AND EACH OF YOU WILL PLEASE TAKE NOTICE, that the undersigned shall bring the foregoing Motion to Withdraw as Attorney of Record on the \_\_\_\_\_ day of \_\_\_\_\_, 2019, at the hour of \_\_\_\_\_.

\_\_\_\_\_  
CLERK OF THE COURT

**RECEIPT OF COPY**

RECEIPT OF COPY of the above motion of Motion to Withdraw as Attorney of Record, to place on calendar is hereby acknowledged on this \_\_\_\_\_ day of April, 2019.

\_\_\_\_\_  
DISTRICT ATTORNEY'S OFFICE  
Office of the District Attorney  
200 Lewis Avenue  
Las Vegas Nevada 89101

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**POINTS AND AUTHORITIES**

Rule 7.40 of the Eighth Judicial District Court Rules states, in pertinent part:

(b) Counsel in any case may be changed only:

(2) ... by order of the court, granted upon written motion, and

...

(i) If the application is made by the attorney, the attorney must include in an affidavit the address, or the last known address at which the client may be served with notice of further proceedings taken in the case in the event the application for withdrawal is granted, ... and the attorney must serve a copy of the application upon the client and all other parties to the action or their attorneys, ...

Nevada Rules of Professional Conduct Rule 1.16, declining or terminating representation, states

in pertinent part:

(b) Except as stated in paragraph (c), a lawyer may withdraw from representing a client if:

(1) Withdrawal can be accomplished without material adverse effect on the interests of the client;

...

(5) The client fails substantially to fulfill an obligation to the lawyer regarding the lawyer's services and has been given reasonable warning that the lawyer will withdraw unless the obligation is fulfilled;

(6) The representation will result in an unreasonable financial burden on the lawyer or has been rendered unreasonably difficult by the client; or

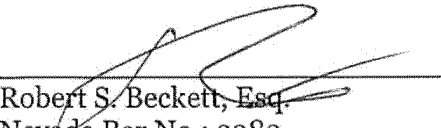
(7) Other good cause for withdrawal exists.

In accordance with counsel's attached affidavit and the above-cited rules, counsel respectfully requests to withdraw as attorney of record for the Defendant in the above-entitled matter due to counsel fulfilling his appointed obligation to Defendant.

10

1 Further notice of any future hearings shall be directed to Defendant at the  
2 following address, which is the Defendant's last known address: 1214257, High Desert  
3 State Prison, P.O. Box 650, Indian Springs, Nevada 89070-0650.

4  
5 Dated this 1st day of April, 2019.

6  
7   
8 Robert S. Beckett, Esq.  
9 Nevada Bar No.: 3383  
732 South Sixth Street, Suite #100  
Las Vegas, Nevada 8911  
Attorney for Defendant

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I, ROBERT S. BECKETT, being first duly sworn, deposes and says:

1. That your affiant is an attorney duly licensed to practice law in the State of Nevada with offices located at 732 South Sixth Street, Suite 100, Las Vegas, Nevada;
2. That I am the attorney of record for Defendant EDWARD HONABACH and have personal knowledge of the facts contained herein;
3. That this Motion is brought forth in good faith and not for the purposes of delay;
4. That Counsel has fulfilled his appointed obligation to Defendant.
5. That the last known address for Defendant EDWARD HONABACH is 1214257, High Desert State Prison, P.O. Box 650, Indian Springs, Nevada 89070-0650.

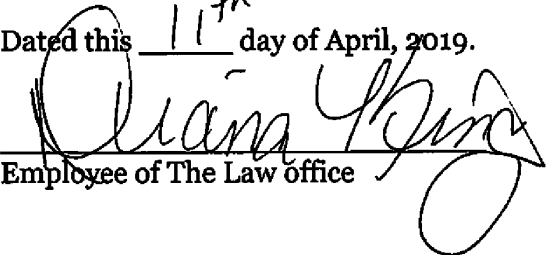
Robert S. Beckett, Esq.  
Nevada Bar No.: 3383  
732 South Sixth Street, Suite #100  
Las Vegas, Nevada 89111  
Attorney for Defendant

**CERTIFICATE OF MAILING**

I hereby certify that on the 11<sup>th</sup> of April, 2019, I served the foregoing **MOTION TO WITHDRAW AS ATTORNEY OF RECORD** by depositing a true and complete copy of same in the United States mail, postage prepaid, and addressed as follows:

EDWARD HONABACH, 1214257  
High Desert State Prison,  
P.O. Box 650,  
Indian Springs, Nevada 89070-0650

Dated this 11<sup>th</sup> day of April, 2019.

  
Employee of The Law office

DISTRICT COURT  
CLARK COUNTY, NEVADA  
\*\*\*\*



State of Nevada  
vs  
EDWARD HONABACH

Case No.: C-16-314092-2  
Department 30

**NOTICE OF HEARING**

Please be advised that the Defendant's Motion to Withdraw as Attorney of Record in the above-entitled matter is set for hearing as follows:

**Date:** April 23, 2019  
**Time:** 8:30 AM  
**Location:** RJC Courtroom 14A  
Regional Justice Center  
200 Lewis Ave.  
Las Vegas, NV 89101

**NOTE: Under NEFCR 9(d), if a party is not receiving electronic service through the Eighth Judicial District Court Electronic Filing System, the movant requesting a hearing must serve this notice on the party by traditional means.**

STEVEN D. GRIERSON, CEO/Clerk of the Court

By: /s/ Patricia Azucena-Preza  
Deputy Clerk of the Court

**CERTIFICATE OF SERVICE**

I hereby certify that pursuant to Rule 9(b) of the Nevada Electronic Filing and Conversion Rules a copy of this Notice of Hearing was electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

By: /s/ Patricia Azucena-Preza  
Deputy Clerk of the Court



*Steven D. Grierson*

EDWARD HONABACH 1214257  
HDSP  
POST OFFICE BOX 650  
INDIAN SPRINGS, NV, 89070

PETITIONER / APPELLANT

IN THE EIGHTH JUDICIAL DISTRICT OF THE  
STATE OF NEVADA  
IN AND FOR THE COUNTY OF CLARK

THE STATE OF NEVADA,  
PLAINTIFF,

CASE NO.  
C-16-314092-2  
DEPT. NO. 14-A

VS.

EDWARD HONABACH,  
DEFENDANT.

NOTICE OF APPEAL

PETITIONER EDWARD HONABACH HEREBY  
APPEALS THE COURT'S MARCH 26, 2019, JUDGMENT OF  
CONVICTION. PETITIONER SEEKS THAT HIS ONE FREE  
COPY OF THE RECORD BE TRANSMITTED AND PROVIDED  
FORTHWITH AND FURTHER SEEKS THAT APPELLATE  
COUNSEL BE APPOINTED ON ACCOUNT OF HIS INDI-  
GENCY.

RESPECTFULLY SUBMITTED,

DATE: APRIL 23, 2019

BY: */s/ Edward Honabach*  
(EDWARD HONABACH)  
PETITIONER / APPELLANT  
IN PRO SE

CLERK OF THE COURT

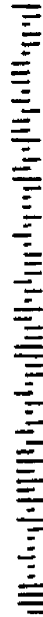
RECEIVED  
APR 26 2019

EDWARD HONABACH 1214257  
HNSP  
P.O. Box 650  
INDIAN SPRINGS, NV, 89070

**INTAKE**  
**MSG 3763**

STEVEN D. STEIGSON  
CLERK OF COURT  
200 LEWIS AVENUE, 3RD FLOOR  
LAS VEGAS, NV, 89155-1160

33 BRDNMP 89155



HIGH DESERT STATE PRISON  
APR 28 2019  
UNIT 1 A/B



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**IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE  
STATE OF NEVADA IN AND FOR  
THE COUNTY OF CLARK**

STATE OF NEVADA,

Plaintiff(s),

vs.

EDWARD HONABACH  
aka EDWARD JOSEPH HONABACH,

Defendant(s),

Case No: C-16-314092-2

Dept No: XXX

**CASE APPEAL STATEMENT**

1. Appellant(s): Edward Honabach

2. Judge: Jerry A. Wiese

3. Appellant(s): Edward Honabach

Counsel:

Edward Honabach #1214257  
P.O. Box 650  
Indian Springs, NV 89070

4. Respondent: The State of Nevada

Counsel:

Steven B. Wolfson, District Attorney  
200 Lewis Ave.

Las Vegas, NV 89101  
(702) 671-2700

5. Appellant(s)'s Attorney Licensed in Nevada: N/A  
Permission Granted: N/A

Respondent(s)'s Attorney Licensed in Nevada: Yes  
Permission Granted: N/A

6. Has Appellant Ever Been Represented by Appointed Counsel In District Court: Yes

7. Appellant Represented by Appointed Counsel On Appeal: N/A

8. Appellant Granted Leave to Proceed in Forma Pauperis: N/A

9. Date Commenced in District Court: April 12, 2016

10. Brief Description of the Nature of the Action: Criminal

Type of Judgment or Order Being Appealed: Judgment of Conviction

11. Previous Appeal: No

Supreme Court Docket Number(s): N/A

12. Child Custody or Visitation: N/A

Dated This 30 day of April 2019.

Steven D. Grierson, Clerk of the Court

/s/ Amanda Hampton

Amanda Hampton, Deputy Clerk  
200 Lewis Ave  
PO Box 551601  
Las Vegas, Nevada 89155-1601  
(702) 671-0512

cc: Edward Honabach

Original

District Court  
Clark County, Nevada

FILED

OCT 10 2019

CLERK OF COURT

pp  
DA  
HGA

Edward Honabach,  
Petitioner,

Case No: C314092-2

vs.

Dept. No: \_\_\_\_\_

Travis  
HGA

The State of Nevada,  
Respondents

Date of Hear October 31, 2019  
Time of Hea 8:30 AM

Motion for Withdrawal of Attorney of Record /  
Request For Records / Case Documents

Comes Now, Edward Honabach, Petitioner In proper person and moves this Honorable Court for its Order Withdrawing Robert Beckett as the attorney of record in the above-entitled matter.

This motion is based on the attached Points and Authorities and all pleadings on file.

Points and Authorities

1. Statement of Case

During Trial, entry of plea, and sentencing and the initial Appeal the petitioner was represented by Robert Beckett. The Petitioner contacted MR. Beckett and demanded production of his personal property, pleadings, transcripts and work product more than 5 days ago as prescribed in NRS 2.055. There has been No answer. this motion now follows.

RECEIVED  
OCT 10 2019  
CLERK OF THE COURT

①

## 2. Argument

### NRS 7.055 Provides:

An attorney who has been discharged by his client shall upon demand ... immediately deliver to the client, all papers, documents, pleadings, and items of tangible personal property which belong to or were prepared for that client.

### See also Nev. Sup. Ct. Rule 166(4):

Upon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client's interests such as ... surrendering papers and property to which the client is entitled...

Under such statutes it is necessary for the party to present his request for the Change in order for the Court in making an Order withdrawing the attorney of record, and to make formal demand to the attorney to return all papers and property.

## 3. Conclusion

Therefore, the Petitioner respectfully requests this Court Withdraw the attorney of record and order him to provide all papers, pleadings and other items in his possession.

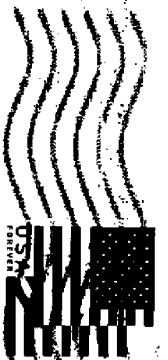
Respectfully submitted this 7<sup>th</sup> day of October 2019

Edward Honabach  
Edward Honabach  
Petitioner in Proper Person

Edward Hornback #1214287  
P.O. Box 1989 - ESP  
Elly, Nevada  
89301

Legal Mail  
Confidential

US AIRMAIL 114.50g  
OCT 2019 PM 3.1



Clerk of the Court  
Eighth Judicial District  
200 Lewis Ave  
Las Vegas, Nevada

89101-630000



2019  
OCT 20 10:50  
89301





**MOT**  
**THE LAW OFFICE OF TRAVIS AKIN**  
Travis Akin, Esq.  
Nevada Bar No. 13059  
8275 S. Eastern Ave., Suite 200  
Las Vegas, NV 89123  
Phone: (702) 510-8567  
Fax: (702) 778-6600  
*Attorney for Petitioner*

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

\*\*\*\*\*

THE STATE OF NEVADA

Plaintiff,

vs.

EDWARD HONABACH,

Defendant.

CASE NO.: C-16-314092-C

DEPT. NO.: 30

**MOTION TO WITHDRAW AS COUNSEL**

**Hearing Date Requested**

**MOTION TO WITHDRAW AS COUNSEL**

COMES NOW, the Petitioner, EDWARD HONABACH, by and through his attorney,  
Travis Akin, ESQ. of THE LAW OFFICE OF TRAVIS AKIN, and respectfully moves this Court  
to grant Counsel's request to withdraw as counsel of record.

DATED this 1<sup>st</sup> day of March, 2020.

**THE LAW OFFICE OF TRAVIS AKIN**

/s/ Travis Akin

\_\_\_\_\_  
Travis Akin, Esq.  
Nevada Bar No. 13059  
8275 S. Eastern Ave., Suite 200  
Las Vegas, NV 89123  
Phone: (702) 510-8567  
Fax: (702) 778-6600  
Attorney for Petitioner

1 TO: ALL PARTIES INVOLVED.

2 YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the  
3 undersigned will bring the foregoing Motion to Withdraw on for hearing before the above-  
4 entitled Court, in Department 30 on the \_\_\_\_\_ day of \_\_\_\_\_, 2020, at  
5 the hour of \_\_\_\_\_ or as soon thereafter as counsel can be heard.

6 DATED this 1<sup>st</sup> day of March, 2020.

7  
8 THE LAW OFFICE OF TRAVIS AKIN

9 /s/ Travis Akin

10 Travis Akin, Esq.  
11 Nevada Bar No. 13059  
12 9480 S. Eastern Ave., Suite 257  
13 Las Vegas, NV 89123  
14 Phone: (702) 510-8567  
Fax: (702) 778-6600  
Attorney for Petitioner

15 **MEMORANDUM OF POINTS AND AUTHORITIES**

16 This action is still pending a final judgment and therefore the Motion is brought pursuant  
17 to Nevada Supreme Court Rule 46(2). As reflected in the following Certificate, counsel has  
18 attempted to and will comply with all Rules and obligations attendant to withdrawal.

19 Nevada Supreme Court Rule 46 provides:

20 The attorney in an action or special proceeding may be changed at any time before  
21 judgment or final determination as follows:

- 22 1. Upon consent of the attorney, approved by the client.  
23 2. Upon the order of the court or judge thereof on the application of the  
24 attorney or the client.

25 EDCR Rule 7.40 states in pertinent part as follows:

- 26 (2) When no attorney has been retained to replace the attorney withdrawing, by  
order of the court, granted upon written motion therefore, and  
27 (i) If the application is made by the attorney, he must include in an  
28 affidavit the address, or last known address, at which the client may be

1 served with notice of further proceedings taken in the case in the event the  
2 application for withdrawal is granted, and he must serve a copy of the  
3 application upon the client and all other parties to the action or their  
4 attorneys...."

5 Counsel is moving to withdraw due to an insurmountable conflict of interest regarding  
6 representation in this case such that it is ethically unfeasible for Petitioner's counsel to continue  
7 representation. Counsel took a job with a firm, is working long hours, and no longer has the time  
8 to diligently represent his post-conviction clients. Counsel asks that the Court allow him to  
9 withdraw and to appoint new post-conviction counsel

### 10 **CONCLUSION**

11 For the foregoing reasons, Petitioner respectfully requests that this Court grant Petitioner's  
12 Motion to Withdraw as Counsel and appoint new post-conviction counsel.

13 Respectfully submitted this 1<sup>st</sup> day of March, 2020.

14 **THE LAW OFFICE OF TRAVIS AKIN**

15 /s/ Travis Akin

16 

---

Travis Akin, Esq.  
17 Nevada Bar No. 13059  
18 8275 S. Eastern Ave., Suite 200  
19 Las Vegas, NV 89123  
20 Phone: (702) 510-8567  
21 Fax: (702) 778-6600  
22 Attorney for Petitioner  
23  
24  
25  
26  
27  
28

**DECLARATION OF TRAVIS AKIN, ESQ.**

STATE OF NEVADA                     )  
   ) SS:  
COUNTY OF CLARK                     )

I, TRAVIS AKIN verify and declare under penalty of perjury:

1.       That Declarant is an attorney duly licensed to practice law in all courts in the State of Nevada.

2.       Counsel is moving to withdraw due to an insurmountable conflict of interest regarding representation in this case such that it is ethically unfeasible for Petitioner's counsel to continue representation. Counsel took a job with a firm, is working long hours, and no longer has the time to diligently represent his post-conviction clients.

FURTHER DECLARANT SAYETH NAUGHT

**THE LAW OFFICE OF TRAVIS AKIN**

/s/ Travis Akin

---

Travis Akin, Esq.  
Nevada Bar No. 13059  
8275 S. Eastern Ave., Suite 200  
Las Vegas, NV 89123  
Phone: (702) 510-8567  
Fax: (702) 778-6600  
Attorney for Petitioner

**CERTIFICATE OF SERVICE**

I hereby certify that on the 1<sup>st</sup> day of March, 2020, I served a true and correct copy of the above and foregoing **MOTION TO WITHDRAW AS COUNSEL** electronically and via mail addressed to the following:

**CLARK COUNTY DISTRICT ATTORNEY**

200 Lewis Avenue  
Las Vegas, Nevada 89101  
*Attorney for the State of Nevada*

**NEVADA ATTORNEY GENERAL**

Adam Paul Laxalt  
100 North Carson Street  
Carson City, Nevada 89701-4717

**EDWARD HONABACH # 1214257**

P.O. Box 1989  
4569 North State Rt.  
Ely, Nevada 89301

/s/ Travis Akin

---

Travis Akin, Esq.

DISTRICT COURT  
CLARK COUNTY, NEVADA  
\*\*\*\*



State of Nevada  
vs  
EDWARD HONABACH

Case No.: C-16-314092-2  
Department 30

**NOTICE OF HEARING**

Please be advised that the Petitioner's Motion to Withdraw as Counsel in the above-entitled matter is set for hearing as follows:

**Date:** March 12, 2020  
**Time:** 8:30 AM  
**Location:** RJC Courtroom 14A  
Regional Justice Center  
200 Lewis Ave.  
Las Vegas, NV 89101

**NOTE: Under NEFCR 9(d), if a party is not receiving electronic service through the Eighth Judicial District Court Electronic Filing System, the movant requesting a hearing must serve this notice on the party by traditional means.**

STEVEN D. GRIERSON, CEO/Clerk of the Court

By: /s/ Imelda Murrieta  
Deputy Clerk of the Court

**CERTIFICATE OF SERVICE**

I hereby certify that pursuant to Rule 9(b) of the Nevada Electronic Filing and Conversion Rules a copy of this Notice of Hearing was electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

By: /s/ Imelda Murrieta  
Deputy Clerk of the Court

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****April 14, 2016**

C-16-314092-2

State of Nevada

vs

EDWARD HONABACH

**April 14, 2016****10:00 AM****Initial Arraignment****HEARD BY:** De La Garza, Melisa**COURTROOM:** RJC Lower Level Arraignment**COURT CLERK:** Kristen Brown**RECORDER:** Kiara Schmidt**REPORTER:****PARTIES****PRESENT:**

HONABACH, EDWARD

Defendant

Pallares, Jose

Attorney

**JOURNAL ENTRIES**

- Deputized Law Clerk, Kelsey Einhorn appearing for the State.

DEFT. HONABACH ARRAIGNED, PLED NOT GUILTY, and WAIVED the 60-DAY RULE. COURT ORDERED, matter set for trial. COURT ORDERED, pursuant to Statute, Counsel has 21 days from today for the filing of any Writs; if the Preliminary Hearing Transcript has not been filed as of today, Counsel has 21 days from the filing of the Transcript.

CUSTODY (COC)

9/27/16 9:00 AM CALENDAR CALL (DEPT. 4)

10/03/16 10:30 AM JURY TRIAL (DEPT. 4)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**July 19, 2016**

C-16-314092-2

State of Nevada

vs

EDWARD HONABACH

**July 19, 2016**

**9:00 AM**

**Motion to Withdraw as  
Counsel**

**Jose Palares' Motion  
to Withdraw as  
Counsel**

**HEARD BY:** Earley, Kerry

**COURTROOM:** RJC Courtroom 16B

**COURT CLERK:** April Watkins  
Katherine Streuber

**RECORDER:**

**REPORTER:** Gina Shrader

**PARTIES**

<b>PRESENT:</b>	Beckett, Robert S.	Attorney
	HONABACH, EDWARD	Defendant
	State of Nevada	Plaintiff
	Villani, Jacob J.	Attorney

**JOURNAL ENTRIES**

- Mr. Beckett requested to substitute in as counsel. COURT SO ORDERED. Colloquy. FURTHER ORDERED, motion GRANTED. Mr. Beckett advised he has received discovery already.

CUSTODY (COC)



September 27, 2016

C-16-314092-2                  State of Nevada  
vs  
EDWARD HONABACH

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**July 11, 2017**

---

C-16-314092-2      State of Nevada  
                                 vs  
                                 EDWARD HONABACH

---

**July 11, 2017      9:00 AM      Calendar Call**

**HEARD BY:** Earley, Kerry      **COURTROOM:** RJC Courtroom 16B

**COURT CLERK:** Denise Duron

**RECORDER:**

**REPORTER:** Gina Shrader

**PARTIES**

<b>PRESENT:</b>	Beckett, Robert S.	Attorney
	HONABACH, EDWARD	Defendant
	State of Nevada	Plaintiff
	Turner, Robert B.	Attorney

**JOURNAL ENTRIES**

- Mr. Turner advised he is not opposing a continuance, noting the state was recently given an alibi for Defendant Castro. Colloquy between Court and counsel regarding trial dates and availability.  
COURT ORDERED, trial date VACATED and RESET.

CUSTODY (COC)

02/06/18 9:00 AM CALENDAR CALL

02/12/18 10:30 AM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****April 10, 2018**

C-16-314092-2

State of Nevada

vs

EDWARD HONABACH

**April 10, 2018****9:00 AM****Calendar Call****HEARD BY:** Earley, Kerry**COURTROOM:** RJC Courtroom 16B**COURT CLERK:** Louisa Garcia**RECORDER:** Trisha Garcia**REPORTER:****PARTIES****PRESENT:**

Beckett, Robert S.

HONABACH, EDWARD

State of Nevada

Villani, Jacob J.

Attorney

Defendant

Plaintiff

Attorney

**JOURNAL ENTRIES**

- APPEARANCES CONTINUED: Defendant Luis Angel Castro present in custody represented by Warren Geller, Esq.; Defendant Edward Honabach present in custody represented by Robert Beckett, Esq.; Defendant Fabiola Jimenez present in custody represented by Mr. Geller on behalf of Carl Arnold, Esq.; Defendant Lionel King present in custody represented by Jason Margolis, Esq.

Mr. Villani advised State was ready to go and their only request was not to sever. Mr. Geller stated for the record Defendant Castro would have been ready to proceed today. Mr. Beckett announced ready; however, had no problem with a continuance. Mr. Margolis announced ready as well. Parties anticipate 2-3 weeks with 25-30 witnesses. Pursuant to representations, COURT ORDERED, trial date VACATED and RESET.

CUSTODY (ALL)

1/29/19 9:00 AM CALENDAR CALL

2/4/19 10:30 AM JURY TRIAL (FIRM) (ALL)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**January 31, 2019**

---

C-16-314092-2      State of Nevada  
                                 vs  
                                 EDWARD HONABACH

---

**January 31, 2019      8:30 AM      Calendar Call**

**HEARD BY:** Wiese, Jerry A.      **COURTROOM:** RJC Courtroom 14A

**COURT CLERK:** Vanessa Medina

**RECORDER:**

**REPORTER:** Kimberly Farkas

**PARTIES**

**PRESENT:**      Beckett, Robert S.      Attorney  
                                 HONABACH, EDWARD      Defendant  
                                 State of Nevada      Plaintiff  
                                 Thomson, Megan      Attorney

**JOURNAL ENTRIES**

- Counsel announced ready to proceed with Trial. Mr. Yampolsky advised there was an offer outstanding which had not been discussed with his client and requested Defendant remain at the Clark County Detention Center until the trial date to discuss the offer, noting, the offer was contingent upon Defendants. COURT SO ORDERED. Upon Court's inquiry, Counsel anticipates 10 days for Trial. COURT ORDERED, Trial date STANDS.

CUSTODY (COC)

02/04/19 10:00 AM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****February 04, 2019**

C-16-314092-2

State of Nevada

vs

EDWARD HONABACH

**February 04, 2019****10:00 AM****Jury Trial - FIRM****HEARD BY:** Wiese, Jerry A.**COURTROOM:** RJC Courtroom 14A**COURT CLERK:** Vanessa Medina**RECORDER:****REPORTER:** Kimberly Farkas**PARTIES****PRESENT:**

Beckett, Robert S.

Attorney

HONABACH, EDWARD

Defendant

State of Nevada

Plaintiff

Thomson, Megan

Attorney

**JOURNAL ENTRIES**

- Amended Information FILED IN OPEN COURT.

Upon Court's inquiry, Mr. Beckett concurred Defendant would be entering a plea. Ms. Thomson placed the negotiations on the record. Mr. Beckett further concurred with the negotiations. NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. HONABACH ARRAIGNED AND PLED GUILTY TO FIRST DEGREE KIDNAPPING RESULTING IN SUBSTANTIAL BODILY HARM (F). Court ACCEPTED plea, and, ORDERED, matter referred to the Division of Parole and Probation (P & P) and SET for Sentencing.

CUSTODY (COC)

03/26/19 8:30 AM SENTENCING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**March 26, 2019**

---

C-16-314092-2      State of Nevada  
                                 vs  
                                 EDWARD HONABACH

---

**March 26, 2019      8:30 AM      Sentencing**

**HEARD BY:** Wiese, Jerry A.      **COURTROOM:** RJC Courtroom 14A

**COURT CLERK:** Vanessa Medina

**RECORDER:**

**REPORTER:** Kimberly Farkas

**PARTIES**

<b>PRESENT:</b>	Beckett, Robert S.	Attorney
	HONABACH, EDWARD	Defendant
	State of Nevada	Plaintiff
	Thomson, Megan	Attorney

**JOURNAL ENTRIES**

- Mr. Beckett confirmed no issues pursuant to stockmeier and announced ready to proceed with Sentencing. DEFENDANT HONABACH ADJUDGED GUILTY of FIRST DEGREE KIDNAPPING RESULTING IN SUBSTANTIAL BODILY HARM (F). Arguments by Ms. Thomson and Mr. Beckett. Statement by Defendant. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, a \$150.00 DNA analysis fee, including testing to determine genetic markers, if it has not been taken, and \$3.00 DNA Collection fee, Defendant SENTENCED to a MAXIMUM term of LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC). BOND, if any, EXONERATED.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**April 23, 2019**

---

C-16-314092-2      State of Nevada  
                                 vs  
                                 EDWARD HONABACH

---

**April 23, 2019      8:30 AM      Motion**

**HEARD BY:** Wiese, Jerry A.      **COURTROOM:** RJC Courtroom 14A

**COURT CLERK:** Vanessa Medina

**RECORDER:**

**REPORTER:** Kimberly Farkas

**PARTIES**

<b>PRESENT:</b>	Akin, Travis D	Attorney
	Beckett, Robert S.	Attorney
	Clowers, Shanon	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Defendant not present. COURT ORDERED, Motion GRANTED; Robert Beckett, Esq. WITHDRAWN and Travis Akin, Esq., APPOINTED. Mr. Akin confirmed as counsel.

NDC



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**May 28, 2019**

---

C-16-314092-2      State of Nevada  
                                 vs  
                                 EDWARD HONABACH

---

**May 28, 2019      8:30 AM      At Request of Court**

**HEARD BY:** Barker, David      **COURTROOM:** RJC Courtroom 14A

**COURT CLERK:** Vanessa Medina

**RECORDER:**

**REPORTER:** Kimberly Farkas

**PARTIES**

**PRESENT:**      Clowers, Shanon      Attorney  
                                 State of Nevada      Plaintiff

**JOURNAL ENTRIES**

- Defendant not present. Travis Akin, Esq., not present.

Court NOTED, the Supreme Court ordered District Court to confirm the participation or appointment of counsel Akin for purposes of appeal. Court further NOTED, in reviewing the court case minutes of 04/23/19, Mr. Akins was appointed, and ORDERED, matter CONTINUED for Mr. Akin's presence.

NDC

CONTINUED TO: 06/06/19 8:30 AM

CLERK'S NOTE: Travis Akin, Esq., (travisakin8@gmail) was notified of the continuance date.  
//05/31/19 vm

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**June 06, 2019**

C-16-314092-2

State of Nevada

vs

EDWARD HONABACH

**June 06, 2019**

**8:30 AM**

**At Request of Court**

**HEARD BY:** Barker, David

**COURTROOM:** RJC Courtroom 14A

**COURT CLERK:** Vanessa Medina

**RECORDER:**

**REPORTER:** Kimberly Farkas

**PARTIES**

**PRESENT:**

Akin, Travis D

Attorney

Getler, Stephanie M.

Attorney

State of Nevada

Plaintiff

**JOURNAL ENTRIES**

- Defendant not present. Upon Court's inquiry, Mr. Akins advised he received a copy of the Supreme Court's Order, could confirm, and had met with Defendant to discuss potential options on appeal, thus, anticipated voluntary dismissing appeal and moving forward on a writ of habeas corpus.  
COURT SO NOTED.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**October 31, 2019**

---

C-16-314092-2      State of Nevada  
                                 vs  
                                 EDWARD HONABACH

---

**October 31, 2019      8:30 AM      Motion**

**HEARD BY:** Wiese, Jerry A.      **COURTROOM:** RJC Courtroom 14A

**COURT CLERK:** Lauren Kidd

**RECORDER:** Vanessa Medina

**REPORTER:**

**PARTIES**

**PRESENT:**      Stanton, David L.      Attorney  
                                 State of Nevada      Plaintiff

**JOURNAL ENTRIES**

- Defendant not present, in Nevada Department of Corrections. Mr. Atkin not present.

COURT ORDERED, Defendant's Pro Per Motion to Withdraw, GRANTED; Mr. Atkin to provide Defendant with a copy of his file.

NDC

CLERK'S NOTE: A copy of the above minute order was distributed to Travis Atkin, Esq., the District Attorney's office and Edward Honbach #121427, Ely State Prison, P.O. Box 1989, Ely, Nevada 89301./ /lk

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**March 12, 2020**

---

C-16-314092-2      State of Nevada  
                                 vs  
                                 EDWARD HONABACH

---

**March 12, 2020      8:30 AM      Motion to Withdraw as  
   Counsel**

**HEARD BY:** Wiese, Jerry A.      **COURTROOM:** RJC Courtroom 14A

**COURT CLERK:** Rem Lord

**RECORDER:** Vanessa Medina

**REPORTER:**

**PARTIES**

**PRESENT:**      Luong, Vivian      Attorney  
                                 State of Nevada      Plaintiff

**JOURNAL ENTRIES**

- PETITIONER'S MOTION TO WITHDRAW AS COUNSEL.

COURT noted the Motion was filed by previous counsel, Mr. Aiken and ORDERED, Motion MOOT and taken off calendar.

# Certification of Copy and Transmittal of Record

State of Nevada }  
County of Clark } SS:

Pursuant to the Supreme Court order dated July 29, 2020, I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, do hereby certify that the foregoing is a true, full and correct copy of the complete trial court record for the case referenced below. The record comprises two volumes with pages numbered 1 through 331.

STATE OF NEVADA,

Plaintiff(s),

vs.

EDWARD HONABACH  
aka EDWARD JOSEOH HONABACH,

Defendant(s),

Case No: C-16-314092-2

*Related Case A-20-812948-W*

Dept. No: XXX

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto  
Set my hand and Affixed the seal of the  
Court at my office, Las Vegas, Nevada  
This 4 day of August 2020.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk