

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

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EDWARD HONABACH,

Appellant,

v.

THE STATE OF NEVADA,

Respondent.

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Case No. 81402

Electronically Filed  
Nov 03 2021 09:59 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

**RESPONDENT'S APPENDIX**

EDWARD HONABACK  
Pro Se Appellant - #1214257  
High Desert State Prison  
22010 Cold Creek Road  
Post Office Box 650  
Indian Springs, Nevada 89070  
(702) 879-6789

STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565  
Office of the Clark County District Attorney  
Regional Justice Center  
200 Lewis Avenue  
Post Office Box 552212  
Las Vegas, Nevada 89155-2212  
(702) 671-2500  
State of Nevada

AARON D. FORD  
Nevada Attorney General  
Nevada Bar #0007704  
100 North Carson Street  
Carson City, Nevada 89701-4717  
(775) 684-1265

Pro Se Appellant

Counsel for Respondent

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## **CERTIFICATE OF SERVICE**

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on November 3, 2021. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

AARON D. FORD  
Nevada Attorney General

JOHN NIMAN  
Deputy District Attorney

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage pre-paid, addressed to:

EDWARD HONABACH, #1214257  
High Desert State Prison  
22010 Cold Creek Road  
Post Office Box 650  
Indian Springs, Nevada 89070

BY /s/ E. Davis  
Employee, District Attorney's Office

JN/Elan Eldar/ed

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

EDWARD HONABACH	)	CASE NO.: 78694	Electronically Filed Aug 13 2019 11:16 a.m. Elizabeth A. Brown Clerk of Supreme Court
Appellant,	)		
vs.	)		
THE STATE OF NEVADA	)		
Appellee,	)		
_____	)		

**NOTICE OF WITHDRAWAL OF APPEAL**

Edward Honabach, appellant named above, hereby moves to voluntarily withdraw the appeal mentioned above. I, Travis Akin, as counsel for the appellant, explained and informed Edward Honabach of the legal effects and consequences of this voluntary withdrawal of this appeal, including that Edward Honabach cannot hereafter seek to reinstate this appeal and that any issues that were or could have been brought in this appeal are forever waived. Having been so informed, Edward Honabach hereby consents to a voluntary dismissal of the above-mentioned appeal.

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**VERIFICATION**

I recognize that pursuant to N.R.A.P. 3C I am responsible for filing a notice of withdrawal of appeal and that the Supreme Court of Nevada may sanction an attorney for failing to file such a notice. I therefore certify that the information provided in this notice of withdrawal of appeal is true and complete to the best of my knowledge, information and belief.

DATED THIS 13<sup>th</sup> day of August, 2019.

**THE LAW OFFICE OF TRAVIS AKIN**

/s/ Travis Akin

---

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

IN THE SUPREME COURT OF THE STATE OF NEVADA

EDWARD JOSEPH HONABACH,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 78694

**FILED**

AUG 23 2019

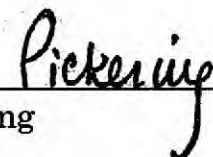
ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

*ORDER DISMISSING APPEAL*

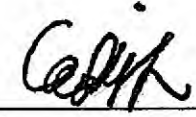
This is a direct appeal from a judgment of conviction. Eighth Judicial District Court, Clark County; Jerry A. Wiese, Judge.

Appellant's counsel has filed a notice of voluntary withdrawal of this appeal. Counsel advises this court that he has informed appellant of the legal consequences of voluntarily withdrawing this appeal, including that appellant cannot hereafter seek to reinstate this appeal, and that any issues that were or could have been brought in this appeal are forever waived. Having been so informed, appellant consents to a voluntary dismissal of this appeal. Cause appearing, this court

ORDERS this appeal DISMISSED.<sup>1</sup>

 J.  
Pickering

 J.  
Parraguirre

 J.  
Cadish

<sup>1</sup>Because no remittitur will issue in this matter, *see* NRAP 42(b), the one-year period for filing a post-conviction habeas corpus petition under NRS 34.726(1) shall commence to run from the date of this order.

cc: Hon. Jerry A. Wiese, District Judge  
The Law Office of Travis Akin  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk  
Edward Joseph Honabach

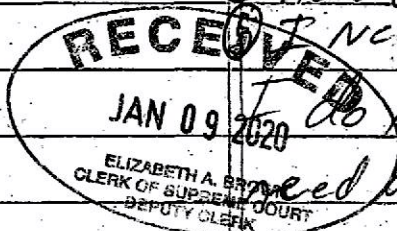


JAN 13 2020

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY ELIZABETH A. BROWN  
DEPUTY CLERK

Hello I am Edward Joseph Honabach and I had Filed a direct appeal. I ~~was~~ <sup>was</sup> appointed Travis Akins, Esq, as my appellant lawyer. I have not heard from him in about 7 or 8 months, He has not answered any of my letters or phone calls. SO I Then wrote to This court For a docket sheet which was reserved by This court on 12-23-19. I reserved The docket sheet and Found out That my Lawyer has canceled my direct appeal without my Knowledge or consent. I was never ~~notified~~ notified by my Lawyer or The court of This ~~all~~ either before or after This was done. I do not even know if I still have a Lawyer and have no Idea of what to do. I need This court's help please. One, I need to know if Travis Akins is still my Lawyer. If not I need one to help with my appeal and my Habeas ~~corpus~~ corpus. ~~Again~~ Again I did not consent to The withdrawal of my appeal. I know nothing of Law or how to do anything on my own I need help please!

- ① Do I have a lawyer?
- ② If not how do I get one?
- ③ What can I do about my appeal?
- ④ How do I get help with my Habeas corpus.
- ⑤ I need a case Sumonery Please.



I do not know what to do or how to do it. I need assistance. I have a Life without parole Sentence.

RA 00501483



I believe my case Number is: 78694 but I'm  
not sure. Please help me. Thank you and God Bless.

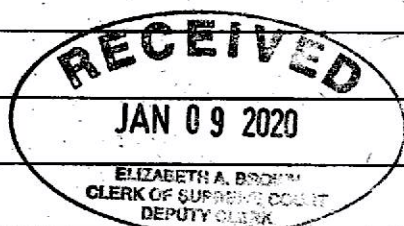
Sincerely,

Edward J. Honabach

Edward J. Honabach #1214257

P.O. Box 1989 - E.S.P.

Elko, Nevada 89301



RA 006

**THE LAW OFFICE OF TRAVIS AKIN**

8275 S. Eastern Ave., Suite 200  
Las Vegas, NV 89123  
United States  
Phone: (702) 510-8567  
Fax: (702) 778-6600  
[Travisakin8@gmail.com](mailto:Travisakin8@gmail.com)

Electronically Filed  
Feb 15 2020 06:00 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

February 14, 2020

**Sent via First Class Mail:**

Edward Honabach # 1214257  
Ely State Prison  
Ely, Nevada 89301

Ms. Honabach:

I am in receipt of your letter. I am still your attorney on this matter. I did dismiss your Supreme Court appeal for the reasons that we spoke about at High Desert State Prison. I have also spoke with your father. He understands where we are in the process, and he told me that he has regular communication with you, so he can fill in some of the details. The Nevada Supreme Court is requesting that I file this letter, so I do not want to communicate to in-depth about the case.

I am still planning on filing a post-conviction writ of habeas corpus with the district court, as we discussed. I will come out to Ely to visit before the opening brief is due in late March to explain everything in-depth.

Thank you and have a great day.

Sincerely,

/s/Travis Akin

**THE LAW OFFICE OF TRAVIS AKIN**

Travis Akin, Esq.  
9480 S. Eastern Ave., Suite 257  
Las Vegas, NV 89123  
Phone: (702) 510-8567  
Fax: (702) 778-6600  
[Travisakin8@gmail.com](mailto:Travisakin8@gmail.com)

MAR 18 2020

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
DEPUTY CLERK

On 3/13/2020 I received a Letter from This Court stating That Mr. Akin ~~filed~~ <sup>filed copy</sup> of a letter he says he sent me which indicates That Mr Akin and appellant (myself) confirmed the dismissal of appeal.

I never received ~~this~~ Any Letter. When any inmate ~~received~~ receives any legal mail we have to sign for it with one copy staying with me and another going to the sender.

Thierfor I request a copy of the letter and of ~~proof~~ ~~proof~~ of the signed receipt stating it was received by me. ALSO I still have had know contact with Mr. Akin and request That This court order him to contact me so This matter can be resolved. ALSO The letter This court sent me states That Mr Akin said he intends to file a writ of habeas corpus on my behalf. AS Far as I know This has not been done ~~either~~.

I have written several letters to Mr. Akin with know response. He has told This court he is my lawyer and I need contact ~~to~~ with him. please help with this, my time is running out and I have no legal expertisen

RECEIVED

MAR 18 2020

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
DEPUTY CLERKSincerely  
Edward Horabach



*Heather S. Linn*

CLERK OF THE COURT

**ORDD**  
STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565  
MADILYN COLE  
Deputy District Attorney  
Nevada Bar #014693  
200 Lewis Avenue  
Las Vegas, NV 89155-2212  
(702) 671-2500  
Attorney for Plaintiff

DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

EDWARD HONABACH, aka,  
Edward Joseph Honabach, #7029816

Defendant.

A-20-812948-W

CASE NO: C-16-314092-2

DEPT NO: XXX

**ORDER DENYING DEFENDANT'S MOTION FOR RECONSIDERATION**

DATE OF HEARING: July 23, 2020  
TIME OF HEARING: 8:30 A.M.

THIS MATTER having come on for hearing before the above entitled Court on the 23rd day of July, 2020, the Defendant not being present, in custody in the Nevada Department of Corrections, the Plaintiff being represented by STEVEN B. WOLFSON, District Attorney, through MADILYN COLE, Deputy District Attorney, without argument, based on the pleadings and good cause appearing therefor,

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1 IT IS HEREBY ORDERED that the Defendant's Motion for Reconsideration, shall be,  
2 and it is DENIED.

3 DATED this \_\_\_\_\_ day of August, 2020.

Dated this 18th day of August, 2020

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5   
DISTRICT JUDGE

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

559 1CA A619 D1BE  
Jerry A. Wiese  
District Court Judge

8  
9 BY 

10 MADILYN COLE  
11 Deputy District Attorney  
12 Nevada Bar #014693  
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1 **CSERV**

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3 DISTRICT COURT  
CLARK COUNTY, NEVADA

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6 Edward Honabach, Plaintiff(s) | CASE NO: A-20-812948-W  
7 vs. | DEPT. NO. Department 30  
8 William Gittere, Defendant(s)  
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District  
12 Court. The foregoing Order was served via the court's electronic eFile system to all  
13 recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 8/18/2020

15 Travis Akin | travis@avalonlg.com  
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RA 011