

IN THE SUPREME COURT OF THE STATE OF NEVADA

STEVEN FLOYD VOSS,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 81472

Dist. Court No. CR96-1581

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Feb 23 2021 09:20 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

Appeal from a Judgment of Conviction  
Second Judicial District Court, Washoe County  
Honorable Kathleen Drakulich, District Court Judge

APPELLANT'S APPENDIX

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2682

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

THE STATE OF NEVADA,

Plaintiff,

vs.

Case No.: CR96-1581

Dept. No.: 1

STEVEN FLOYD VOSS,

Defendant.

**ORDER REGARDING DEFENDANTS' MOTION TO RESCIND ORDER STAYING  
PROCEEDINGS, MOTION FOR NEW TRIAL, AMENDED MOTION FOR NEW TRIAL  
BASED UPON FRAUD UPON THE COURT, PRESENTENCING MOTIONS IN LIMINE,  
EMERGENCY MOTION TO SUSPEND RESENTENCING FOR GOOD CAUSE SHOWN  
AND MOTION FOR RETURN OF PERSONAL PROPERTY**

**I. Background**

The Nevada Court of Appeals issued its *Order Granting Petition* on August 15, 2019. The Nevada Court of Appeals “instruct[ed] the district court to resentence Voss and enter an amended judgment of conviction in CR96-1581 . . . Voss shall be credited with all time he has served pursuant to the invalid judgment of conviction entered in CR96-1581.” *Order Granting Pet.* at 2–3. The court also noted:

[A]lthough there is no valid judgment in CR96-1581, Voss has not been subject to illegal restraint because since 1998 he has also been held and been serving a concurrent prison term of life without the possibility of parole pursuant to a judgment of conviction entered in district court case number CR97-2077.

*Id.* at 2.

1 On November 19, 2019, Defendant Stephen Floyd Voss (Mr. Voss) filed a *Petition for Writ*  
2 *of Prohibition* in which he argued this Court lacked jurisdiction to resentence him. On December 13,  
3 2019, this Court entered its Order Staying All Proceedings Sua Sponte in which this Court reasoned  
4 it could not resentence Mr. Voss while his appeal was pending. The Nevada Court of Appeals rejected  
5 Mr. Voss's argument in its *Order Denying Prohibition* on December 27, 2019 and held he was not  
6 entitled to relief.

7 Concurrently, Mr. Voss appealed this Court's *Order Denying (First Amended) Presentencing*  
8 *Petition for Writ of Habeas Corpus* filed October 30, 2019 in which this Court determined a ruling  
9 would be premature because Mr. Voss had not yet been resented. The Nevada Supreme Court  
10 rejected Mr. Voss's argument that this Court lacked jurisdiction to resentence Mr. Voss and held as  
11 follows:

12 This court's review of this appeal reveals a jurisdictional defect. On August 15,  
13 2018, the Court of Appeals entered an order concluding that there "is currently  
14 no valid judgment of conviction entered in CR96-1581," the underlying district  
15 court case, and directing the district court to resentence appellant and enter an  
16 amended judgment of conviction. *See Voss v. District Court*, Docket No. 74227-  
17 COA (Order Granting Petition, August 15, 2018). To date, appellant has not  
18 been resented and no amended judgment of conviction has been entered.  
Because there is no valid judgment of conviction in this case, appellant's petition  
was filed prematurely. Accordingly, this court lacks jurisdiction and  
ORDERS this appeal DISMISSED.

19 Order Dismissing Appeal (Jan. 16, 2020) at 1–2.

## 20 **II. Analysis**

21 Currently before the Court are the following motions filed by Mr. Voss.

22 1. Mr. Voss filed a *Motion to Rescind Order Staying Proceedings* on May 6, 2020 and  
23 submitted it to the Court for consideration on May 13, 2020 and again on June 10, 2020. Having  
24 considered the facts and arguments set forth therein, this Court grants the *Motion to Rescind Order*  
25 *Staying Proceedings*.

26 2. Mr. Voss filed a *Motion for New Trial* November 19, 2019 and submitted it to the  
27 Court for consideration on May 12, 2020. On May 8, 2020, Mr. Voss filed an *Amended Motion for*  
28 *New Trial Based Upon Fraud Upon the Court*. On June 17, 2020, the State of Nevada filed an

1 *Opposition to Defendant's Motion for New Trial Based Upon Fraud Upon the Court.* On June 24,  
2 2020, Mr. Voss filed a *Reply to States Opposition to Defendant's Motion for New Trial*. NRS 176.515  
3 provides as follows:

- 4 1. The court may grant a new trial to a defendant if required as a matter of  
5 law or on the ground of newly discovered evidence.
- 6 2. If trial was by the court without a jury, the court may vacate the  
7 judgment if entered, take additional testimony and direct the entry of a new  
8 judgment.
- 9 3. Except as otherwise provided in NRS 176.09187, a motion for a new  
10 trial based on the ground of newly discovered evidence may be made only  
11 within 2 years after the verdict or finding of guilt.
- 12 4. A motion for a new trial based on any other grounds must be made  
13 within 7 days after the verdict or finding of guilt or within such further time  
14 as the court may fix during the 7-day period.

15 Neither the *Motion for a New Trial* nor the *Motion for New Trial Based Upon Fraud Upon*  
16 *the Court* ("Motions") allege newly discovered evidence. If they did, NRS 176.515(3) requires such  
17 a motion to be made within two (2) years after the verdict or finding of guilt. The verdicts in this case  
18 were rendered in 1996, over twenty (20) years ago. NRS 176.515(4) provides that a motion for a new  
19 trial based on any other grounds must be made within seven (7) days after the verdict or finding of  
20 guilt. The Motions allege that the State perpetrated a fraud upon the Court in seeking and executing  
21 search warrants in this case and that a new trial must be granted as a matter of law.<sup>1</sup> NRS 176.515(4)  
22 requires that any motion other than a motion based on newly discovered evidence must be made  
23 "within 7 days after the verdict or finding of guilt or within such time as the court may fix during the  
24 7-day period." *See generally* Motions. Accordingly, both Motions are barred by NRS 176.515(4).

25 3. Mr. Voss filed *Defendant's Presentencing Motions in Limine* ("Presentencing  
26 Motion") on May 6, 2020 and submitted it to the Court for consideration on May 13, 2020 and June  
27 10, 2020. On June 17, 2020, the State of Nevada filed an *Opposition to Defendant's Presentencing*  
28 *Motions in Limine*. On June 24, 2020, Mr. Voss filed a *Reply to State's Opposition to Defendant's*  
*Presentencing Motions in Limine*. The Presentencing Motion asserts that each of the guilty verdicts  
in this case should be set aside because the Information fails to state a criminal offense upon which

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<sup>1</sup> Notably, Mr. Voss previously pursued relief on this basis in his *Pre-Sentencing Motion to Set Aside Jury Verdict* filed October 25, 2017. Pre-Sentencing Motion to Set Aside Jury Verdict at 26:14-30:6.

1 judgment can be imposed because the facts constituting the alleged crime are insufficient to state an  
2 offense upon which a judgment can be imposed. *See generally* Presentencing Motion. The State  
3 contends that this claim has no merit as each of the charges that a jury found Mr. Voss guilty of is a  
4 statutorily enumerated. This Court agrees.

5 NRS 173.075 provides as follows:

6 1. The indictment or the information must be a plain, concise and definite  
7 written statement of the essential facts constituting the offense charged. It must be  
8 signed by the Attorney General acting pursuant to a specific statute or the district  
9 attorney. It need not contain a formal commencement, a formal conclusion or any  
other matter not necessary to the statement.

10 2. Allegations made in one count may be incorporated by reference in another  
11 count. It may be alleged in a single count that the means by which the defendant  
committed the offense are unknown or that the defendant committed it by one or  
more specified means.

12 3. The indictment or information must state for each count the official or  
13 customary citation of the statute, rule, regulation or other provision of law which  
14 the defendant is alleged therein to have violated. Error in the citation or its  
15 omission is not a ground for dismissal of the indictment or information or for  
reversal of a conviction if the error or omission did not mislead the defendant to  
the defendant's prejudice.

16 "[A] judgment will not be set aside or a new trial granted, in a criminal case, unless the accused  
17 is able to affirmatively demonstrate that the information is so insufficient that it results in a  
18 miscarriage of justice or actually prejudices him in respect to a substantial right." *Laney v. State*, 86  
19 Nev. 173, 177, 466 P.2d 666, 669 (1970). A review of the Information filed July 16, 1996 reveals  
20 that each of the six counts charged was supported by a statutory reference, the elements of the offense  
21 and a recitation of facts that supported the charge and provided Mr. Voss notice of what he was being  
22 charged with. Accordingly, each of the charges set forth in the Information complies with NRS  
23 173.075.

24 The Presentencing Motion further contends that the Presentence Investigation Report ("PSI")  
25 contains numerous factual misrepresentations and fabrications regarding Mr. Voss's "prior criminal  
26 history, prior bad acts, wrongs, character or trait of his character." Presnt. Mot. at 14:7-11. Mr. Voss  
27 "unequivocally (sic) denies all allegations of fact asserted by the State" within the PSI. *Id.* at 14:15-  
28 18. In response, the State argues that Mr. Voss's unequivocal denial of the contents of the PSI is a

1 blanket assertion that provides no reference to any specific errors. Opp. at 2:7-9. Further, the State  
2 contends that Nevada law gives “the parties the opportunity to object to any of the PSI’s factual  
3 allegations.” *Stockmeier v. State, Bd. Of Parole Com’rs*, 127 Nev. 243, 248, 255 P.3d 209, 213  
4 (2011). *Id.* at 2:9-11.

5 Having reviewed the pleadings on file, this Court finds that the issue raised by Mr. Voss  
6 related to the PSI is unsupported. NRS 176.135(1) mandates that the Division of Parole and Probation  
7 “prepare a PSI to be used at sentencing for any defendant who pleads guilty or who is found guilty of  
8 a felony.” *Stockmeier*, 127 Nev. at 248, 255 P.3d at 212. Because a court cannot base its sentencing  
9 decision on information or accusations that were founded on “impalpable or highly suspect evidence,”  
10 the PSI must not include information based on impalpable or highly suspect evidence. *Id.*, 255 P.3d  
11 at 213. Mr. Voss has issued a blanket assertion related to the PSI regarding factual misrepresentations  
12 and fabrications but provides no specifics and no information as to what is allegedly false in the PSI.  
13 The PSI was issued on November 20, 1996. This Court has been attempting in earnest to resentence  
14 Mr. Voss since the issuance of the *Order Granting Petition* by the Court of Appeals of the State of  
15 Nevada on August 15, 2018. Since that time, this Court has set this matter for sentencing on several  
16 occasions. However, Mr. Voss has filed no less than sixteen motions and four appeals to the Nevada  
17 Supreme Court in an effort to prevent this Court from proceeding with the resentencing. As to the  
18 current resentencing, the State filed an *Application for Setting* on June 4, 2020, requesting a  
19 resentencing date of July 7, 2020 at 8:30 a.m. and served Mr. Voss. On June 6, 2020, this Court  
20 issued an *Order to Produce Prisoner* and on June 24, 2020, this Court issued a *Notice of Audio/Visual*  
21 *Hearing* both for the resentencing on July 7, 2020 at 8:30 a.m. and served Mr. Voss. Despite the  
22 passage of time since 1996 and more recently the notice of thirty-plus days provided by this Court  
23 related to the resentencing, Mr. Voss has provided no specificity as to what is allegedly false or  
24 fabricated with respect to the PSI. Accordingly, his claims regarding the PSI are unsupported.<sup>2</sup>

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25 <sup>2</sup> Importantly as to the PSI, at the sentencing on November 27, 1996, Mr. Voss’s counsel stated that he had  
26 reviewed the PSI “with Mr. Voss last night” and had only one correction; that the 1990 felony conviction was  
27 actually a misdemeanor. Sentencing Transcript at 5:13-17. Thereafter, when Mr. Voss was asked if he had  
28 anything to tell the Court he stated, “I believe Mr. Conway has pretty much addressed our side.” *Id.* at 18:14-  
17. This Court is not suggesting Mr. Voss waived any objection, correction or modification to the PSI.  
However, the vague factual misrepresentations and fabrications that he asserts presently were not asserted in  
1996.



1           4.       Mr. Voss filed an *Emergency Motion to Suspend Resentencing Proceedings for Good*  
2 *Cause Shown* (“Emergency Motion”) on May 28, 2020 and submitted it June 4, 2020. On June 17,  
3 2020, the State of Nevada filed an *Opposition to Defendant’s Motion to Suspend Resentencing*. On  
4 June 24, 2020, Mr. Voss filed a *Reply to State’s Opposition to Defendant’s Motion to Suspend*  
5 *Resentencing* (“Reply”). The Emergency Motion contends that the sentencing of Mr. Voss must be  
6 suspended because the case has been stayed, motions remain undecided, the State is required to  
7 provide a defendant with all documents supporting the PSI and because Mr. Voss rejects being  
8 sentenced by audio visual means. *See generally* Emergency Motion.

9           Mr. Voss’s long endured strategy has been to file motion after motion and appeal after appeal  
10 in an effort to prevent his resentencing. Mr. Voss has successfully found a loophole in which he is  
11 attempting to park his case and hold it in a perpetual procedural limbo. Mr. Voss’s strategy is to make  
12 procedurally invalid motions, wait for the Court to rule on them, appeal the decision, have the  
13 appellate courts deny the appeals as premature and issue a remittitur, and then Mr. Voss starts the  
14 process over again. With this Order, this Court resolves all of the pending motions filed by Mr. Voss  
15 in this case, including his motion to rescind the stay, thereby rendering his Emergency Motion on  
16 those grounds moot.

17           Mr. Voss contends that the resentencing cannot proceed since the State must provide all  
18 documents that support the “State’s” PSI for his review prior to resentencing. Reply at 2:28-3:22.  
19 Contrary to Mr. Voss’s assertions, NRS 176.135(1) mandates that the Division of Parole and  
20 Probation prepare the PSI. The statute contains no mandate that the State or the Division of Parole  
21 and Probation provide the defendant supporting documentation related to the PSI prior to sentencing  
22 and Mr. Voss provides no authority for such a requirement.

23           As to Mr. Voss’s objection to being sentenced by audio visual means, due to COVID-19, on  
24 March 12, 2020 Nevada Governor Steve Sisolak declared a State of Emergency which has prompted  
25 the District Courts throughout the State to implement procedures that ensure the safety of the Court’s  
26 participants and personnel. Second Judicial District Court Administrative Order (“AO”) 2020-05  
27 issued March 18, 2020, closed the courthouse at 75 Court Street in Reno to in-person public access.  
28 AO 2020-05 at 2:18-22. AO 2020-02(A) provides that due to the pandemic health crisis all

1 appearances in criminal cases will be conducted by audio/visual means in accordance with the Nevada  
2 Supreme Court Rules Governing Appearances by Simultaneous Audiovisual Transmission  
3 Equipment, Part IX (“Rules”). AO 2020-02(A) at 3:11-12. In the Emergency Motion, Mr. Voss  
4 further argues that he does not consent to this Court conducting his resentencing by telephonic means.  
5 This Court does not intend to conduct the resentencing telephonically. Instead, pursuant to the SCR  
6 Part IX-A (B) the Rules Governing Appearance by Simultaneous Audiovisual Transmission  
7 Equipment for Criminal Proceedings, this Court will conduct the resentencing by simultaneous  
8 audiovisual means. Rule 4(5)–(8) sets forth the procedure as follows:

9 (a) The court must ensure that the statements of participants are audible and  
10 visible to all other participants and the court staff and that the statements made by  
11 a participant are identified as being made by that participant. The court may require  
12 a party to coordinate with a court-appointed person or persons within a certain  
time *before* the proceeding to ensure the equipment is compatible and operational.

13 (b) Upon convening a simultaneous audiovisual transmission proceeding, the  
court shall:

14 (1) Recite the date, time, case name, case number, names and locations of  
the parties and counsel, and the type of proceeding;

15 (2) Ascertain that all statements of all parties are audible and visible to all  
participants;

16 (3) Give instructions on how the proceeding is to be conducted, including  
17 notice if necessary, that in order to preserve the record, speakers must identify  
themselves each time they speak; and

18 (4) Place the witness under oath and ensure that the witness is subject to  
cross-examination.

19 6. Reporting. All proceedings involving simultaneous audiovisual  
20 transmission equipment appearances must be reported to the same extent and in the  
same manner as if the participants had appeared in person.

21 7. Information on simultaneous audiovisual transmission equipment. The  
22 court must publish a notice providing parties with the particular information  
necessary for them to appear or have a non-party witness testify by simultaneous  
23 audiovisual transmission equipment at proceedings in that court under this rule.

24 8. Public access. The right of public access to court proceedings must be  
preserved in accordance with law.

25 This Court will ensure that each of these procedures is carried out at the re-sentencing of Mr.  
26 Voss.

27 5. Mr. Voss filed a *Motion for Return of Personal Property Pursuant to NRS 179.085*  
28 (*Evidentiary Hearing Requested*) on June 1, 2020 and submitted it to the Court on June 10, 2020. On

1 June 17, 2020, the State of Nevada filed an *Opposition to Defendant's Motion for Return of Property*.  
2 On June 24, 2020, Mr. Voss filed a *Reply; to State's Opposition to Defendant's Motion for Return of*  
3 *Property*. On August 22, 1997, the State filed a *Motion to Release Evidence* requesting that the Court  
4 release all items of evidence utilized in the jury trial in the instant case to the custody of an agent for  
5 the Sheriff of Washoe County to be used in the further prosecution of the Mr. Voss in a separate case.  
6 Mot. to Release at 1:14-20. On August 22, 1997, the Court issued an Order providing that the  
7 "evidence currently maintained by the Clerk of the Court in the above-entitled action be released" to  
8 the Washoe County Sheriff's Department.

9 The items of evidence that Mr. Voss seeks to be returned to him are no longer lodged in this  
10 case and therefore, this Court cannot order them returned to him. Accordingly, Mr. Voss's *Motion*  
11 *for Return of Personal Property Pursuant to NRS 179.085 (Evidentiary Hearing Requested)* is denied  
12 and this Court does not reach the merits of the arguments offered by Mr. Voss pursuant to NRS  
13 179.085.

14 Based upon the foregoing and good cause appearing,

15 IT IS HEREBY ORDERED as follows:

16 Defendant Steven Floyd Voss's *Motion to Rescind Order Staying Proceedings* is GRANTED.

17 Defendant Steven Floyd Voss's *Motion for New Trial* and *Amended Motion for New Trial*  
18 *Based Upon Fraud Upon the Court* are DENIED.

19 Defendant Steven Floyd Voss's *Presentencing Motions in Limine* are DENIED.

20 Defendant Steven Floyd Voss's *Emergency Motion to Suspend Resentencing Proceedings for*  
21 *Good Cause Shown* is DENIED.

22 Defendant Steven Floyd Voss's *Motion for Return of Personal Property Pursuant to NRS*  
23 *179.085 (Evidentiary Hearing Requested)* is DENIED.

24 DATED this 7th day of July, 2020.

25 

26 KATHLEEN DRAKULICH  
27 DISTRICT JUDGE  
28

1 **CERTIFICATE OF SERVICE**

2 CASE NO. CR96-1581

3 I certify that I am an employee of the SECOND JUDICIAL DISTRICT COURT of the  
4 STATE OF NEVADA, COUNTY OF WASHOE; that on the 7<sup>th</sup> day of July, 2020, I electronically  
5 filed the **ORDER REGARDING DEFENDANTS' MOTION TO RESCIND ORDER STAYING**  
6 **PROCEEDINGS, MOTION FOR NEW TRIAL, AMENDED MOTION FOR NEW TRIAL**  
7 **BASED UPON FRAUD UPON THE COURT, PRESENTENCING MOTIONS IN LIMINE,**  
8 **EMERGENCY MOTION TO SUSPEND RESENTENCING FOR GOOD CAUSE SHOWN**  
9 **AND MOTION FOR RETURN OF PERSONAL PROPERTY** with the Clerk of the Court by  
10 using the ECF system.

11 I further certify that I transmitted a true and correct copy of the foregoing document by the  
12 method(s) noted below:

13 **Electronically filed with the Clerk of the Court by using the ECF system which will send a notice**  
14 **of electronic filing to the following:**

15 JENNIFER NOBLE, ESQ. for STATE OF NEVADA

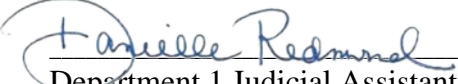
16 AMOS STEGE, ESQ. for STATE OF NEVADA

17 KEVIN NAUGHTON, ESQ. for STATE OF NEVADA

18 DIV. OF PAROLE & PROBATION

19 **Deposited with the Second Judicial District Court filing office for deposit in the Second Judicial**  
20 **District Court mailing system in a sealed envelope for postage and mailing by Washoe County**  
21 **using the United States Postal Service in Reno, Nevada:**

22 STEVEN FLOYD VOSS (52094)  
23 NNCC  
24 P.O. BOX 7000  
25 CARSON CITY, NEVADA 89702  
26

27   
28 Department 1 Judicial Assistant

4185

IN THE SECOND JUDICIAL DISTRICT COURT  
STATE OF NEVADA, COUNTY OF WASHOE  
THE HONORABLE KATHLEEN M. DRAKULICH, DISTRICT JUDGE

STATE OF NEVADA, Department No. 1

Plaintiff, Case CR96-1581

vs.

STEVEN FLOYD VOSS,

Defendant.

\_\_\_\_\_  
Pages 1 to 46, inclusive.

TRANSCRIPT OF PROCEEDINGS

SENTENCING

Tuesday, July 7, 2020

A P P E A R A N C E S:

FOR THE PLAINTIFF: AMOS STEGE  
DEPUTY DISTRICT ATTORNEY  
1 So. Sierra St., So. Tower  
Reno, NV 89502

FOR THE DEFENDANT: IN PRO PER

THE DIVISION: Officer Jill Berryman

REPORTED via ZOOM by: Christina Amundson, CCR #641  
Litigation Services 323-3211

1 RENO, NEVADA -- TUESDAY 7/7/20 -- 8:30 A.M.

2 -o0o-

3 THE COURT: Please be seated.

4 I'm Judge Kathleen Drakulich. I preside  
5 over Department 1 of the Second Judicial District  
6 Court. Today this matter is set for sentencing.  
7 Case No. CR96-1518, Steven Floyd Voss -- State of  
8 Nevada v. Steve Floyd Voss. This is the time for  
9 sentencing in this matter.

10 Let the record reflect that this session of  
11 the court is taking place on July 7<sup>th</sup>, 2020, and  
12 is being held remotely because of the closure of the  
13 courthouse at 75 Court Street in Reno, Washoe  
14 County, Nevada due to the national and local  
15 emergency caused by COVID-19. The court and all  
16 participants are appearing through simultaneous  
17 audio-visual transmission.

18 I'm physically located in Reno, Washoe  
19 County, Nevada, which is the site of today's court  
20 session. The other court personnel who are present  
21 will identify themselves for the record and note  
22 what county and state they are appearing from. My  
23 clerk, Ms. Schuck.

24 THE CLERK: Maria Schuck, Washoe County,

1 Nevada.

2 THE COURT: Thank you so much. And I'll  
3 turn now to Ms. Amundson, our reporter.

4 THE REPORTER: Tina Amundson, Washoe  
5 County, Nevada.

6 OFFICER BERRYMAN: Jill Berryman from the  
7 Division, Washoe County, Nevada.

8 THE COURT: Thank you. Also participating  
9 in Department 1 as legal intern, Mr. Henry Ng. Mr.  
10 Ng, where are you participating from?

11 MR. NG: Washoe County, Nevada, your Honor.

12 THE COURT: Thank you so much.

13 All right. The record should reflect that  
14 Mr. Voss appears by audio-visual transmission. He's  
15 located at the Northern Nevada Correctional Center  
16 at 1721 Snyder Avenue in Carson City, Nevada. This  
17 court has a very clear representation by  
18 audio-visual means of Mr. Voss.

19 Good morning, Mr. Voss. How are you?

20 THE DEFENDANT: I'm fine. Thank you, your  
21 Honor.

22 THE COURT: Excellent. Thank you so much.

23 Today's hearing is open to the public for  
24 viewing and listening through an audio-visual link

1 found on Washoecourts.com at the Washoe Courts  
2 website. If at any time anyone who is participating  
3 today or appearing today cannot see or hear all of  
4 the other participants while this matter is ongoing,  
5 please notify the court immediately.

6 Now I'm going to turn to Mr. Voss and Mr.  
7 Stege. Mr. Stege and Mr. Voss, I'm now going to ask  
8 you each to state your full name for the record.  
9 I'd like you to acknowledge that you have received  
10 notice that this hearing is taking place pursuant to  
11 Nevada Supreme Court Rule Part 9 relating to  
12 simultaneous audio-visual transmission in criminal  
13 proceedings and the Second Judicial District Court  
14 Administrative Orders entered in 2020 and tell me if  
15 you have any objections to going forward in this  
16 manner today. Mr. Stege, I'll begin with you.

17 MR. STEGE: Good morning, your Honor. Amos  
18 Stege representing the State of Nevada. I'm  
19 appearing this morning from -- within the county of  
20 Washoe. I have received the notice of this hearing  
21 in the manner prescribed and I don't have any  
22 objection.

23 THE COURT: Thank you so much.

24 Mr. Voss, I turn to you, sir. Your full



1 name for the record, please.

2 THE DEFENDANT: Steven Floyd Voss.

3 THE COURT: Mr. Voss, you were served with  
4 this court's notice regarding the audio-visual  
5 transmission hearing today.

6 Did you receive the notice?

7 THE DEFENDANT: I received an order to  
8 reduce -- to produce prisoner.

9 THE COURT: Okay. That letter also -- that  
10 order also contained notice that this matter would  
11 be occurring by audio-visual means. Do you have any  
12 objection to this matter going forward this morning  
13 by audio-visual means?

14 THE DEFENDANT: Yes, as far as the  
15 resentencing I do. I have some concerns regarding  
16 the Presentence Investigation Report and any  
17 documentation that the state may wish to present in  
18 support of the allegations set forth there. I  
19 haven't received any documentation from the state  
20 that they may wish to produce.

21 Additionally, I have an additional problem  
22 with audio-visual re-sentencing because it will  
23 prevent me from presenting my witnesses for -- to  
24 present mitigating evidence.

1           THE COURT: Okay. I want to begin with  
2 this, Mr. Voss, because the court's in possession of  
3 a number of motions that have been fully briefed and  
4 submitted by the court and you raised a number of  
5 these issues in those motions.

6           So, before we begin with the sentencing, I  
7 want to make a record with regard to this court's  
8 decision on all of the outstanding motions in this  
9 case, so let me begin.

10           The Nevada Court of Appeals issued its  
11 order granting petition on August 15th, 2019. That  
12 was a petition filed by Mr. Voss with regard to his  
13 sentencing. The Nevada Court of Appeals instructed  
14 the district court to resentence Mr. Voss and enter  
15 an amended judgment of conviction. The court of  
16 appeals provided that Mr. Voss, quote, shall be  
17 credited with all time he has served pursuant to the  
18 invalid judgment of conviction entered in  
19 CR96-1581."

20           On November 19th, 2019, Mr. Voss filed a  
21 petition for writ of prohibition in which he argued  
22 this court lacked jurisdiction to resentence him.  
23 On December 13<sup>th</sup>, 2019, this court entered its  
24 order staying all proceedings sue sponte in which

1 this court reasons it couldn't resentence Mr. Voss  
2 while his appeal was pending. The Nevada Court of  
3 Appeals rejected Mr. Voss' argument in its order  
4 denying prohibition on December 27<sup>th</sup>, 2019, and  
5 held he was not entitled to relief.

6 Concurrently, Mr. Voss appealed this  
7 court's order denying first amended presentencing  
8 petition for writ of habeas corpus filed  
9 October 30<sup>th</sup>, 2019, in which this court determined  
10 a ruling would be premature because Mr. Voss had not  
11 yet been resentenced. Nevada Supreme Court rejected  
12 Mr. Voss' argument that this court lacked  
13 jurisdiction to resentence.

14 Currently before the court are the  
15 following submitted motions: Mr. Voss' motion to  
16 rescind order staying proceedings filed May 6<sup>th</sup>,  
17 2020, submitted to this court both on May 13<sup>th</sup> and  
18 June 10<sup>th</sup>, 2020. Having considered the facts and  
19 arguments set forth therein, this court grants Mr.  
20 Voss' motion to rescind the order staying these  
21 proceedings. The granting of the motion to rescind  
22 the order staying proceedings is clearly a formality  
23 as the parties have fully briefed and submitted each  
24 of the motions that I will discuss here today and

1 this court has set this matter for resentence.

2 Mr. Voss filed a motion for a new trial on  
3 November 19th, 2019, and submitted it to the court  
4 for consideration on May 12th. On May 8<sup>th</sup>, prior  
5 to the submission, Mr. Voss filed an amended motion  
6 for a new trial based on fraud upon the court. On  
7 June 17th the state filed its opposition and on  
8 June 24<sup>th</sup> Mr. Voss filed his reply.

9 NRS 176.515 provides, in part, a motion for  
10 a new trial based on the grounds of newly discovered  
11 evidence must be made within two years after the  
12 verdict or finding of guilt. A motion for a new  
13 trial based on any other grounds must be made within  
14 seven days after the verdict or finding of guilt or  
15 within such further time as the court may fix during  
16 the 7-day period or the motion for a new trial based  
17 upon fraud upon the court alleged as newly  
18 discovered evidence.

19 If they had, NRS 176.5153 requires such a  
20 motion to be made within two years after the verdict  
21 or a finding of guilt. The verdicts in this case  
22 were rendered in 1996, over 20 years ago.  
23 Accordingly, that motion would be untimely. A  
24 motion for a new trial based on any other grounds

1 must be made within seven days after the verdict or  
2 finding of guilt.

3           The motion for a new trial based upon fraud  
4 upon the court alleged that the state perpetrated a  
5 fraud upon the court in seeking and executing search  
6 warrants in this case and a new trial must be  
7 granted as a matter of law. But any motion other  
8 than a motion based on newly discovered evidence  
9 must be made within seven days after the verdict or  
10 finding of guilt.

11           Accordingly, both motions for a new trial  
12 and for a new trial based upon fraud are barred by  
13 NRS 176.515.4. Accordingly, both motions are  
14 denied.

15           On May 6<sup>th</sup>, 2020, Mr. Voss filed  
16 Defendant's presentencing motions in limine and  
17 submitted this to the court for consideration on  
18 May 13<sup>th</sup>. Thereafter the state filed an  
19 opposition. Mr. Voss filed a reply. The  
20 presentencing motion asserts that each of the guilty  
21 verdicts in this case should be set aside because  
22 the information fails to state a criminal offense  
23 upon which judgment can be imposed because the facts  
24 constituting the alleged crime are insufficient to

1 state an offense upon which a judgment can be  
2 imposed. The state contends that this claim has no  
3 merit as each of the charges that a jury found Mr.  
4 Voss guilty of is a statutorily enumerated offense.  
5 This court agrees.

6 NRS 173.075 provides, in part, indictment  
7 or the information must be a plain, concise, and  
8 definite written statement of the essential facts  
9 constituting the offense charged. It need not  
10 contain a formal commencement, a formal conclusion,  
11 or any other matter not necessarily -- excuse me --  
12 not necessary to the state. The indictment or  
13 information must state for each count the official  
14 or customary citation of the statute, rule,  
15 regulation or other provision of law which the  
16 defendant is alleged to have violated.

17 The Nevada Supreme Court held in *Laney v.*  
18 *State* at 86 Nevada 173, "A judgment will not be set  
19 aside or a new trial granted in a criminal case  
20 unless the accused is able to affirmatively  
21 demonstrate that the information is so insufficient  
22 that it results in a miscarriage of justice or  
23 actually prejudices him in respect to a substantial  
24 right."

1           A review of the information filed July  
2 16th, 1996, by the state reveals that each of the  
3 six counts charged was supported by statutory  
4 reference, the elements of the offense, and  
5 recitation of the facts that supported the charge  
6 and provided Mr. Voss notice of what he was being  
7 charged with. Accordingly, each of the charges set  
8 forth in the information complies with NRS 173.075.

9           The presentencing motion further contends  
10 that the Presentence Investigation Report, or PSI,  
11 contains numerous factual misrepresentations and  
12 fabrications regarding Mr. Voss' prior criminal  
13 history, prior bad acts, wrongs, character, or trait  
14 of his character. Mr. Voss, quote, unequivocally  
15 denies all allegations of fact asserted by the  
16 state, closed quote, within the Presentence  
17 Investigation Report. In response, the state argues  
18 that Mr. Voss' unequivocal denial of the contents of  
19 the PSI is a blanket assertion that provides no  
20 reference to any specific errors.

21           Having reviewed the pleadings on file, this  
22 court finds the issue raised by Mr. Voss related to  
23 the PSI is unsupported. NRS 176.1351 mandates that  
24 the Division of Parole and Probation, quote, prepare

1 a PSI to be used at sentencing for any defendant who  
2 pleads guilty or who is found guilty of a felony,  
3 closed quote. That is Stockmeier at 127 Nevada at  
4 248.

5 Because the court cannot base its  
6 sentencing decision on information or accusations  
7 that were founded on impalpable or highly suspect  
8 evidence, the PSI must not include information based  
9 on impalpable or highly suspect evidence, also  
10 Stockmeier at 255.

11 Mr. Voss has issued a blanket assertion  
12 related to the PSI regarding factual  
13 misrepresentations and fabrications but provides no  
14 specifics and no information as to what is allegedly  
15 false in the PSI and does not allege that the  
16 information contained therein is based on impalpable  
17 or highly suspect evidence. The Presentence  
18 Investigation Report was issued on November 20<sup>th</sup>,  
19 1996. This court has been attempting in earnest to  
20 resentence Mr. Voss since the issuance of the court  
21 of appeals order granting petition on August 15<sup>th</sup>,  
22 2018.

23 Since that time this court has set this  
24 matter for sentencing on several occasions.



1 However, Mr. Voss has filed no less than 16 motions  
2 and four appeals to the Nevada Supreme Court since  
3 the issuance of the order granting petition in an  
4 effort to prevent this court from proceeding with  
5 the resentencing.

6 As to the current resentencing, the state  
7 filed an application for setting on June 4<sup>th</sup>, 2020,  
8 requesting a resentencing date of July 7<sup>th</sup>, 2020,  
9 at 8:30 a.m., which is today's date and time and  
10 they served Mr. Voss.

11 On June 6<sup>th</sup>, 2020, this court issued an  
12 order to produce prisoner and on June 24<sup>th</sup>, 2020,  
13 this court issued a notice of audio-visual hearing  
14 both for the resentencing on July 7<sup>th</sup>, 2020, at  
15 8:30 a.m. and served Mr. Voss with both of these  
16 documents. Despite the passes of time since 1996  
17 and more recently the 30-plus days' notice provided  
18 by this court related to the resentencing, Mr. Voss  
19 has provided no specificity as to what is allegedly  
20 false or fabricated with respect to the PSI.  
21 Accordingly, his claims regarding the PSI are  
22 unsupported.

23 Importantly, as to the PSI at the  
24 sentencing on December 4<sup>th</sup>, 1996, Mr. Voss' counsel

1 stated that he had reviewed the PSI, quote, with Mr.  
2 Voss last night, closed quote, and had only one  
3 correction, and that was that the 1990 felony  
4 conviction was actually a misdemeanor. That is at  
5 the sentencing transcript page five, lines 13  
6 through 17. When Mr. Voss was asked if he had  
7 anything to tell the court, he stated, "I believe  
8 Mr. Conway has pretty much addressed our side and  
9 added nothing else."

10 Again, Mr. Voss has provided no specificity  
11 and to what is allegedly false or fabricated with  
12 regard to the Presentence Investigation Report and  
13 has made no allegations that the information  
14 contained in the PSI is found on impalpable or  
15 highly suspect evidence. Accordingly, the  
16 presentencing motion filed by Mr. Voss is denied.

17 On May 28th, 2020, Mr. Voss filed an  
18 emergency motion to suspend resentencing proceeding  
19 for good cause shown. Thereafter the state filed an  
20 opposition. Mr. Voss filed a reply. The emergency  
21 motion contends that the sentencing of Mr. Voss must  
22 be suspended because the case has been stayed,  
23 motions remain undecided, the state is required to  
24 provide a defendant with all documents supporting

1 the PSI and because Mr. Voss rejects being sentenced  
2 by audio-visual or telephonic means.

3 Mr. Voss' long-endured strategy has been to  
4 file motion after motion and appeal after appeal in  
5 an effort to prevent his resentencing. With these  
6 orders this morning, this court resolves all of the  
7 pending motions filed by Mr. Voss in this case,  
8 including his motion to rescind the stay, thereby  
9 rendering his emergency motion on these grounds  
10 moot.

11 Regarding the grounds for the emergency  
12 motion, he asserts that the state must provide all  
13 documents that support the, quote, state's, closed  
14 quote, PSI. No authority for the proposition exists  
15 that the state must provide any documents that  
16 support the PSI and, in fact, the PSI is prepared by  
17 the Division of Parole and Probation and not by the  
18 state. Mr. Voss provides no authority to support  
19 his position.

20 As to Mr. Voss' objection to being  
21 sentenced by audio-visual means due to COVID-19 on  
22 March 12<sup>th</sup>, 2020, Nevada Governor Steve Sisolak  
23 declared a state of emergency which has prompted the  
24 district courts throughout the state to implement

1 procedures that ensure the safety of the court's  
2 participants and personnel. Second Judicial  
3 District Court Administrative Order 2020-05 issued  
4 March 18<sup>th</sup>, 2020, closed the courthouse at 75  
5 Court Street in Reno to in-person public access. AO  
6 2020-02A provides that, due to the pandemic health  
7 crisis, all appearances in criminal cases will be  
8 conducted by audio-visual means in accordance with  
9 the Nevada Supreme Court Rule governing appearances  
10 by simultaneous audio-visual transmission.

11 In the emergency motion Mr. Voss further  
12 argues that he does not consent to this court  
13 resentencing him by telephonic means. This court is  
14 not conducting this resentencing telephonically.  
15 Instead, pursuant to supreme court rules, this court  
16 is conducting this resentencing by simultaneous  
17 audio-visual means. The audio-visual rules set  
18 forth by the supreme court in Rule 4, Sections 5  
19 through 8 provide very specific procedures as to how  
20 this proceeding is going to occur.

21 This court will note that it is following  
22 each of those procedures set forth in the rules to  
23 ensure that this process is fair and to the greatest  
24 extent possible mimics an actual sentencing that

1 would occur in a court of law. This court ensures  
2 that each of the procedures will be carried out at  
3 this resentencing of Mr. Voss and, accordingly, Mr.  
4 Voss' emergency motion to suspend resentencing  
5 proceedings for good cause shown is denied.

6           It's worth noting when the governor first  
7 issued the state of emergency and when the Second  
8 Judicial District Court first issued the  
9 administrative orders, the infection rate in  
10 Northern Nevada and, in fact, throughout Nevada was  
11 significantly lower than it is today. That  
12 infection rate continues to rise, further  
13 substantiating the reason for these audio-visual  
14 hearings to protect all parties, including Mr. Voss.

15           Lastly, on June 1<sup>st</sup>, 2020, Mr. Voss filed  
16 a motion for return of personal property pursuant to  
17 NRS 197-085. The state filed an opposition. Mr.  
18 Voss filed a reply. On August -- in that motion Mr.  
19 Voss requests that a number of his items of personal  
20 property that were lodged in this case be returned  
21 to him. On August 22<sup>nd</sup>, 1997, following the jury  
22 verdict in this case, the state filed a motion to  
23 release the evidence in this case requesting that  
24 the court release all items of evidence utilized in

1 the jury trial in the instant case to the custody of  
2 an agent for the sheriff of Washoe County to be used  
3 in the further prosecution of Mr. Voss.

4 On August 22<sup>nd</sup>, 1997, the court issued an  
5 order providing that, quote, The evidence currently  
6 maintained by the clerk of the court in the  
7 above-entitled action be released, closed quote, to  
8 the Washoe County Sheriff's Department. Items of  
9 evidence that Mr. Voss seeks to be returned to him  
10 are no longer lodged in this case and, therefore,  
11 this court cannot order the return of those items to  
12 him. Accordingly, pursuant to NRS 179.085, his  
13 motion is denied and this court does not reach the  
14 merits of the arguments offered otherwise by Mr.  
15 Voss in that motion because those items of evidence  
16 are no longer lodged in this case.

17 Based upon the court's standing in this  
18 case and having addressed Mr. Voss' issues that he  
19 has expressed this morning relating to this matter  
20 proceeding by audio-visual means and the issue he  
21 has raised with regard to the PSI, its contents, and  
22 the documents supporting it, I'm now ready to  
23 proceed to sentencing.

24 Mr. Voss, the court's in possession of a

1 Presentence Investigation Report dated  
2 November 20<sup>th</sup>, 1996. Before we begin, I'll ask  
3 you, sir, do you have any changes, corrections, or  
4 modifications to make to the PSI?

5 THE DEFENDANT: Yes, as soon as I find it  
6 here.

7 THE COURT: Mr. Voss, please take your  
8 time, sir.

9 THE DEFENDANT: Your Honor, there are a  
10 number of misrepresentations in the PSI report  
11 regarding the alleged felony -- prior felony  
12 conviction.

13 THE COURT: Mr. Voss, let's do this, sir.  
14 Let's be specific. Am I right about this? That is,  
15 on page three of the PSI it is the last entry at the  
16 bottom of the page and it is in Hillsborough,  
17 County, Florida, and on the right side the  
18 disposition is March 5<sup>th</sup>, 1990.

19 Am I looking at the right offense?

20 THE DEFENDANT: I believe it says  
21 "Convicted of petty theft on March 5<sup>th</sup>, 1990,  
22 practicing electrical contracting without license,  
23 felony."

24 THE COURT: Okay.

1           THE DEFENDANT: And that's not true. That  
2 was never even charged as a felony.

3           THE COURT: Okay. And your counsel, as I  
4 stated originally, noted that that was a  
5 misdemeanor.

6           Any issues with regard to Mr. Voss' request  
7 to reclassify that case as a misdemeanor conviction,  
8 Mr. Stege?

9           MR. STEGE: No, your Honor, based on Mr. --  
10 I think Mr. Conway's assertion at the original  
11 sentencing.

12          THE COURT: Thank you so much. Okay.

13          Mr. Voss, I've got that one. Go ahead.

14          THE DEFENDANT: Okay. And the state  
15 references a number of outstanding warrants.  
16 However, they don't present any documentation of  
17 those warrants. I dispute these warrants and any  
18 warrants that were issued were recalled. So, it's a  
19 lot of information here that goes to my character,  
20 right, that is just false --

21          THE COURT: Okay.

22          THE DEFENDANT: -- in its intent.

23          THE COURT: Okay. So, let's look at this.  
24 The warrants I see that are outstanding look like --



1 go to page three. Let's look at the arrest that  
2 occurred November 20<sup>th</sup>, 1981, Union City,  
3 California. Do you see that?

4 THE DEFENDANT: Yes.

5 THE COURT: Look over to the right under  
6 "Disposition." The last entry there is June 4th,  
7 1982. It looks like a warrant was issued for your  
8 arrest and says "No further disposition."

9 You contest that that warrant was recalled,  
10 right? Yes?

11 THE DEFENDANT: Yes.

12 THE COURT: Not issued. Okay. I'm making  
13 a note.

14 Okay. Now, let's go to the next page, page  
15 four under arrest date of November on page four.

16 Do you see that?

17 THE DEFENDANT: Yes.

18 THE COURT: Okay. Let's go to the  
19 disposition. It says "Bench warrant issued."

20 THE DEFENDANT: If there was a warrant  
21 issued, that was recalled by the court as well.

22 THE COURT: Okay. Anything else with  
23 regard to the warrants?

24 THE DEFENDANT: There were some other

1 allegations in here regarding a warrant for child  
2 neglect.

3 THE COURT: Let's go to page four. The  
4 first paragraph in the narrative, do you see that?  
5 It says, "With respect to the aforementioned  
6 outstanding warrants."

7 THE DEFENDANT: Yes.

8 THE COURT: Okay. It says that "he  
9 possesses a second misdemeanor warrant issued out of  
10 Hillsborough County, Florida, for concealing  
11 property under lien, a misdemeanor."

12 Do you see that?

13 THE DEFENDANT: Yes. Yes. That warrant  
14 was never served and that warrant was also recalled  
15 by the court.

16 THE COURT: Okay. Thank you very much.  
17 The next sentence in that paragraph says,  
18 "Furthermore, the defendant has an outstanding  
19 non-extraditable warrant issued out of the state of  
20 Michigan for child neglect."

21 Same issue, never issued? What's the issue  
22 with that one?

23 THE DEFENDANT: Never filed. Apparently,  
24 the friend of the court or Oakland County, Michigan,

1 had prepared a warrant but it was never filed.

2 THE COURT: Okay. Let's look at the next  
3 paragraph that says, "Finally, the defendant has an  
4 outstanding warrant originating out of Concord,  
5 California, seeking his arrest for seven felonies  
6 which includes allegations of issuing non-sufficient  
7 funds checks. A hold was lodged at Washoe County  
8 Jail on June 28<sup>th</sup>, 1996." Do you see that?

9 THE DEFENDANT: Yes.

10 THE COURT: Are you also contesting that  
11 even though the hold was issued?

12 THE DEFENDANT: No. There was a warrant  
13 issued and the matter was resolved through court  
14 proceedings later.

15 THE COURT: Okay. Thank you so much. All  
16 right. Court proceedings later after you were  
17 arrested in Reno?

18 THE DEFENDANT: I'm sorry?

19 THE COURT: Never mind. I'm sorry. I'll  
20 strike that question.

21 Go ahead, Mr. Voss. Other issues that you  
22 have with the PSI?

23 THE DEFENDANT: Yeah. There are other  
24 allegations that I was arrested on four occasions

1 between 1979 and 1990, receiving, concealing stolen  
2 property in 1979, embezzlement and possession of a  
3 controlled substance. There may have been a charge  
4 of embezzlement lodged against me but that was --  
5 would have been resolved, and as far as the arrest  
6 for controlled substance, didn't happen.

7 THE COURT: Okay. Just the controlled?  
8 They're together there. Do you see that?

9 THE WITNESS: They should be unrelated, but  
10 the way that they're listed here it appears that  
11 they're together. I've never been arrested for  
12 possession of a controlled substance.

13 THE COURT: Okay.

14 THE DEFENDANT: The disorderly conduct and  
15 prowling in 1983, yes, I was arrested for it. That  
16 was a mistake, all right? And the person who was  
17 later found guilty of that was my brother.

18 THE COURT: Thank you.

19 THE DEFENDANT: The charges against me were  
20 dropped, okay?

21 As far as this spousal battery in 1990,  
22 there was not an arrest in that case. However,  
23 there was a summons to appear issued in that case.  
24 I did appear and a trial before Judge Dominguez in

1 Plant City, Florida, was conducted and I was found  
2 not guilty of that charge.

3 THE COURT: Okay. The PSI only speaks to  
4 the arrest. It doesn't say what the disposition  
5 was.

6 THE DEFENDANT: Right. I was just further  
7 informing the Court of the consequences related to  
8 that allegation. There was not an arrest.

9 THE COURT: Okay. It was a summons, and  
10 when you went to court, it was dismissed.

11 THE DEFENDANT: I was actually found not  
12 guilty at trial.

13 THE COURT: All right. Anything else?

14 THE DEFENDANT: The state had mentioned on  
15 page three, the last reference here is that I was  
16 placed on probation and that the probation was --

17 THE COURT: Let's do this, Mr. Voss. Let's  
18 make it very clear. I know you keep saying "the  
19 state. The state." This is not the state's  
20 document. This document is the Division of Parole  
21 and Probation's document. The state didn't do any  
22 of this research. The Division of Parole &  
23 Probation did this research independently. The law  
24 requires them to do it. And the state and you are

1 provided with this document pursuant to statute.

2 Okay? So, let's be very clear about that.

3 Now, you're looking at page three, the  
4 arrest date of December 19th, 1989, in Hillsborough  
5 County, Florida. Am I right about that?

6 THE DEFENDANT: Yes.

7 THE COURT: So, over on the right where it  
8 says "Disposition," after we change the felony to a  
9 misdemeanor there, it says "six months' probation  
10 consecutive with one year probation, community  
11 service and restitution." Then it says "Probation  
12 violation, date unknown, probation reinstated," and  
13 then it says, "September 4th, 1991, probation  
14 discharged." Is that what you're talking about?

15 THE DEFENDANT: Yes. The probation was  
16 never revoked, okay? The court discharged me from  
17 probation as I was again issued a summons. I  
18 appeared in court and the court discharged that  
19 probation. As a matter of fact, I received a felony  
20 probation by accident and when it should have been  
21 misdemeanor probation through the Salvation Army,  
22 all right?

23 But in addition to this case, the court  
24 withheld adjudication on this case, okay, pending

1 the completion of the probation on those charges. I  
2 believe what they call diversion.

3 THE COURT: No diversion is indicated here.  
4 No diversion is indicated here.

5 Okay. Anything else?

6 THE DEFENDANT: No, your Honor, I don't  
7 believe so.

8 THE COURT: Mr. Stege, with regard to any  
9 of the additions or corrections that Mr. Voss has  
10 offered to the court this morning, does the state  
11 have anything to add?

12 MR. STEGE: I object to all of them, other  
13 than the one that I previously mentioned. These  
14 assertions in the PSI are based on the process gone  
15 through by Parole and Probation based on documentary  
16 evidence based on criminal history.

17 What we just heard was the defendant's  
18 whitewashing his criminal history with naked, bare  
19 assertions that every criminal history thing that  
20 happened to him either was quashed, recalled,  
21 diverted, et cetera.

22 So, without -- I mean, as an evidentiary  
23 question there's sort of a waiver argument in here  
24 too, right? The defendant has seen this PSI after

1 his trial and was sentenced and made one objection.  
2 This is based on actual evidence. What we heard  
3 today is naked assertions from a man convicted of  
4 this and other crimes.

5 I would add that I don't believe this --  
6 this history would -- carries a lot of weight in  
7 terms of what the defendant's ultimate sentence will  
8 be, but I don't think as sort of a procedural matter  
9 there is enough for this court to correct any of the  
10 things that the defendant is asking for.

11 THE COURT: Mr. Stege, thank you so much.

12 Ms. Berryman, anything to add?

13 THE DEFENDANT: Ah, yes. It appears that  
14 Mr. --

15 THE COURT: I'm speaking to Ms. Berryman  
16 from the Division of Parole and Probation.

17 THE DEFENDANT: Oh, I'm sorry.

18 THE COURT: Ms. Berryman, anything to add?

19 OFFICER BERRYMAN: No, your Honor, I have  
20 nothing to add.

21 THE COURT: Thank you.

22 OFFICER BERRYMAN: PSI is really old.

23 THE COURT: Okay. Thank you very much.

24 Mr. Stege, it appears as though you want to



1 say something else.

2 MR. STEGE: I do, if I may, your Honor.

3 As a factual correction or an addition to  
4 this, I would ask the Court to note the defendant's  
5 subsequent felony conviction for the crimes of  
6 murder and first-degree kidnapping that was by jury  
7 verdict in CR97-2077. The verdict was returned June  
8 3rd, the amended judgment filed July 13<sup>th</sup>, 2000,  
9 sentencing the defendant as to the murder with life  
10 without parole and the deadly weapon enhancement was  
11 -- he was sentenced on the kidnapping to 15 years to  
12 life and that was imposed.

13 THE COURT: Mr. Stege, I will not take into  
14 consideration any of the conviction post the  
15 conviction in Case No. CR96-1581. The way I -- and  
16 this has already been the subject of an order issued  
17 by this court -- the direction that is provided by  
18 the court of appeals in their order granting  
19 petition is that this court today is to step into  
20 the shoes of a court that would have sentenced Mr.  
21 Voss on November 20<sup>th</sup>, 1996. And the only thing  
22 that is relevant to this sentencing here today is  
23 what happened up to and including that date, and,  
24 accordingly, I will not consider that.

1           Secondly, on page five I want the record to  
2 reflect, just based on the way I have read the court  
3 of appeals' order, on page five of the PSI there are  
4 two paragraphs underneath the heading "Offense  
5 report." The first begins "Upon arrival" and the  
6 second begins "Furthermore."

7           Based on the direction provided by the  
8 court of appeals, it's this court's judgment that I  
9 will not be considering the content of either one of  
10 those paragraphs for purposes of sentencing Mr. Voss  
11 today. Page six of the PSI, the last paragraph  
12 begins "As the investigation continued."

13           Mr. Voss, are you there, page six of the  
14 PSI?

15           THE DEFENDANT: No, your Honor.

16           THE COURT: Get your PSI out again. Go to  
17 page five. There are two paragraphs there. One  
18 begins "Offense report." Do you see that?

19           THE DEFENDANT: Yes, ma'am.

20           THE COURT: Three paragraphs down begins  
21 "Upon arrival." Do you see that?

22           THE DEFENDANT: Yes, I do.

23           THE COURT: Do you see the paragraph that  
24 begins after that, "Furthermore"?

1 THE DEFENDANT: Yes.

2 THE COURT: I am not considering the  
3 contents of either one of those paragraphs for  
4 purposes of sentencing you today.

5 Do you understand that?

6 THE DEFENDANT: Yes, your Honor.

7 THE COURT: Go to page six of the PSI. The  
8 paragraph begins "As the investigation continued."

9 Do you see that?

10 THE DEFENDANT: Yes.

11 THE COURT: As to that paragraph, the court  
12 is only considering the following: "As the  
13 investigation continued, many contacts were made  
14 with the defendant which determined that he was  
15 allegedly unaware of the victim's current  
16 whereabouts, period." I'm not considering the rest  
17 of that paragraph. Do you understand that?

18 THE DEFENDANT: Okay.

19 THE COURT: And on page seven under  
20 "Offense report" there are two paragraphs. One is  
21 "During the initial phase" and the second paragraph  
22 on that page is "During the final phases."

23 Do you see that?

24 THE DEFENDANT: Yes, ma'am.

1           THE COURT: For purposes of sentencing you  
2 today, I am not considering those, the portion of  
3 that paragraph that begins "During the final phases  
4 of the investigation," and I am only considering the  
5 portion of that paragraph that begins with the  
6 sentence "Therefore, based on the defendant's  
7 actions." Do you see that?

8           THE DEFENDANT: Yes.

9           THE COURT: Mr. Voss, the law affords you  
10 an opportunity to tell me anything you want me to  
11 know prior to the imposition of sentence in this  
12 case, sir. Is there anything else you want me to  
13 consider before I impose sentence?

14          THE DEFENDANT: Yes, your Honor, just  
15 briefly. In regard to Mr. Stege's comments, he  
16 initially said that I was a liar, okay, in regard to  
17 my allegations regarding these warrants, criminal  
18 conduct. I have some documentation to support what  
19 I'm saying.

20          THE COURT: Mr. Voss, let me interrupt you,  
21 sir. I apologize. I don't want you to head down a  
22 path. One thing that Mr. Stege said in the course  
23 of his comments was that a lot of the remarks that  
24 you had made and a lot of the corrections will not

1 weigh heavy on this court as a result of  
2 resentencing you in this case. And I'll note that  
3 your prior criminal history from the state is it's  
4 this court's judgment that I agree with Mr. Stege.  
5 I don't intend to consider all of the things that  
6 you have instructed me are in question.

7           For example, the warrants for your arrest,  
8 whether or not they're outstanding, these are  
9 misdemeanor offenses. These don't -- whether  
10 they've been recalled or that they were never filed  
11 or that summonses were issued, you were actually  
12 found not guilty, all of that I am willing to  
13 concede for purposes of sentencing you here today,  
14 because you view those as in dispute.

15           So, I want you to know that what I intend  
16 to do is look at the law of this case, which is that  
17 a jury found you guilty of all six counts that were  
18 filed in the original information. And I don't want  
19 to marginalize the PSI. It's very important. It  
20 gives me some very important information about what  
21 happened here, about who you are, about your  
22 history, et cetera. But to the extent that you have  
23 raised issues that are in conflict today, I'm not  
24 going to consider those and I'm going to give you

1 the benefit of the doubt as to all of them. Okay?

2 THE DEFENDANT: Okay.

3 THE COURT: Is there anything else that  
4 you'd like the court to consider?

5 THE DEFENDANT: No, your Honor. I believe  
6 the inability to present mitigating witnesses in  
7 this matter, all right, which is rendered impossible  
8 by this audio-visual --

9 THE COURT: Mr. Voss, it's actually not  
10 rendered impossible by this audio-visual means, and  
11 the notice so provides. And I was very careful in  
12 the order -- in the ruling that I issued on your  
13 order contesting this, that you have known since  
14 August of 2018 that you were going to be sentenced  
15 in this matter.

16 And I'll note for the record that you have  
17 actually stood before me on at least one occasion  
18 prior to this where Mr. Stege, the Division of  
19 Parole & Probation, and this court were ready to  
20 sentence you, yet you had filed the writ of  
21 prohibition the night before and no subpoenas were  
22 issued, no request was made to call witnesses in the  
23 event that this court was ready to go forward that  
24 morning.

1           So, this process does not prohibit you from  
2 providing witnesses. If they were here today, if  
3 you had asked them to appear, I would have Ms. Clerk  
4 admit them right now to this proceeding from the  
5 waiting room and they would be able to speak on your  
6 behalf. But I'll note that, again, when we have  
7 been ready to do this before, there has been no  
8 allegation or no contention or no suggestion that  
9 witnesses would appear on your behalf. And I don't  
10 know who those witnesses are. You've been  
11 incarcerated for some time. I don't know if they  
12 are fellow inmates or people that you knew before  
13 your incarceration.

14           But if you want to make a representation  
15 about what they would have said, that's fine. But  
16 this court is not persuaded that the expression  
17 you've made this morning about intent to call  
18 witnesses is to do anything except try and put the  
19 sentencing off even further. So, if there's nothing  
20 else --

21           THE DEFENDANT: Your Honor, in response to  
22 that, okay, I would note that we were under a stay  
23 in this matter, all right. As far as I was  
24 concerned, I wasn't allowed to do anything, to file

1 anything in this case. What changed -- when I  
2 started refiling was after May 8<sup>th</sup>, okay, when,  
3 apparently, an order to produce prisoner for a  
4 hearing that date was issued that I didn't receive  
5 and so the Court attempted to do a hearing that day,  
6 all right, but I wasn't informed of that until after  
7 the court had canceled that hearing for that date.

8 So, I haven't really had a full opportunity  
9 to seek that, but if the Court feels that it's  
10 proper to continue without providing me an  
11 opportunity, you know, as -- who am I to say? I  
12 object to that, you know.

13 THE COURT: Mr. Voss, I want the record to  
14 reflect that the correctional center did not have  
15 the capability to do it in May, so it wouldn't come  
16 as a surprise to you. And, importantly, notices for  
17 sentencing today were issued over 30 days in advance  
18 of today's hearing.

19 Okay. So, with all of that as a backdrop,  
20 Mr. Stege, I turn to you, sir.

21 Anything on behalf of the state?

22 MR. STEGE: In terms of my sentencing  
23 argument, I know this issue is -- the court sees it  
24 as settled, but my first argument is that we should



1 always make sentencing decisions based on our full  
2 understanding of the defendant and the scope of his  
3 conduct. If the error in the original sentencing  
4 was that the defendant had not been convicted of the  
5 murder, if it was a judge sort of supposing that he  
6 was responsible for that, we now know, in fact, that  
7 a jury of his peer has convicted him of that.

8 So, as a result, I would expect this Court  
9 to -- or ask the Court to impose all consecutive  
10 maximum terms based on the conduct and, really,  
11 because the conduct is tied up with the murder  
12 offense. Reading the room and sensing -- and, of  
13 course, understanding the Court's prior comments and  
14 rulings, I'll move to my alternative sentencing  
15 argument.

16 We have a burglary, a burglary offense  
17 alleged or convicted that the defendant went into --  
18 it was a serious offense, a residential burglary, I  
19 submit. And we can't forget, of course, that the  
20 Parole and Probation recommendation is for what the  
21 judge gave, right? They recommended maximum and  
22 consecutive in terms of all counts. But I think the  
23 burglary is a -- to be a 48 to 120. The check  
24 cashing, this really involved two checks, the

1 deposit of the settlement check that the defendant  
2 forged as well as his attempt to draw funds on that.

3 As a factual matter, Counts 2, 3, 4, and 5  
4 and, really, 6 are tied together. Given that those  
5 take two acts, right, a deposit and then an attempt  
6 to withdraw, I believe there is room or rationale  
7 for consecutive time there. There is also some  
8 rationale for concurrent time.

9 It is difficult for the state to argue we  
10 should give this man -- we should ignore the murder.  
11 But if the court is -- under the Court's  
12 understanding or reasoning of the appellate court's  
13 decision, I would ask for a -- because there's two,  
14 I would ask that -- so on Count 2 19 to 48 and Count  
15 3, 19 to 48. Those consecutive. And then I'd ask  
16 for the next two counts -- I'm talking about the  
17 forgeries, 4 and 5 -- those be also 19 to 48  
18 consecutive to each other but concurrent to that 2  
19 and 3.

20 So, we tie 2 and 3 together and we tie 4  
21 and 5 together, and the attempt theft I'd also ask  
22 for 19 to 48. If I have my math right, that would  
23 be 86 to 216 in terms of months. The attempted  
24 theft -- also I think that also has the attempted

1 theft being concurrent.

2 THE COURT: Thank you. Mr. Stege, thank  
3 you so much.

4 Mr. Voss, anything to add in regard to Mr.  
5 Stege's comments?

6 THE DEFENDANT: Yes. In regards to that, I  
7 would note that Judge Elliott has already determined  
8 that the sentence imposed by the judge, which were  
9 the maximum sentences allowable under law, all  
10 right, were one resentence. He said that they were  
11 outside the heartland of sentences for persons with  
12 my criminal history being sentenced on these  
13 offenses. That decision was affirmed by the Nevada  
14 Supreme Court and is now law of this case.

15 So, this Court, I believe, is bound to --  
16 if this Court is to impose punishment, it is bound  
17 to impose a punishment which is substantially less  
18 than the sentence imposed by Judge Stone in 1996.

19 THE COURT: Mr. Voss --

20 THE DEFENDANT: That's all I have to say.

21 THE COURT: -- any specific recommendation  
22 or something substantially less than what was  
23 imposed in 1996?

24 THE DEFENDANT: Well, your Honor, going

1 back to what the Court discussed a little bit  
2 earlier in regard to my presentencing motions is the  
3 state charged me with both forgery and with uttering  
4 a forged instrument, two counts each, okay?

5 The uttering a forged instrument charges,  
6 they're necessarily included in the forgery charges,  
7 so there shouldn't be any sentence at all on those  
8 uttering a forged instrument charges, from my  
9 perspective.

10 Everything else, you know, it really  
11 doesn't matter, all right? So, less or more, to me  
12 I don't see the difference. I've already been  
13 forced to serve a sentence that was oppressive. So,  
14 your Honor, I leave all this at your discretion.

15 THE COURT: Mr. Voss, thank you so much.

16 Ms. Berryman, I turn to you. I want to  
17 know how many days' credit time served Mr. Voss has  
18 as to this -- these offenses only, not how many days  
19 he's been incarcerated since the date of his  
20 conviction, but how many days' credit time served he  
21 has as to the six counts he was sentenced on back in  
22 1996.

23 OFFICER BERRYMAN: The aggregate amount is  
24 7,205 days.

1 THE COURT: Okay. Thank you so much.

2 Anything else from the Division?

3 OFFICER BERRYMAN: No, I don't believe so,  
4 your Honor.

5 THE COURT: Okay. On October 10<sup>th</sup>, 1996,  
6 a jury returned a verdict in this case finding Mr.  
7 Voss guilty on all six counts charged in the  
8 information. Accordingly, it is the order and  
9 judgment of this court that Mr. Voss is guilty of  
10 Count 1, burglary, a violation of NRS 205.060, a  
11 Category B felony.

12 Count 2, uttering a forged instrument, and  
13 Count 3, uttering a forged instrument, both  
14 felonies, Category D, and both a violation of NRS  
15 205.090 and 205.110.

16 Count 4, forgery, and Count 5, forgery,  
17 both Category D felonies and both a violation of NRS  
18 205.090.

19 And Count 6, attempted theft, a violation  
20 of NRS 193.330, a Category D felony. And that is  
21 all pursuant to a jury verdict of October 10<sup>th</sup>,  
22 1996.

23 The order granting the petition issued by  
24 the court of appeals on August 15th, 2018, ordered

1 that Mr. Voss shall be credited with all time he has  
2 served pursuant to the invalid judgment of  
3 conviction entered in CR96-1581. This court imposes  
4 the following sentence:

5 As to Count 1, burglary, Mr. Voss is  
6 ordered to serve a maximum term of 48 months in the  
7 Nevada Department of Corrections with minimum parole  
8 eligibility after serving 12 months.

9 As to Count 2, uttering a forged  
10 instrument, Mr. Voss is ordered to serve a maximum  
11 term of 32 months in the Nevada Department of  
12 Corrections with parole eligibility after serving 12  
13 months. That sentence is to be served consecutive  
14 with Count 1.

15 As to Count 3, uttering a forged  
16 instrument, Mr. Voss is ordered to serve a maximum  
17 term of 32 months in the Nevada Department of  
18 Corrections with minimum parole eligibility after  
19 serving 12 months. That sentence is to run  
20 concurrent to Count 2.

21 As to Count 4, forgery, Mr. Voss is ordered  
22 to serve a maximum term of 32 months in the Nevada  
23 Department of Corrections with a minimum term of 12  
24 months being served before he is eligible for

1 parole.

2 Count 4 is to be served consecutive to  
3 Count 2.

4 As to Count 5, forgery, Mr. Voss is ordered  
5 to serve a maximum term of 32 months in the Nevada  
6 Department of Corrections with minimum parole  
7 eligibility after serving 12 months.

8 Count 5 is to be served concurrent with  
9 Count 4.

10 As to Count 6, attempted theft, Mr. Voss is  
11 ordered to serve a maximum term of 32 months in  
12 Nevada Department of Corrections with minimum parole  
13 eligibility after serving 12 months. Count 6 is to  
14 be served consecutive with Count 4.

15 In the aggregate the following sentences  
16 are served consecutive: Count 1, 12 to 48; Count 2,  
17 12 to 32 months; Count 4, 12 to 32 months; and Count  
18 6, 12 to 32 months.

19 In the aggregate Mr. Voss is sentenced to  
20 serve a maximum term of 144 months in the Nevada  
21 Department of Corrections with minimum parole  
22 eligibility after serving 48 months. Again, the  
23 order granting the petition issued by the court of  
24 appeals on August 15th, 2018, ordered that Mr. Voss

1 shall be credited with all time served pursuant to  
2 the invalid judgment of conviction entered in  
3 CR96-1581 back in 1996. Accordingly, Mr. Voss is  
4 given credit time served in the amount of 7,205  
5 days.

6 To the extent that exceeds the sentence in  
7 this case that this court has imposed today,  
8 calculation that will be factored will be determined  
9 by the Nevada Department of Corrections, Mr. Voss  
10 you are sentenced to time served. There's nothing  
11 else to come before the court with regard to this  
12 matter. Mr. Stege?

13 MR. STEGE: The original judgment included  
14 \$750 in attorney's fees.

15 THE COURT: Oh. Mr. Stege, thank you so  
16 much.

17 Mr. Voss, you are also ordered to pay a \$25  
18 administrative assessment and \$750 in attorney's  
19 fees. Mr. Stege, thank you so much for that.

20 Mr. Voss, I want to thank you for  
21 participating this morning. It looks like they  
22 provided you a very comfortable work space there,  
23 sir, a nice table for yourself. I want the record  
24 to reflect everything you said to me this morning I



1 heard very clearly. I was able to see your face and  
2 understand the expression on that face and very  
3 clearly hear everything that you wanted to tell the  
4 court this morning. And I think that this has been  
5 a very fruitful, if not long-awaited, event. Thank  
6 you so much, everyone. We are adjourned.

7 (End of proceedings at 9:34 a.m.)

8 -o0o-

1 STATE OF NEVADA            )  
                                  ) SS.  
2 COUNTY OF WASHOE         )

3         I, CHRISTINA MARIE AMUNDSON, official reporter  
4 of the Second Judicial District Court of the State  
5 of Nevada, in and for the County of Washoe, do  
6 hereby certify:

7         That as such reporter, I was present in  
8 Department No. 1 of the above court on Tuesday, July  
9 7, 2020, at the hour of 8:30 a.m. of said day, and I  
10 then and there took verbatim stenotype notes of the  
11 proceedings had and testimony given therein in the  
12 case of State of Nevada, Plaintiff, v. Steven Floyd  
13 Voss, Defendant, Case No. CR96-1581.

14         That the foregoing transcript is a true and  
15 correct transcript of my said stenotype notes so  
16 taken as aforesaid, and is a true and correct  
17 statement of the proceedings had and testimony given  
18 in the above-entitled action to the best of my  
19 knowledge, skill and ability.

20  
21 DATED: At Reno, Nevada, on 19th day of November  
2020.

22         /S/ Christina Marie Amundson, CCR #641

23         -----  
Christina Marie Amundson, CCR #641  
24

1 **CODE 1850**

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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 **STATE OF NEVADA,**

10 **Plaintiff,**

11 **vs.**

**Case No. CR96-1581**

12 **STEVEN FLOYD VOSS,**

**Dept. No. 1**

13 **Defendant.**  
14 \_\_\_\_\_/

15 **JUDGMENT OF CONVICTION<sup>1</sup>**

16 The Defendant having been found guilty by a Jury and no legal cause being shown  
17 as to why judgment should not be pronounced against him, the Court rendered judgment  
18 as follows:

19 1. That Steven Floyd Voss is guilty of the crime of Burglary, a violation of NRS  
20 205.060, a category C felony, as charged in Count I of the Information.

21 2. That Steven Floyd Voss is guilty of the crime of Uttering a Forged Instrument,  
22 a violation of NRS 205.090 and NRS 205.110, a category D felony, as charged in Count II  
23 of the Information.  
24  
25 \_\_\_\_\_

26 <sup>1</sup> In the *Order Granting Petition* ("Order") issued on August 15, 2018, which ordered the resentencing of Mr.  
27 Voss, the Court of Appeals of the State of Nevada provided that "we conclude resentencing, as originally  
28 ordered in the August 9, 2001, order, and entry of an amended judgment of conviction is the relief  
warranted." (Emphasis added). Order at 2-3. However, the Order further provided that "there is currently no  
valid judgment of conviction entered in CR96-1581." *Id.* at 2. Since there was never a valid judgment of  
conviction entered in this case, this document is appropriately entitled Judgment of Conviction.

1           3.       That Steven Floyd Voss is guilty of the crime of Uttering a Forged Instrument,  
2 a violation of NRS 205.090 and NRS 205.110, a category D felony, as charged in Count III  
3 of the Information.

4           4.       That Steven Floyd Voss is guilty of the crime of Forgery, a violation of NRS  
5 205.090, a category D felony, as charged in Count IV of the Information.

6           5.       That Steven Floyd Voss is guilty of the crime of Forgery, a violation of NRS  
7 205.090, a category D felony, as charged in Count V of the Information.

8           6.       That Steven Floyd Voss is guilty of the crime of Attempted Theft, a violation  
9 of NRS 193.330 being an attempt to violate NRS 205.0832, a category D felony, as  
10 charged in Count VI of the Information.

11           7.       **That Steven Floyd Voss be punished by imprisonment in the Nevada**  
12 **Department of Corrections for a minimum term of 12 months to a maximum term of**  
13 **48 months, as to Count I.**

14           8.       **That Steven Floyd Voss be punished by imprisonment in the Nevada**  
15 **Department of Corrections for a minimum term of 12 months to a maximum term of**  
16 **32 months, as to Count II, sentence to be served consecutively to the sentence**  
17 **imposed in Count I.**

18           9.       **That Steven Floyd Voss be punished by imprisonment in the Nevada**  
19 **Department of Corrections for a minimum term of 12 months to a maximum term of**  
20 **32 months, as to Count III, sentence to be served concurrently with the sentence**  
21 **imposed in Count II.**

22           10.      **That Steven Floyd Voss be punished by imprisonment in the Nevada**  
23 **Department of Corrections for a minimum term of 12 months to a maximum term of**  
24 **32 months, as to Count IV, sentence to be served consecutively to the sentence**  
25 **imposed in Count II.**

26           11.      **That Steven Floyd Voss be punished by imprisonment in the Nevada**  
27 **Department of Corrections for a minimum term of 12 months to a maximum term of**  
28

1 32 months, as to Count V, sentence to be served concurrently with the sentence  
2 imposed in Count IV.

3 12. That Steven Floyd Voss be punished by imprisonment in the Nevada  
4 Department of Corrections for a minimum term of 12 months to a maximum term of  
5 32 months, as to Count VI, sentence to be served consecutively to the sentence  
6 imposed in Count IV.

7 13. It is further ordered that the aggregate sentence imposed is a minimum  
8 of 48 months with a maximum of 144 months. Defendant shall receive credit for  
9 time served in the amount of 7,205 days. The Defendant is given credit for time  
10 already served, any excess that exceeds the Defendant's sentences shall be  
11 calculated and determined by the Nevada Department of Corrections.

12 14. It is further ordered that Steven Floyd Voss shall pay a \$25.00 administrative  
13 assessment fee and reimburse the County of Washoe the sum of \$750.00 for legal  
14 representation to the Clerk of the Second Judicial District Court.

15 15. Steven Floyd Voss is hereby advised that:

16 **Any fine, fee administrative assessment, or restitution**  
17 **imposed today (as reflected in this Judgment of**  
18 **Conviction) constitutes a lien, as defined in Nevada**  
19 **Revised Statute 176.275. Should you not pay these fines,**  
20 **fees, or assessments, collection efforts may be undertaken**  
21 **against you.**

22 Dated this 7th day of July, 2020.

23 NUNC PRO TUNC to the 27<sup>th</sup> day of November, 1996

24   
25 \_\_\_\_\_  
26 DISTRICT JUDGE  
27  
28

FILED

JUL 10 2020

JACQUELINE BRYANT, CLERK

By: [Signature]  
DEPUTY CLERK

Electronically Filed  
Jul 16 2020 01:50 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

STEVEN FLOYD VOSS #52094  
Northern Nevada Corrections Center  
Post Office Box #7000  
Carson City, Nevada 89702-7000

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

THE STATE OF NEVADA,  
Plaintiff,  
VS.

Case No: CR96-1581  
Dept. No: 1

STEVEN FLOYD VOSS,  
Defendant.

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that STEVEN FLOYD VOSS,  
the defendant above named, hereby appeals to the  
Nevada Supreme Court, from the Judgment of  
Conviction, entered on or about July 7, 2020  
in the above entitled case. The foregoing document  
does not contain the social security number of any  
person.

DATED this 7th day of July 2020.

By: [Signature]

STEVEN FLOYD VOSS,  
Defendant, in pro. per.

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AMOS STEGE, ESQ. (DDA)  
% Washoe County District Attorney  
Post Office Box # 11130  
Reno, Nevada 89520-0027

STEVEN FLOYD VOSS.

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## **CERTIFICATE OF SERVICE**

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 9th day of November 2020. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

Marilee Cate, Appellate Deputy  
Washoe County District Attorney's Office

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

Steven Floyd Voss (52094)  
Northern Nevada Correctional Center  
P.O. Box 7000  
Carson City, Nevada 89702

/s/Tracie K. Lindeman

Tracie K. Lindeman, Esq.