

"original"

Electronically Filed
7/21/2020 12:10 PM
Steven D. Grierson
CLERK OF THE COURT

Fredys Arcangel-Martinez

(Name)
1003276

(I.D. No.)

Northern Nevada Correctional Center
Post Office Box 7000
Carson City, Nevada 89702

Electronically Filed
Jul 28 2020 09:03 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

IN THE 8th JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF Clark

Fredys Arcangel-Martinez

Petitioner/Defendant,

vs.

Perry Russel Warden, and
State of Nevada, et al.,
Respondent/Plaintiff

Case No.: 06C226586

Dept. No. XXV

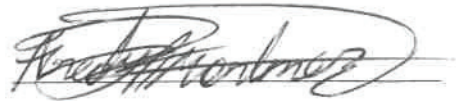
Actually innocent 28 U.S.C.S.
2244(d)(1)...
U.S.C.S.R. Rule 32(a)(2) through (8);
see 26(E)(1)(B); see 30(a)(2)(A)(iii).

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that I, Fredys A. Martinez appeal the
Judgment / Order entered on the 15 day of June, 2020 by this
court.

Dated this 10 day of July, 2020.

U.S.G.G.M. § 6A1.3.(a)(b); Fed.R.Crim.P. 32(a)(1).....
U.S.S.G. § 3E1.1(a)...



(Signature)

In Pro Se

RECEIVED

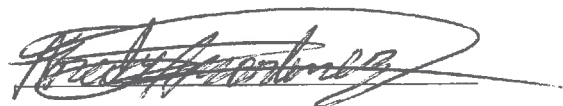
JUL 16 2020

CLERK OF THE COURT

CERTIFICATE OF SERVICE BY MAIL

Pursuant to NRCP Rule 5(b), I hereby certify that I am the Defendant named herein and that on this 10 day of July, 2020, I mailed a true and correct copy of the foregoing NOTICE OF APPEAL to the following:

Clark County District Attorney
200 Lewis Ave, P.O. Box 552212
Las Vegas, NV 89155-2212

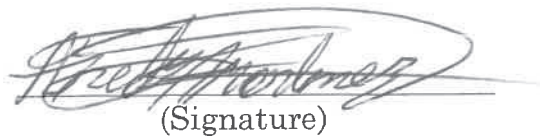


(Signature)

AFFIRMATION PURSUANT TO NRS 239B.030

** I certify that the foregoing document DOES NOT contain the social security number of any persons.

7-10-2020
(Date)



(Signature)

Law Library (Qm) 7-10-20

100327

Fredys A. Martinez #1003276
Northern Nevada Correctional Center
P.O. Box 7000
1721 E. Snyder Ave
Carson City, NV 89702.

Tenth Judicial District Court
Regional Judicial Center
200 Lewis Avenue
Las Vegas, NV 89155

LEGAL MAIL
CONFIDENTIAL

Hasler

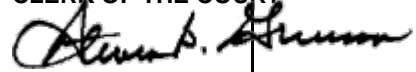
07/13/2020

USPS MAIL

\$001.60



ZIP 89701
0713/2020



1 ASTA

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5
6 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**
7 **STATE OF NEVADA IN AND FOR**
8 **THE COUNTY OF CLARK**
9

10 STATE OF NEVADA,

11 Plaintiff(s),

12 vs.

13 FREDDY MARTINEZ
14 aka FREDYS A. MARTINEZ,

15 Defendant(s),

Case No: 06C226586

Dept No: XXV

16
17 **CASE APPEAL STATEMENT**
18

19 1. Appellant(s): Fredys Archange-Martinez

20 2. Judge: Kathleen E. Delaney

21 3. Appellant(s): Fredys Archange-Martinez

22 Counsel:

23 Fredys Archange-Martinez #1003276
24 P.O. Box 7000
Carson City, NV 89702

25 4. Respondent: The State of Nevada

26 Counsel:

27 Steven B. Wolfson, District Attorney
28 200 Lewis Ave.

Las Vegas, NV 89101
(702) 671-2700

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

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

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

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

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

9. Date Commenced in District Court: September 29, 2006

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

Type of Judgment or Order Being Appealed: Misc. Order

11. Previous Appeal: Yes

Supreme Court Docket Number(s): 49608, 55890, 56153, 57197, 58023, 58050, 58215,
69277, 6959*6, 70244, 70641, 75760, 79405

12. Child Custody or Visitation: N/A

Dated This 22 day of July 2020.

Steven D. Grierson, Clerk of the Court

/s/ Amanda Hampton

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

cc: Fredys Archange-Martinez

CASE No. 06C226586

§ 87(2)(b)

| | |
|--------------------------|-----------------------------|
| Location: | Department 25 |
| Judicial Officer: | Delaney, Kathleen E. |
| Filed on: | 09/29/2006 |
| Case Number History: | |
| Cross-Reference Case | C226586 |
| Number: | |
| Defendant's Scope ID #: | 1361243 |
| Lower Court Case Number: | 05GJ00145 |
| Supreme Court No.: | 56153 |
| | 57197 |
| | 58023 |
| | 58050 |
| | 58215 |
| | 69277 |
| | 69596 |
| | 70244 |
| | 70641 |
| | 75760 |
| | 79405 |

| Offense | Statute | Deg | Date | Case Type: | Felony/Gross Misdemeanor |
|--|-------------|-----|------------|--------------|----------------------------|
| 1. BURGLARY WHILE IN POSSESSION OF A WEAPON | 205.060 | F | 01/01/1900 | Case Status: | 07/13/2010 Closed |
| 2. BATTERY WITH USE OF A DEADLY WEAPON | 200.481(2E) | F | 01/01/1900 | | |
| 3. FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON | 200.320 | F | 01/01/1900 | | |
| 4. SEXUAL ASSAULT WITH USE OF A DEADLY WEAPON | 193.165 | F | 01/01/1900 | | |

| | |
|------------|------------------------------------|
| 09/12/2011 | USJR Reporting Statistical Closure |
| 05/31/2007 | USJR Reporting Statistical Closure |
| 06/23/2009 | USJR Reporting Statistical Closure |

| | |
|------------|---------|
| 10/09/2006 | Quashed |
| 09/29/2006 | Issued |
| Fine: \$0 | |
| Bond: \$0 | |




| | |
|------------|---------|
| 10/09/2006 | Quashed |
| 09/28/2006 | Issued |
| Fine: \$0 | |
| Bond: \$0 | |

CASE ASSIGNMENT

| | |
|------------------|----------------------|
| Case Number | 06C226586 |
| Court | Department 25 |
| Date Assigned | 08/06/2012 |
| Judicial Officer | Delaney, Kathleen E. |













Lead Attorneys

CASE SUMMARY**CASE NO. 06C226586****Defendant** **Martinez, Freddy****Pro Se****Plaintiff** **State of Nevada****Wolfson, Steven B**
702-671-2700(W)

| DATE | EVENTS & ORDERS OF THE COURT | INDEX |
|------------|--|-------|
| | <u>EVENTS</u> | |
| 09/29/2006 |  Indictment <i>INDICTMENT</i> | |
| 09/29/2006 | Hearing <i>INITIAL ARRAIGNMENT</i> | |
| 09/29/2006 |  Warrant <i>INDICTMENT WARRANT</i> | |
| 09/29/2006 | Hearing <i>GRAND JURY INDICTMENT</i> | |
| 10/03/2006 | Bench Warrant <i>BENCH WARRANT ISSUED</i> | |
| 10/03/2006 | Order <i>ORDER OF INTENT TO FORFEIT</i> | |
| 10/03/2006 |  Bench Warrant <i>INDICTMENT WARRANT RETURN</i> | |
| 10/11/2006 |  Reporters Transcript <i>REPORTER'S TRANSCRIPT OF SEPTEMBER 21, 2006</i> | |
| 10/13/2006 |  Reporters Transcript <i>REPORTER'S TRANSCRIPT OF SEPTEMBER 28, 2006</i> | |
| 11/17/2006 |  Motion <i>MOTION TO COMPEL DISCLOSURE OF EXCULPATORY EVIDENCE</i> | |
| 11/20/2006 |  Expert Witness List <i>NOTICE OF EXPERT WITNESSES [NRS 174.234(2)]</i> | |
| 11/20/2006 |  Expert Witness List <i>NOTICE OF WITNESSES [NRS 174.234(1)(A)]</i> | |
| 11/28/2006 |  Opposition <i>STATE'S OPPOSITION TO DEFENDANT'S MOTION TO COMPEL EXCULPATORY EVIDENCE</i> | |
| 11/28/2006 |  Order <i>ORDER RELEASING MEDICAL RECORDS</i> | |
| 11/28/2006 |  Request <i>EX PARTE MOTION FOR RELEASE OF MEDICAL RECORDS</i> | |

CASE SUMMARY














CASE No. 06C226586

| | |
|------------|--|
| 11/30/2006 | Motion <i>ALL PENDING MOTIONS 11/30/06</i> |
| 12/23/2006 |  Order <i>ORDER RE-SETTING CRIMINAL JURY TRIALS PRESENTLY SCHEDULED ON JANUARY 25, 2007 IN DEPT XXIV</i> |
| 01/18/2007 |  Expert Witness List Filed By: Defendant Martinez, Freddy <i>DEFENDANT'S NOTICE OF WITNESSES, PURSUANT TO NRS 174.234</i> |
| 01/25/2007 | Hearing <i>ENTRY OF PLEA</i> |
| 04/11/2007 |  Jury List <i>JURY LIST</i> |
| 04/12/2007 | Conversion Case Event Type <i>SENTENCING</i> |
| 04/12/2007 |  Amended Jury List <i>AMENDED JURY LIST</i> |
| 04/12/2007 |  Instructions to the Jury <i>INSTRUCTIONS TO THE JURY (INSTRUCTION NO. 1)</i> |
| 04/12/2007 |  Judgment <i>VERDICT</i> |
| 04/12/2007 | Judgment Filed By: Defendant Martinez, Freddy <i>VERDICT (COUNT 4)</i> |
| 04/12/2007 |  Proposed Jury Instructions Not Used At Trial <i>PROPOSED JURY INSTRUCTIONS NOT USED AT TRIAL</i> |
| 05/14/2007 |  PSI <i>Pre-Sentence Investigation Report (Unfiled) Confidential</i> |
| 05/31/2007 |  Judgment <i>JUDGMENT OF CONVICTION (JURY TRIAL)</i> |
| 05/31/2007 | Judgment <i>JUDGMENT OF CONVICTION/GENETIC TESTING</i> |
| 06/04/2007 |  Notice of Appeal Filed By: Defendant Martinez, Freddy <i>DESIGNATION OF RECORD ON APPEAL</i> |
| 06/04/2007 |  Notice of Appeal Filed By: Defendant Martinez, Freddy <i>NOTICE OF APPEAL</i> |
| 06/06/2007 |  Statement |

CASE SUMMARY














CASE No. 06C226586

CASE APPEAL STATEMENT

| | |
|------------|---|
| 06/19/2007 |  Notice of Appeal Filed By: Defendant Martinez, Freddy <i>NOTICE OF APPEAL</i> |
| 06/19/2007 |  Statement Filed by: Defendant Martinez, Freddy <i>CASE APPEAL STATEMENT</i> |
| 06/28/2007 |  Order <i>ORDER APPOINTING APPELLANT COUNSEL</i> |
| 07/17/2007 |  Reporters Transcript <i>REPORTER'S TRANSCRIPT OF OCTOBER 5, 2006</i> |
| 07/25/2007 |  Reporters Transcript <i>REPORTER'S TRANSCRIPT OF JANUARY 30, 2007</i> |
| 07/25/2007 |  Reporters Transcript <i>REPORTER'S TRANSCRIPT OF JANUARY 25, 2007</i> |
| 08/03/2007 |  Reporters Transcript <i>REPORTER'S TRANSCRIPT OF APRIL 5, 2007</i> |
| 08/10/2007 |  Reporters Transcript <i>REPORTER'S TRANSCRIPT OF NOVEMBER 30, 2006</i> |
| 08/10/2007 |  Reporters Transcript <i>REPORTER'S TRANSCRIPT OF APRIL 11, 2007</i> |
| 08/10/2007 |  Reporters Transcript <i>REPORTER'S TRANSCRIPT OF MAY 24, 2007</i> |
| 08/10/2007 |  Reporters Transcript <i>REPORTER'S TRANSCRIPT OF APRIL 12, 2007</i> |
| 08/13/2007 |  Reporters Transcript <i>REPORTER'S TRANSCRIPT OF FEBRUARY 8, 2007</i> |
| 11/30/2007 |  Reporters Transcript <i>REPORTER'S TRANSCRIPT OF APRIL 5, 2007</i> |
| 01/04/2008 |  Reporters Transcript <i>REPORTER'S TRANSCRIPT OF FEBRUARY 8, 2007</i> |
| 01/23/2008 |  Reporters Transcript <i>REPORTER'S TRANSCRIPT OF APRIL 5, 2007</i> |
| 01/23/2008 |  Reporters Transcript <i>REPORTER'S TRANSCRIPT OF JANUARY 18, 2008</i> |















CASE SUMMARY

CASE No. 06C226586

| | |
|------------|---|
| 06/06/2008 |  Judgment <i>NEVADA SUPREME COURT CLERK'S CERTIFICATE JUDGEMENT - AFFIRMED</i> |
| 10/23/2009 |  Motion <i>MOTION TO MAKE ADDITIONAL FUNDS AVAILABLE FOR NDOC INMATE'S LEGAL ACCOUNT</i> |
| 11/03/2009 |  Opposition <i>OPPOSITION TO DEFENDANT'S MOTION TO MAKE ADDITIONAL FUNDS AVAILABLE FOR NDOC INMATES [SIC] LEGAL ACCOUNT</i> |
| 01/06/2010 |  Order <i>ORDER DENYING DEFENDANT'S MOTION TO MAKE ADDITIONAL FUNDS AVAILABLE FOR NDOC INMATES [SIC] LEGAL ACCOUNT</i> |
| 04/02/2010 |  Motion <i>A MOTION FOR APPOINTMENT OF COUNSEL</i> |
| 04/09/2010 |  Opposition <i>STATE'S OPPOSITION TO DEFENDANT'S MOTION FOR APPOINTMENT OF COUNSEL</i> |
| 04/21/2010 |  Motion <i>A MOTION TO VACATE A J.O.C.</i> |
| 04/22/2010 |  Notice of Appeal Filed By: Defendant Martinez, Freddy <i>NOTICE OF APPEAL</i> |
| 04/23/2010 |  Statement <i>CASE APPEAL STATEMENT</i> |
| 04/24/2010 |  Order <i>ORDER DENYING DEFENDANT'S PRO PER MOTION FOR APPOINTMENT OF COUNSEL</i> |
| 04/30/2010 |  Petition Filed by: Defendant Martinez, Freddy <i>PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION)</i> |
| 05/11/2010 | Petition <i>PTN FOR WRIT OF HABEAS CORPUS</i> |
| 05/11/2010 |  Order for Petition for Writ of Habeas Corpus <i>ORDER FOR PETITION FOR WRIT OF HABEAS CORPUS</i> |
| 05/13/2010 |  Motion <i>MOTION FOR AN EVIDENTIARY HEARING</i> |
| 05/21/2010 |  Opposition <i>STATE'S OPPOSITION TO DEFENDANT'S MOTION FOR EVIDENTIARY HEARING</i> |
| 05/21/2010 |  Order <i>ORDER DENYING DEFENDANT'S PRO PER MOTION TO VACATE A J.O.C.</i> |





CASE SUMMARY

CASE No. 06C226586

| | |
|------------|--|
| 05/24/2010 |  Response Filed by: Defendant Martinez, Freddy <i>ANSWER AND RESPONSE</i> |
| 06/03/2010 |  Notice of Appeal Filed By: Defendant Martinez, Freddy <i>NOTICE OF APPEAL</i> |
| 06/04/2010 |  Statement <i>CASE APPEAL STATEMENT</i> |
| 07/09/2010 |  Response <i>STATE'S RESPONSE AND MOTION TO DISMISS DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION)</i> |
| 07/13/2010 |  Judgment <i>NEVADA SUPREME COURT CLERK'S CERTIFICATE JUDGEMENT - DISMISSED</i> |
| 07/23/2010 |  Motion for Appointment of Attorney Filed By: Defendant Martinez, Freddy <i>MOTION FOR APPOINTMENT OF COUNSEL</i> |
| 08/05/2010 |  Opposition to Motion Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant's Motion for Appointment of Counsel</i> |
| 09/03/2010 |  Order Denying Motion Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Motion for Appointment of Counsel</i> |
| 11/16/2010 |  Notice of Appeal (criminal) Party: Defendant Martinez, Freddy <i>NOTICE OF APPEAL</i> |
| 11/18/2010 |  Case Appeal Statement <i>Case Appeal Statement</i> |
| 12/16/2010 |  NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>NEVADA SUPREME COURT CLERK'S CERTIFICATE JUDGMENT - AFFIRMED</i> |
| 01/21/2011 |  Findings of Fact, Conclusions of Law and Order Filed By: Plaintiff State of Nevada <i>Findings of Fact, Conclusions of Law and Order</i> |
| 01/25/2011 |  Order Denying Motion <i>Order Denying Defendant's Motion for Petition for Writ of Habeas Corpus</i> |
| 03/08/2011 |  Notice of Entry of Decision and Order |
| 03/08/2011 |  Notice of Entry of Decision and Order |














CASE SUMMARY

CASE NO. 06C226586

| | |
|------------|--|
| 03/21/2011 |  Notice of Appeal (criminal) Party: Defendant Martinez, Freddy <i>NOTICE OF APPEAL</i> |
| 03/24/2011 |  Case Appeal Statement |
| 03/25/2011 |  Notice of Appeal (criminal) Party: Defendant Martinez, Freddy <i>NOTICE OF APPEAL</i> |
| 03/25/2011 |  Designation of Record on Appeal Filed By: Defendant Martinez, Freddy <i>Designation of Record on Appeal</i> |
| 03/25/2011 |  Motion Filed By: Defendant Martinez, Freddy <i>Motion for Appointment of Counsel PURSUANT TO NRS 34.750</i> |
| 03/25/2011 |  Motion Filed By: Defendant Martinez, Freddy <i>Motion to Extend Prison Copywork Limit FOR</i> |
| 03/29/2011 |  Case Appeal Statement |
| 04/01/2011 |  Opposition to Motion <i>State's Opposition to Defendant's Motion for Appointment of Counsel</i> |
| 04/19/2011 |  Notice of Appeal (criminal) Party: Defendant Martinez, Freddy <i>NOTICE OF APPEAL</i> |
| 04/19/2011 |  Designation of Record on Appeal Filed By: Defendant Martinez, Freddy |
| 04/22/2011 |  Case Appeal Statement Filed By: Plaintiff State of Nevada |
| 06/09/2011 |  NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>Nevada Supreme Court Clerk's Certificate Judgment - Affirmed</i> |
| 06/15/2011 |  NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>Nevada Supreme Court Clerks Certificate Judgment - Dismissed</i> |
| 08/17/2011 |  NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>Nevada Supreme Court Clerk's Certificate Judgment - Affirmed</i> |
| 09/12/2011 |  Receipt <i>Receipt Of Copy</i> |
| 10/04/2011 |  NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>Nevada Supreme Court Clerk's Certificate Judgment - Dismissed</i> |

CASE SUMMARY















CASE NO. 06C226586

| | |
|------------|---|
| 11/29/2011 |  Reporters Transcript Filed By: Plaintiff State of Nevada <i>Reporters Transcript of Defendant's Pro Per Motion for Evidentiary Hearing - Heard 5/26/2010</i> |
| 11/29/2011 |  Reporters Transcript Filed By: Plaintiff State of Nevada <i>Reporter's Transcript Of Defendant's Pro Per Petition For Writ Of Habeas Corpus - Heard 7-14-2010</i> |
| 12/30/2011 |  Reporters Transcript Filed By: Plaintiff State of Nevada <i>Reporters Transcript of Proceedings - Heard 05-05-10</i> |
| 08/06/2012 | Case Reassigned to Department 25 <i>Case reassigned from Judge Mosley</i> |
| 09/22/2015 |  Filed Under Seal Filed By: Defendant Martinez, Freddy <i>Certificate of Inmate's Institutional Account</i> |
| 09/22/2015 |  Filed Under Seal Filed By: Defendant Martinez, Freddy <i>Application to Proceed In Forma Pauperis</i> |
| 09/22/2015 |  Filed Under Seal Filed By: Defendant Martinez, Freddy <i>Certificate of Inmate's Institutional Account</i> |
| 09/23/2015 |  Motion for Order Filed By: Defendant Martinez, Freddy <i>Motion for Order to Produce Prisoner Transcripts</i> |
| 09/23/2015 |  Motion for Production of Transcript Filed By: Defendant Martinez, Freddy <i>Motion for Production of Transcripts at State Expense</i> |
| 11/04/2015 |  Order Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Pro Per Motion to Produce Prisoner Transcripts</i> |
| 11/20/2015 |  Notice of Appeal (criminal) <i>Notice of Appeal</i> |
| 12/01/2015 |  Case Appeal Statement Filed By: Defendant Martinez, Freddy <i>Case Appeal Statement</i> |
| 12/07/2015 |  Motion Filed By: Defendant Martinez, Freddy <i>Motion for Enlargement of Time (First Request)</i> |
| 12/07/2015 |  Motion Filed By: Defendant Martinez, Freddy |

CASE SUMMARY

CASE NO. 06C226586

Motion to the Court asking Where are the Records of my Criminal Case?

| | |
|------------|--|
| 12/07/2015 |  Motion Filed By: Defendant Martinez, Freddy <i>Motion for Production of Transcripts at State Expense</i> |
| 12/07/2015 |  Motion Filed By: Defendant Martinez, Freddy <i>Motion to Extend Prison Copywork Limit</i> |
| 12/07/2015 |  Motion Filed By: Defendant Martinez, Freddy <i>Motion for Appointment of Counsel</i> |
| 12/07/2015 |  Motion Filed By: Defendant Martinez, Freddy <i>Motion for Order to Produce Prisoner Transcripts and Recor.</i> |
| 12/07/2015 |  Notice of Motion Filed By: Defendant Martinez, Freddy <i>Notice of Motion and Motion for Order of Delivery of Records</i> |
| 12/07/2015 |  Application to Proceed in Forma Pauperis Filed By: Defendant Martinez, Freddy |
| 12/21/2015 |  Response Filed by: Plaintiff State of Nevada <i>State's Opposition to Defendant's Motion to Appoint Counsel</i> |
| 01/11/2016 |  Order Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Multiple Motions</i> |
| 01/12/2016 |  Notice of Appeal (criminal) <i>Notice of Appeal</i> |
| 01/13/2016 |  Case Appeal Statement Filed By: Defendant Martinez, Freddy <i>Case Appeal Statement</i> |
| 02/01/2016 |  Notice of Appeal (criminal) Party: Defendant Martinez, Freddy <i>Notice of Appeal</i> |
| 02/01/2016 |  Motion Filed By: Defendant Martinez, Freddy <i>Motion to Appoint Counsel</i> |
| 02/01/2016 |  Motion Filed By: Defendant Martinez, Freddy <i>Motion for Order Directing Clerk to Issue Presentence 911 Investigation Report to Defendant</i> |
| 02/01/2016 |  Filed Under Seal |

CASE SUMMARY

CASE NO. 06C226586

Filed Under Seal - Certificate of Inmate's Institutional Account

02/01/2016



Filed Under Seal

Filed Under Seal - Application to Proceed in Forma Pauperis

02/02/2016



Case Appeal Statement

Filed By: Defendant Martinez, Freddy

Case Appeal Statement

02/11/2016



NV Supreme Court Clerks Certificate/Judgment - Dismissed

Nevada Supreme Court Clerk's Certificate Judgment - Dismissed

02/22/2016



Motion

Filed By: Defendant Martinez, Freddy

Motion for Production of Transcripts at State Expense

02/22/2016



Application to Proceed in Forma Pauperis

Filed By: Defendant Martinez, Freddy

02/22/2016



Filed Under Seal

Filed By: Defendant Martinez, Freddy

Defendant's Certificate of Inmate's Institutional Account

03/22/2016



Order

Filed By: Plaintiff State of Nevada

Order Denying Defendant's Motion for Production of Transcripts at State Expense

04/04/2016



Application to Proceed in Forma Pauperis

04/04/2016



Application to Proceed in Forma Pauperis

Certificate of Inmate's Institutional Account

04/05/2016



Motion

Filed By: Defendant Martinez, Freddy

Motion for Appointment of Counsel

04/05/2016



Motion

Filed By: Defendant Martinez, Freddy

Motion for Productio0n of Transcripts at State Expense

04/05/2016



Motion

Filed By: Defendant Martinez, Freddy

Motion for Production of Transcripts at State Expense

04/05/2016



Motion

Filed By: Defendant Martinez, Freddy

Motion for Production of Transcripts at State Expense

04/07/2016



Application to Proceed in Forma Pauperis

Certificate of Inmate's Institutional Account

04/07/2016










Application to Proceed in Forma Pauperis

Filed By: Defendant Martinez, Freddy

















CASE SUMMARY

CASE NO. 06C226586

| | |
|------------|--|
| 04/08/2016 |  Motion Filed By: Defendant Martinez, Freddy <i>Motion for Production of Transcripts at State Expense</i> |
| 04/08/2016 |  Motion Filed By: Defendant Martinez, Freddy <i>Motion for Production of Transcripts at State Expense</i> |
| 04/08/2016 |  Motion Filed By: Defendant Martinez, Freddy <i>Motion for Appointment of Counsel</i> |
| 04/13/2016 |  NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>Nevada Supreme Court Clerk's Certificate Judgment - Dismissed</i> |
| 04/21/2016 |  Notice of Appeal (criminal) Party: Defendant Martinez, Freddy <i>Notice of Appeal</i> |
| 04/21/2016 |  Motion Filed By: Defendant Martinez, Freddy <i>Motion to Appoint Counsel</i> |
| 04/21/2016 |  Application to Proceed in Forma Pauperis |
| 04/21/2016 |  Filed Under Seal <i>Certificate of Inmate's Institutional Account</i> |
| 04/25/2016 |  Case Appeal Statement |
| 05/05/2016 |  Motion for Appointment of Attorney Filed By: Defendant Martinez, Freddy <i>Motion for Appointment of Counsel</i> |
| 05/05/2016 |  Motion Filed By: Defendant Martinez, Freddy <i>Motion of "Miscarriage" of the Court of District Court Clark County, Nevada</i> |
| 05/05/2016 |  Application to Proceed in Forma Pauperis Filed By: Defendant Martinez, Freddy |
| 05/16/2016 |  Order Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Multiple Motions</i> |
| 05/31/2016 |  Motion Filed By: Defendant Martinez, Freddy <i>Motion for Appointment of Counsel</i> |
| 05/31/2016 |  Motion Filed By: Defendant Martinez, Freddy <i>Motion for Production of Transcripts at State Expense</i> |

CASE SUMMARY

CASE NO. 06C226586

| | |
|------------|--|
| 05/31/2016 |  Motion Filed By: Defendant Martinez, Freddy <i>Motion for Production of Transcripts at State Expense</i> |
| 05/31/2016 |  Application to Proceed in Forma Pauperis Filed By: Defendant Martinez, Freddy |
| 05/31/2016 |  Filed Under Seal Filed By: Defendant Martinez, Freddy <i>Certificate of Inmate's Institutional Account</i> |
| 06/02/2016 |  Motion Filed By: Defendant Martinez, Freddy <i>Motion for Production of Transcripts at State Expense</i> |
| 06/07/2016 |  Order Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Pro Per Motion for Appointment of Counsel and Defendant's Pro Per Motion of "Miscarriage" of the Court of District Court Clark County, Nevada</i> |
| 06/17/2016 |  Motion for Appointment of Attorney Filed By: Defendant Martinez, Freddy <i>Motion to Appoint Counsel</i> |
| 06/17/2016 |  Notice of Appeal (criminal) |
| 06/17/2016 |  Application to Proceed in Forma Pauperis |
| 06/17/2016 |  Filed Under Seal <i>Certificate of Inmate's Institutional Account</i> |
| 06/21/2016 |  Case Appeal Statement |
| 06/28/2016 |  Order to Proceed In Forma Pauperis <i>Order to Proceed in Forma Pauperis</i> |
| 06/30/2016 |  Notice of Appeal (criminal) Party: Defendant Martinez, Freddy <i>Notice of Appeal</i> |
| 07/01/2016 |  Motion for Appointment of Attorney Filed By: Defendant Martinez, Freddy <i>Motion to Appoint Counsel</i> |
| 07/01/2016 |  Case Appeal Statement |
| 07/01/2016 |  Filed Under Seal Filed By: Defendant Martinez, Freddy <i>Application to Proceed In Forma Pauperis</i> |
| 07/01/2016 |  Filed Under Seal |





CASE SUMMARY

CASE NO. 06C226586

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| | <p>Filed By: Defendant Martinez, Freddy <i>Certificate of Inmate's Institutional Account</i></p> |
| 07/22/2016 | <p> Application to Proceed in Forma Pauperis Filed By: Defendant Martinez, Freddy <i>Application to Proceed in Forma Pauperis</i></p> |
| 07/22/2016 | <p> Filed Under Seal <i>Certificate of Inmate's Institutional Account</i></p> |
| 08/08/2016 | <p> Application to Proceed in Forma Pauperis Filed By: Defendant Martinez, Freddy</p> |
| 08/08/2016 | <p> Filed Under Seal Filed By: Defendant Martinez, Freddy <i>Certificate of Inmate's Institutional Account</i></p> |
| 08/17/2016 | <p> NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>Nevada Supreme Court Clerk's Certificate Judgment - Dismissed</i></p> |
| 09/16/2016 | <p> NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>Nevada Supreme Court Clerk's Certificate Judgment - Dismissed</i></p> |
| 12/28/2016 | <p> Motion Filed By: Defendant Martinez, Freddy <i>Motion to Expand Briefing Schedule</i></p> |
| 12/29/2017 | <p> Supplement Filed by: Plaintiff State of Nevada; Defendant Martinez, Freddy <i>Supplemental Peition for Writ of Habeas Corpus</i></p> |
| 02/12/2018 | <p> Response Filed by: Plaintiff State of Nevada <i>State's Response to Defendant's Petition for Writ of Habeas Corpus (Post-Conviction)</i></p> |
| 04/27/2018 | <p> Case Appeal Statement Filed By: Defendant Martinez, Freddy <i>Case Appeal Statement</i></p> |
| 04/27/2018 | <p> Notice of Appeal (criminal) Party: Defendant Martinez, Freddy <i>Notice of Appeal</i></p> |
| 04/27/2018 | <p> Request Filed by: Defendant Martinez, Freddy <i>Request for Transcript of Proceedings</i></p> |
| 05/18/2018 | <p> Findings of Fact, Conclusions of Law and Order Filed By: Plaintiff State of Nevada</p> |
| 05/22/2018 | <p> Notice of Entry <i>Notice of Entry of Findings of Fact, Conclusions of Law and Order</i></p> |

CASE SUMMARY

CASE NO. 06C226586

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| 08/12/2019 |  Notice of Appeal (criminal) <i>Notice of Appeal</i> |
| 08/13/2019 |  Case Appeal Statement <i>Case Appeal Statement</i> |
| 08/16/2019 |  NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Affirmed</i> |
| 10/07/2019 |  NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed</i> |
| 05/22/2020 |  Motion for Leave to Proceed in Forma Pauperis Filed By: Defendant Martinez, Freddy |
| 05/22/2020 |  Motion for Appointment of Attorney Filed By: Defendant Martinez, Freddy <i>Motion for Appointment of Counsel</i> |
| 05/22/2020 |  Motion Filed By: Defendant Martinez, Freddy <i>Motion for Transcript at State Expense</i> |
| 07/01/2020 |  Order to Proceed In Forma Pauperis <i>Order Granting Defendant's Motion for Leave to Proceed in Forma Pauperis and Order Denying Defendant's Motion for Transcript at State Expense and Order Denying Defendant's Motion for Appointment of Counsel</i> |
| 07/21/2020 |  Notice of Appeal (criminal) <i>Notice of Appeal</i> |
| 07/22/2020 |  Case Appeal Statement Filed By: Defendant Martinez, Freddy <i>Case Appeal Statement</i> |
| <u>DISPOSITIONS</u> | |
| 01/01/1900 | Plea (Judicial Officer: User, Conversion) 1. BURGLARY. Not Guilty PCN: Sequence: |
| 01/01/1900 | Plea (Judicial Officer: User, Conversion) 2. BATTERY WITH USE OF A DEADLY WEAPON Not Guilty PCN: Sequence: |
| 01/01/1900 | Plea (Judicial Officer: User, Conversion) 3. KIDNAPPING IN FIRST DEGREE Not Guilty PCN: Sequence: |
| 01/01/1900 | Plea (Judicial Officer: User, Conversion) 4. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. |

CASE SUMMARY

CASE No. 06C226586

Not Guilty
PCN: Sequence:

04/12/2007 **Disposition** (Judicial Officer: User, Conversion)
4. SEXUAL ASSAULT WITH USE OF A DEADLY WEAPON
Not Guilty
PCN: Sequence:

05/24/2007 **Disposition** (Judicial Officer: User, Conversion)
1. BURGLARY WHILE IN POSSESSION OF A WEAPON
Guilty
PCN: Sequence:

05/24/2007 **Disposition** (Judicial Officer: User, Conversion)

05/24/2007 **Disposition** (Judicial Officer: User, Conversion)
2. BATTERY WITH USE OF A DEADLY WEAPON
Guilty
PCN: Sequence:

05/24/2007 **Disposition** (Judicial Officer: User, Conversion)

05/24/2007 **Disposition** (Judicial Officer: User, Conversion)
3. FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON
Guilty
PCN: Sequence:

05/24/2007 **Disposition** (Judicial Officer: User, Conversion)

05/24/2007 **Adult Adjudication** (Judicial Officer: User, Conversion)
1. BURGLARY WHILE IN POSSESSION OF A WEAPON
01/01/1900 (F) 205.060 (205.060)
PCN: Sequence:

Converted Disposition:
Sentence# 0001:
Minimum 60 Months to Maximum 180 Months
Placement: NSP

Converted Disposition:
Sentence# 0002: CREDIT FOR TIME SERVED
Minimum 281 Days to Maximum 281 Days

Converted Disposition:
Sentence# 0003: DNA FEE/GENETIC MARKERS ANALYSIS
Amount: \$150.00

Converted Disposition:
Sentence# 0004: ADMINISTRATION FEE
Amount: \$25.00

05/24/2007 **Adult Adjudication** (Judicial Officer: User, Conversion)
2. BATTERY WITH USE OF A DEADLY WEAPON
01/01/1900 (F) 200.481(2E) (200.481(2E))
PCN: Sequence:

Converted Disposition:
Sentence# 0001:
Minimum 48 Months to Maximum 120 Months
Placement: NSP

CASE SUMMARY

CASE No. 06C226586

Cons/Conc: Concurrent
w/Charge Item: 0001
and Sentence#: 0001

05/24/2007

Adult Adjudication (Judicial Officer: User, Conversion)
3. FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON
01/01/1900 (F) 200.320 (200.320)
PCN: Sequence:

Converted Disposition:
Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE
Cons/Conc: Concurrent
w/Charge Item: 0002
and Sentence#: 0001
Converted Disposition:
Sentence# 0002: LIFE WITH POSSIBILITY OF PAROLE
Cons/Conc: Concurrent
w/Charge Item: 0001
and Sentence#: 0001

HEARINGS

09/29/2006

Grand Jury Indictment (8:30 AM)
*GRAND JURY INDICTMENT Court Clerk: Theresa Lee Reporter/Recorder: Richard Kangas
Heard By: Michael Cherry*
Bench Warrant Issued; GRAND JURY INDICTMENT Court Clerk: Theresa Lee
Reporter/Recorder: Richard Kangas Heard By: Michael Cherry

10/05/2006

Initial Arraignment (1:30 PM)
Events: 09/29/2006 Hearing
*INITIAL ARRAIGNMENT Court Clerk: Pamela Humphrey/pdh Reporter/Recorder: Kiara
Schmidt Court Interpreter: VERONICA PELAS Heard By: Kevin Williams*
Matter Heard; INITIAL ARRAIGNMENT Court Clerk: Pamela Humphrey/pdh
Reporter/Recorder: Kiara Schmidt Court Interpreter: VERONICA PELAS Heard By: Kevin
Williams

11/09/2006

Calendar Call (8:30 AM)
*CALENDAR CALL Relief Clerk: Sharon Chun Reporter/Recorder: Renee Vincent Court
Interpreter: HECTOR VAZQUEZ-MENA Heard By: Stewart Bell*
Matter Heard; CALENDAR CALL Relief Clerk: Sharon Chun Reporter/Recorder: Renee
Vincent Court Interpreter: HECTOR VAZQUEZ-MENA Heard By: Stewart Bell

11/13/2006

CANCELED Jury Trial (9:30 AM)
Vacated

11/30/2006

Calendar Call (8:30 AM)
CALENDAR CALL

11/30/2006

Motion to Compel (8:30 AM)
Events: 11/17/2006 Motion
DEFT'S MTN TO COMPEL DISCLOSURE/10 Heard By: Stewart Bell

11/30/2006

All Pending Motions (8:30 AM)
*ALL PENDING MOTIONS 11/30/06 Relief Clerk: Carole D'Aloia Reporter/Recorder: Renee
Vincent Court Interpreter: DIEGO TRUJILLO Heard By: Stewart Bell*

MINUTES

Motion
ALL PENDING MOTIONS 11/30/06
Matter Heard; ALL PENDING MOTIONS 11/30/06 Relief Clerk: Carole D'Aloia
Reporter/Recorder: Renee Vincent Court Interpreter: DIEGO TRUJILLO Heard By: Stewart
Bell

CASE SUMMARY

CASE NO. 06C226586

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| 12/04/2006 | CANCELED Jury Trial (9:30 AM) <i>Vacated</i> |
| 01/18/2007 | CANCELED Calendar Call (8:30 AM) <i>Vacated</i> |
| 01/22/2007 | Jury Trial (9:30 AM) <i>TRIAL BY JURY VO 12/22/06</i> MINUTES Matter Continued; TRIAL BY JURY VO 12/22/06 |
| 01/25/2007 | Jury Trial (8:30 AM) <i>TRIAL BY JURY VO 12/22/06</i> |
| 01/25/2007 | Calendar Call (8:30 AM) <i>CALENDAR CALL Court Clerk: Theresa Lee Reporter/Recorder: Jackie Nelson Court Interpreter: MARIA U PETERS Heard By: James Bixler</i> Matter Heard; CALENDAR CALL Court Clerk: Theresa Lee Reporter/Recorder: Jackie Nelson Court Interpreter: MARIA U PETERS Heard By: James Bixler |
| 01/29/2007 | CANCELED Jury Trial (8:30 AM) <i>Vacated</i> |
| 01/30/2007 | Entry of Plea (8:30 AM) Events: 01/25/2007 Hearing <i>ENTRY OF PLEA Court Clerk: Theresa Lee Reporter/Recorder: Jackie Nelson Court Interpreter: Maria Peralta De Gomez Heard By: Bixler, James</i> Matter Continued; ENTRY OF PLEA Court Clerk: Theresa Lee Reporter/Recorder: Jackie Nelson Court Interpreter: Maria Peralta De Gomez Heard By: Bixler, James |
| 02/08/2007 | Entry of Plea (8:30 AM) <i>ENTRY OF PLEA Court Clerk: Theresa Lee Reporter/Recorder: Bill Nelson Court Interpreter: M. BERRY Heard By: James Bixler</i> Moot; ENTRY OF PLEA Court Clerk: Theresa Lee Reporter/Recorder: Bill Nelson Court Interpreter: M. BERRY Heard By: James Bixler |
| 04/05/2007 | Calendar Call (8:30 AM) <i>CALENDAR CALL (PREFERENTIAL) Court Clerk: Theresa Lee Reporter/Recorder: Lee Bahr Court Interpreter: MARIA U PETERS Heard By: James Bixler</i> Matter Heard; CALENDAR CALL (PREFERENTIAL) Court Clerk: Theresa Lee Reporter/Recorder: Lee Bahr Court Interpreter: MARIA U PETERS Heard By: James Bixler |
| 04/06/2007 | Overflow (9:00 AM) <i>OVERFLOW (24) NYIKOS / BATEMAN / HAMERS 2 DAYS / 8-10 WITNESSES/ NO OUT OF STATE Court Clerk: Teri Braegelmann Reporter/Recorder: Renee Vincent Heard By: Stewart Bell</i> Matter Heard; OVERFLOW (24) NYIKOS / BATEMAN / HAMERS 2 DAYS / 8-10 WITNESSES/ NO OUT OF STATE Court Clerk: Teri Braegelmann Reporter/Recorder: Renee Vincent Heard By: Stewart Bell |
| 04/09/2007 | CANCELED Jury Trial (10:00 AM) <i>Vacated</i> |
| 04/11/2007 | Jury Trial (9:30 AM) <i>TRIAL BY JURY Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Court Interpreter: DIVA REALMUTO Heard By: Bell, Stewart L.</i> Matter Continued; TRIAL BY JURY Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Court Interpreter: DIVA REALMUTO Heard By: Bell, Stewart L. |
| 04/12/2007 | Jury Trial (9:00 AM) <i>TRIAL BY JURY Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Court Interpreter: DIVA REALMUTO Heard By: Stewart Bell</i> |

CASE SUMMARY

CASE NO. 06C226586

Matter Heard; TRIAL BY JURY Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent
Court Interpreter: DIVA REALMUTO Heard By: Stewart Bell

05/24/2007

Sentencing (8:30 AM)

Events: 04/12/2007 Conversion Case Event Type

SENTENCING Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Court Interpreter: Guillermo Palomo Heard By: Stewart Bell

MINUTES

Conversion Case Event Type

SENTENCING

Granted; SENTENCING Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Court Interpreter: Guillermo Palomo Heard By: Stewart Bell

11/09/2009

Motion (9:00 AM)

Events: 10/23/2009 Motion

DEFT'S PRO PER MTN TO MAKE ADDITIONAL FUNDS Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley

Matter Heard; DEFT'S PRO PER MTN TO MAKE ADDITIONAL FUNDS Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley

Journal Entry Details:

Court noted Defendant is in prison and not present today, that he gives no specifics and the time has passed for a Writ of Habeas Corpus. As the circumstances do not warrant, COURT ORDERED, Pro Per Motion DENIED. NDC ;

04/14/2010

Motion (9:00 AM)

Events: 04/02/2010 Motion

DEFT'S PRO PER MTN FOR APPT OF CNSL/023 Relief Clerk: Roshonda Mayfield Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley

Matter Heard; DEFT'S PRO PER MTN FOR APPT OF CNSL/023 Relief Clerk: Roshonda Mayfield Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley

Journal Entry Details:

Court advised, this is a pro per motion where the Deft. is requesting to have counsel appointed. Upon review it appears the writ is time barred and there is no need for appointment of counsel. Therefore, COURT ORDERED, motion DENIED. NDC ;

05/05/2010

Motion to Vacate (9:00 AM)

Events: 04/21/2010 Motion

DEFT'S PRO PER MOTION TO VACATE A J.O.C./24 Court Clerk: Linda Skinner Reporter/Recorder: Marcia Leonard Heard By: Donald Mosley

Denied; DEFT'S PRO PER MOTION TO VACATE A J.O.C./24 Court Clerk: Linda Skinner Reporter/Recorder: Marcia Leonard Heard By: Donald Mosley

Journal Entry Details:

Court noted Defendant is in prison and not present today. He went to trial in front of Judge Bell in 2007 and was found not guilty on Count 4 and incorrectly thinks all the counts should be stricken. Court stated this is the wrong vehicle, that he should have filed a Writ of Habeas Corpus, however, to file one now would be time barred as the Judgment of Conviction was signed in 2007. COURT ORDERED, Pro Per Motion DENIED. NDC ;

05/26/2010

Motion (9:00 AM)

Events: 05/13/2010 Motion

DEFT'S PRO PER MTN FOR AN EVIDENTIARY HEARING/26 Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley

Off Calendar; DEFT'S PRO PER MTN FOR AN EVIDENTIARY HEARING/26 Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley

Journal Entry Details:

Court advised Defendant is in prison and not present today, that he is asking for an Evidentiary Hearing to decide the writ, however, this motion is premature. Court advised the Writ is set for 7/14 and on that date it will be decided if an Evidentiary Hearing is necessary and if one is, it will be set and Defendant will be transported for it. COURT ORDERED, matter OFF CALENDAR as it is premature. NDC ;




07/14/2010

Petition for Writ of Habeas Corpus (9:00 AM)

Events: 05/11/2010 Petition



CASE SUMMARY

CASE No. 06C226586

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| | <p><i>PTN FOR WRIT OF HABEAS CORPUS Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley</i></p> <p>Denied; PTN FOR WRIT OF HABEAS CORPUS Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley</p> <p>Journal Entry Details:</p> <p><i>Court advised Defendant is in prison and not present today, that the Judgment of Conviction was filed on 6/3/08 and this Petition was filed on 4/30/10. Court stated it is extremely untimely with no good cause given. As this Court lacks jurisdiction, COURT ORDERED, DENIED. NDC ;</i></p> |
| 08/09/2010 | <p> Motion for Appointment of Attorney (9:00 AM) (Judicial Officer: Mosley, Donald)</p> <p><i>Defendant's Pro Per Motion For Appointment Of Counsel</i></p> <p>Denied; Pro Per's Motion for Appointment of Counsel</p> <p>Journal Entry Details:</p> <p><i>The Court NOTED it was not sure what the Deft is asking for and there is no cause therefore, COURT ORDERED, Motion DENIED based on the merits this could be duplicative. NDC ;</i></p> |
| 04/04/2011 | <p>Motion (9:00 AM) (Judicial Officer: Mosley, Donald)</p> <p>Events: 03/25/2011 Motion</p> <p><i>Motion for Appointment of Counsel</i></p> |
| 04/04/2011 | <p>Motion (9:00 AM) (Judicial Officer: Mosley, Donald)</p> <p>Events: 03/25/2011 Motion</p> <p><i>Motion to Extend Prison Copywork Limit</i></p> |
| 04/04/2011 | <p> All Pending Motions (9:00 AM) (Judicial Officer: Mosley, Donald)</p> <p>Motion Denied;</p> <p>Journal Entry Details:</p> <p><i>DEFT'S PRO PER MOTION FOR APPOINTMENT OF COUNSEL PURSUANT TO NRS 34.750...DEFT'S PRO PER MOTION TO EXTEND PRISON COPYWORK LIMIT FOR Court noted Defendant is in prison and not present today; that he is asking for counsel and wants the amount allotted for copies to be extended. Court advised it is not satisfied there is a need for the appointment of counsel and as to the latter, it should have been addressed by the Attorney General's Office, however, ORDERED, both Motions are DENIED. NDC ;</i></p> |
| 10/14/2015 | <p> Motion for Order (9:00 AM) (Judicial Officer: Barker, David)</p> <p><i>Defendant's Pro Per Motion to Produce Prisoner Transcripts</i></p> <p>Motion Denied; Defendant's Pro Per Motion to Produce Prisoner Transcripts</p> <p>Journal Entry Details:</p> <p><i>Deft. not present. Court provided a summary of the Motion filed. COURT stated FINDINGS in that there was no jurisdiction over the federal hearing matters and ORDERED, motion DENIED. NDC CLERK'S NOTE: At the direction of the Court, on 10/15/15 a copy of the foregoing minute order was mailed to; Freddy Martinez #1003276 1200 Prison Rd. Lovelock, NV 89419 (10/15/15 amn). ;</i></p> |
| 12/28/2015 | <p>Motion (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)</p> <p><i>Defendant's Pro Per Motion for Enlargement of Time (First Request)</i></p> <p>Denied;</p> |
| 12/28/2015 | <p>Motion (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)</p> <p><i>Defendant's Pro Per Motion to the Court asking Where are the Records of my Criminal Case?</i></p> <p>Denied Without Prejudice;</p> |
| 12/28/2015 | <p>Motion (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)</p> <p><i>Defendant's Pro Per Motion for Production of Transcripts at State Expense</i></p> <p>Denied;</p> |
| 12/28/2015 | <p>Motion (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)</p> <p><i>Defendant's Pro Per Motion to Extend Prison Copywork Limit</i></p> <p>Denied;</p> |



CASE SUMMARY

CASE NO. 06C226586

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| 12/28/2015 | <p>Motion (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Defendant's Pro Per Motion for Appointment of Counsel</i> Denied;</p> |
| 12/28/2015 | <p>Motion (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Defendant's Pro Per Motion for Order of Delivery of Records</i> Denied;</p> |
| 12/28/2015 | <p>Motion (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Defendant's Pro Per Motion for Order to Produce Prisoner Transcripts and Record</i> Denied;</p> |
| 12/28/2015 | <p> All Pending Motions (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Matter Heard; Journal Entry Details: <i>COURT ORDERED, no oral argument will be entertained for today's hearing, and ruled as follows: As to Defendant's Pro Per Motion for Enlargement of Time (First Request): COURT ORDERED, motion DENIED; as this motion appears to be related to Defendant's Federal Court proceedings. As to Defendant's Pro Per Motion to the Court Asking Where Are the Records of My Criminal Case: COURT ORDERED, motion DENIED WITHOUT PREJUDICE; as Defendant must be more specific as to what records he is seeking, if he plans to pursue some post-conviction proceedings; and why he would not be time-barred from doing so. As to Defendant's Pro Per Motion for Production of Transcripts at State Expense: COURT ORDERED, motion DENIED; as this motion appears to be related to Defendant's Federal Court proceedings. As to Defendant's Pro Per Motion to Extend Prison Copywork Limit: COURT ORDERED, motion DENIED; as this motion appears to be related to Defendant's Federal Court proceedings. As to Defendant's Pro Per Motion for Appointment of Counsel: COURT ORDERED, motion DENIED; as this motion appears to be related to Defendant's Federal Court proceedings. As to Defendant's Pro Per Motion for Order of Delivery of Records: COURT ORDERED, motion DENIED; as this motion appears to be related to Defendant's Federal Court proceedings. As to Defendant's Pro Per Motion for Order to Produce Prisoner Transcripts and Record: COURT ORDERED, motion DENIED; as this motion appears to be related to Defendant's Federal Court proceedings. NDC CLERK'S NOTE: A copy of this Minute Order has been mailed to Defendant. /db 12.28.2015;</i></p> |
| 03/14/2016 | <p> Motion for Production of Transcript (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Defendant's Pro Per Motion for Production of Transcripts at State Expense</i> Denied; Journal Entry Details: <i>Defendant not present, incarcerated in the Nevada Department of Corrections (NDC). COURT NOTED Defendant is requesting a 911 call made by an individual in August 2006, however, it is not clear why Defendant wants or needs this information; therefore, COURT ORDERED, motion DENIED, as it is premature and has no purpose as to why it is necessary. State to prepare the order. NDC CLERK'S NOTE: A copy of this minute order has been mailed to Defendant. /db 3.15.2016;</i></p> |
| 04/27/2016 | <p>Motion (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) 04/27/2016, 05/02/2016 <i>Defendant's Pro Per Motion for Appointment of Counsel</i> Continued; Denied Without Prejudice; Continued; Denied Without Prejudice;</p> |
| 04/27/2016 | <p>Motion for Production of Transcript (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) 04/27/2016, 05/02/2016 <i>Defendant's Pro Per Motion for Production of Transcripts at State Expense: Brady Declaration and Verbal Declaration of the Police Who Arrested Me in Mesquite, NV This Day of August 16, 2006</i> Continued; Denied Without Prejudice; Continued;</p> |

CASE SUMMARY


CASE No. 06C226586

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| | Denied Without Prejudice; |
| 04/27/2016 | <p>Motion (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)</p> <p>04/27/2016, 05/02/2016</p> <p><i>Defendant's Motion for Production of Transcripts at State Expense: Brady Transcripts of the Investigation of This Car, Ford Focus Nevada Plate 308TRL, Day of My Arrest August 16, 2006</i></p> <p>Continued;</p> <p>Denied Without Prejudice;</p> <p>Continued;</p> <p>Denied Without Prejudice;</p> |
| 04/27/2016 | <p>Motion for Production of Transcript (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)</p> <p>04/27/2016, 05/02/2016</p> <p><i>Defendant's Motion for Production of Transcripts at State Expense: Brady Verbal Declaration of Bianca Maxima Hernandez with Detective Chavez, Arturo LVMPDP #4 048 and Goddard Blake LVMPDP #59 August 16, 2006</i></p> <p>Continued;</p> <p>Denied Without Prejudice;</p> <p>Continued;</p> <p>Denied Without Prejudice;</p> |
| 04/27/2016 | <p> All Pending Motions (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)</p> <p>Matter Heard;</p> <p>Journal Entry Details:</p> <p><i>DEFENDANT'S PRO PER MOTION FOR APPOINTMENT OF COUNSEL.....DEFENDANT'S PRO PER MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATE EXPENSE: "BRADY DECLARATION & VERBAL DECLARATION" OF THE POLICE WHO ARRESTED ME IN MESQUITE, NV THIS DAY AUGUST 16-2006.....DEFENDANT'S PRO PER MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATE EXPENSE: "BRADY S TRANSCRIPTS" OF THE INVESTIGATION OF THIS CAR, FORD FOCUS NEVADA PLATE 308TRL, DAY OF MY ARREST AUGUST 16-2006.....DEFENDANT'S PRO PER MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATE EXPENSE: "BRADY VERBAL DECLARATION" OF BIANCA MARINA HERNANDES WITH DETECTIVE CHAVEZ, ARTURO LVMPDP #4048 AND GODDARD BLAKE, LVMPDP #59, AUGUST 16-2006 Due to the Court's schedule, matter CONTINUED to the next available calendar. NDC Continued to: 5/2/2016 9:00 am CLERK'S NOTE: A copy of this Minute Order has been mailed to Defendant. /db 4.27.2016;</i></p> |
| 05/02/2016 | <p>Motion (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)</p> <p><i>Defendant's Pro Per Motion for Production of Transcripts at State Expense: "Brady Declaration Transcripts" of the Mesquite Police Who Arrest Me This Day, August 16-2006; And the Brady of the Knife, 8-16-2006</i></p> <p>Denied Without Prejudice;</p> |
| 05/02/2016 | <p>Motion (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)</p> <p><i>Defendant's Pro Per Motion for Production of Transcripts at State Expense: "Brady Verbal Declaration" of Bianca-Marina, H. With Ms. Nyikos, Noreen, State of Nevada Attorney, This Day September 14, 2006 and Barr L. Mesquite Police, August 16, 2006</i></p> <p>Denied Without Prejudice;</p> |
| 05/02/2016 | <p>Motion for Appointment of Attorney (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)</p> <p><i>Defendant's Pro Per Motion for Appointment of Counsel</i></p> <p>Denied Without Prejudice;</p> |
| 05/02/2016 | <p> All Pending Motions (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)</p> <p>Matter Heard;</p> <p>Journal Entry Details:</p> <p><i>DEFENDANT S PRO PER MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATE EXPENSE: BRADY DECLARATION TRANSCRIPTS OF THE MESQUITE POLICE WHO ARREST ME THIS DAY, AUGUST 16-2006; AND THE BRADY OF THE KNIFE, 8-16-2006.....DEFENDANT S PRO PER MOTION FOR PRODUCTION OF TRANSCRIPTS AT</i></p> |

CASE SUMMARY




CASE No. 06C226586

STATE EXPENSE: BRADY VERBAL DECLARATION OF BIANCA-MARINA, H. WITH MS. NYIKOS, NOREEN, STATE OF NEVADA ATTORNEY, THIS DAY SEPTEMBER 14, 2006, AND BARR, L. MESQUITE POLICE, AUGUST 16, 2006.....DEFENDANT S PRO PER MOTION FOR APPOINTMENT OF COUNSEL.....DEFENDANT'S PRO PER MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATE EXPENSE: BRADY DECLARATION AND VERBAL DECLARATION OF THE POLICE WHO ARRESTED ME IN MESQUITE, NV THIS DAY OF AUGUST 16, 2006.....DEFENDANT'S MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATE EXPENSE: BRADY TRANSCRIPTS OF THE INVESTIGATION OF THIS CAR, FORD FOCUS NEVADA PLATE 308TRL, DAY OF MY ARREST AUGUST 16, 2006.....DEFENDANT'S MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATE EXPENSE: BRADY VERBAL DECLARATION OF BIANCA MAXIMA HERNANDEZ WITH DETECTIVE CHAVEZ, ARTURO LVMPDP #4 048 AND GODDARD BLAKE LVMPDP #59 AUGUST 16, 2006 Defendant not present, incarcerated in the Nevada Department of Corrections (NDC). COURT NOTED, in looking at the history of this case, Defendant has filed prior habeas petitions and appeals that have been denied, additionally, it is not clear the motions regarding transcripts are requesting transcripts or court documents. COURT FURTHER NOTED, Motions DENIED WITHOUT PREJUDICE, as they are time-barred and successive; FURTHER, Defendant has not shown any basis why he is entitled to counsel; May 16th hearing regarding Defendant's Pro Per Motion for Appointment of Counsel VACATED. State to prepare one order. NDC CLERK'S NOTE: A copy of this Minute Order has been mailed to Defendant. /db 5.3.2016;

| | |
|------------|--|
| 05/16/2016 | <p>CANCELED Motion for Appointment of Attorney (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)</p> <p><i>Vacated</i></p> <p><i>Defendant's Pro Per Motion to Appoint Counsel</i></p> |
| 06/01/2016 | <p>Motion (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)</p> <p><i>Defendant's Pro Per Motion for Appointment of Counsel</i></p> <p>Denied Without Prejudice;</p> |
| 06/01/2016 | <p>Motion (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)</p> <p><i>Defendant's Pro Per Motion of "Miscarriage" of the Court of District Court Clark County, Nevada</i></p> <p>Denied Without Prejudice;</p> |
| 06/01/2016 | <p> All Pending Motions (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)</p> <p>Matter Heard;</p> <p>Journal Entry Details:</p> <p><i>DEFENDANT'S PRO PER MOTION FOR APPOINTMENT OF COUNSEL.....DEFENDANT'S PRO PER MOTION OF "MISCARRIAGE" OF THE COURT OF DISTRICT COURT CLARK COUNTY, NEVADA Defendant not present, incarcerated in the Nevada Department of Corrections (NDC). Noting no oral argument will be entertained for today's hearing, COURT ruled as follows: Defendant's Pro Per Motion for Appointment of Counsel is DENIED WITHOUT PREJUDICE, as there is nothing file, no argument, no reason to consider said motion. As to Defendant's Pro Per Motion of "Miscarriage" of the Court of District Court Clark County, Nevada: COURT ORDERED, motion DENIED WITHOUT PREJUDICE, as it is vague and impossible for the Court to consider it. State to prepare the orders. NDC CLERK'S NOTE: A copy of this minute order has been mailed to Defendant. /db 6.2.2016;</i></p> |
| 06/22/2016 | <p>Motion (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)</p> <p>06/22/2016, 06/27/2016, 07/20/2016</p> <p><i>Defendant's Pro Per Motion for Production of Transcripts at State Expense</i></p> <p>Continued;</p> <p>Continued;</p> <p>Denied Without Prejudice;</p> <p>Continued;</p> <p>Continued;</p> <p>Denied Without Prejudice;</p> <p>Continued;</p> <p>Continued;</p> <p>Denied Without Prejudice;</p> |

CASE SUMMARY

CASE NO. 06C226586

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| 06/22/2016 | <p>Motion (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) 06/22/2016, 06/27/2016, 07/20/2016 <i>Defendant's Pro Per Motion for Production of Transcripts at State Expense</i> Continued; Continued; Denied Without Prejudice; Continued; Continued; Denied Without Prejudice; Continued; Continued; Denied Without Prejudice;</p> |
| 06/22/2016 | <p> All Pending Motions (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Matter Heard; Journal Entry Details: <i>DEFENDANT'S PRO PER MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATE EXPENSE (CLOTHES AND FOOTWEAR).....DEFENDANT'S PRO PER MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATE EXPENSE (FULLER CLAYTON, M.D.)</i> <i>Defendant not present, incarcerated in the Nevada Department of Corrections (NDC). Due to the Court's scheduled, matter CONTINUED to the June 27th, to be heard with Defendant's other pro per motions. NDC Continued to: 6/27/2016 9:00 am CLERK'S NOTE: A copy of this Minute Order has been mailed to Defendant. /db 6.22.2016;</i></p> |
| 06/27/2016 | <p>Motion (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) 06/27/2016, 07/20/2016 <i>Defendant's Pro Per Motion for Production of Transcripts at State Expense (Declaration of Jose Castillo)</i> Continued; Denied Without Prejudice; Continued; Denied Without Prejudice;</p> |
| 06/27/2016 | <p>Motion (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Defendant's Motion to Appoint Counsel</i> Granted;</p> |
| 06/27/2016 | <p> All Pending Motions (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Matter Heard; Journal Entry Details: <i>DEFENDANT'S PRO PER MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATE'S EXPENSE (DECLARATION OF JOSE CASTILLO).....DEFENDANT'S PRO PER MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATE EXPENSE.....DEFENDANT'S PRO PER MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATE EXPENSE COURT NOTED it has signed and will be sending Defendant the approval of his order to proceed in forma pauperis. COURT ORDERED, Defendant's Pro Per Motion to Appoint Counsel calendared for July 11th will be ADVANCED to today, and GRANTED; matter SET for Confirmation of Counsel for Drew Christensen, Esq.'s office to determine how the new attorney wishes to proceed. COURT FURTHER ORDERED, today's motions CONTINUED. NDC 7/20/2016 9:00 am Confirmation of Counsel (D. Christensen, Esq.)...Deft's Pro Per Motions for Production of Transcripts CLERK'S NOTE: A copy of this Minute Order has been electronically mailed to Drew Christensen, Esq.; and mailed to Defendant at the Nevada Department of Corrections (NDC) /db 6.29.2016;</i></p> |
| 07/20/2016 | <p>Confirmation of Counsel (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Confirmation of Counsel (D. Christensen, Esq.)</i> Counsel Confirmed;</p> |
| 07/20/2016 | <p> All Pending Motions (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Matter Heard;</p> |

CASE SUMMARY

CASE No. 06C226586

Journal Entry Details:

DEFENDANT'S PRO PER MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATE EXPENSE (DECLARATION OF JOSE CASTILLO).....DEFENDANT'S PRO PER MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATE EXPENSE.....DEFENDANT'S PRO PER MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATE EXPENSE.....CONFIRMATION OF COUNSEL (D. CHRISTENSEN, ESQ.) Ms. Allen advised the Court that she can confirm as counsel; however, will need additional time to ascertain what does and does not need to be addressed, or if she needs to file a supplement to anything. COURT SO NOTED, and ORDERED, Ms. Allen CONFIRMED as counsel, all of today's motions DENIED WITHOUT PREJUDICE; matter SET for Status Check. NDC 8/17/2016 9:00 am Status Check: Status of Case/Briefing Schedule CLERK'S NOTE: A copy of this Minute Order has been mailed to Defendant. /db 7.21.2016;

07/25/2016



Motion for Appointment of Attorney (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

Defendant's Pro Per Motion to Appoint Counsel

Moot;

Journal Entry Details:

COURT ORDERED, matter off calendar as MOOT; as Ms. Allen was appointed on July 20th. NDC 8/17/2016 9:00 am Status Check: Status of Case/Briefing Schedule;

08/17/2016



Status Check (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

Status Check: Status of Case/Briefing Schedule

Briefing Schedule Set;

Journal Entry Details:

Ms. Allen advised the Court that she received the file from the Special Public Defender's Office; however, she has additional portions to obtain for Deputy P.D. Christy Craig. COURT SO NOTED, and ORDERED, Briefing Schedule SET as follows: defense to file its supplemental on or before December 16th; State to respond by February 18th; defense to reply no later than March 4th; matter SET for hearing. COURT DIRECTED Ms. Allen to advise her client that he is not helping the case by continuously filing motions; additionally, whatever he files will not be accepted, as he is represented by counsel. NDC 3/8/2017 9:00 am Hearing: Deft.'s Supplemental Petition for Writ of Habeas Corpus;

01/11/2017



Motion (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

Defendant's Motion to Expand Briefing Schedule

Motion Granted;

Journal Entry Details:

Deft. not present, Nevada Department of Corrections. Ms. Allen requested the matter be continued so she may file a supplement. With there being no objection from the State, COURT ORDERED, Motion GRANTED, a Briefing Schedule SET; Supplement DUE 04/14/17, Response DUE 06/09/17, Reply DUE 07/07/17, Hearing SET 03/18/17 CONTINUED. NDC 07/12/17 9:00 A.M. HEARING: PETITION FOR WRIT OF HABEAS CORPUS ;

07/12/2017



Hearing (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

07/12/2017, 12/20/2017, 04/04/2018

Hearing: Deft.'s Supplemental Petition for Writ of Habeas Corpus

Matter Continued;

Matter Continued;

Denied;

Journal Entry Details:

Deft. not present. Counsel submitted on the pleadings. COURT stated its FINDINGS and ORDERED, Petition DENIED. Ms. Albritton to prepare the Order. Court directed Ms. Allen to remain on the case for appeal purposes. NDC CLERK'S NOTE: A copy of this minute order has been mailed to: Freddy Martinez #1003276 (Northern Nevada Correctional Center PO Box 7000 Carson City, NV 89702) /mk ;

Matter Continued;

Matter Continued;


Denied;

Journal Entry Details:

Deft. not present. CONFERENCE AT BENCH. COURT ORDERED, Deft.'s. Supplemental Brief DUE 12/29/17, State's Response DUE 02/23/18. Deft's Reply DUE 03/23/18, Hearing CONTINUED. NDC CONTINUED TO: 04/04/18 9:00 A.M.;

CASE SUMMARY

CASE No. 06C226586

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| | <p>Matter Continued; Matter Continued; Denied; Journal Entry Details: <i>Deft. not present. CONFERENCE AT BENCH. COURT ADVISED, following discussions at the bench and counsel's representations, COURT ORDERED, Deft. Filing DUE 09/13/17, State's Response DUE 11/15/17, Deft's. Final Pleading DUE 12/13/17; Hearing CONTINUED. NDC 12/20/17 9:00 A.M. HEARING: DEFT'S SUPPLEMENTAL PETITION FOR WRIT OF HABEAS CORPUS;</i></p> |
| 07/12/2017 | <p>CANCELED Hearing (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Vacated - On in Error</i> Hearing:</p> |
| 06/15/2020 | <p>Motion (1:45 PM) (Judicial Officer: Delaney, Kathleen E.) <i>Motion for Leave to Proceed Informa Pauperis</i> Motion Granted;</p> |
| 06/15/2020 | <p>Motion (1:45 PM) (Judicial Officer: Delaney, Kathleen E.) <i>Motion for Appointment of Counsel</i> Denied Without Prejudice;</p> |
| 06/15/2020 | <p>Motion (1:45 PM) (Judicial Officer: Delaney, Kathleen E.) <i>Motion for Transcripts at State Expense</i> Denied Without Prejudice;</p> |
| 06/15/2020 | <p>Motion for Appointment of Attorney (1:45 PM) (Judicial Officer: Delaney, Kathleen E.) Denied Without Prejudice;</p> |
| 06/15/2020 | <p>Motion (1:45 PM) (Judicial Officer: Delaney, Kathleen E.) <i>Defendant's Motion for Transcript at State Expense</i> Denied Without Prejudice;</p> |
| 06/15/2020 | <p> All Pending Motions (1:45 PM) (Judicial Officer: Delaney, Kathleen E.) Matter Continued; Journal Entry Details: <i>DEFT'S. MOTION FOR APPOINTMENT OF COUNSEL...MOTION FOR APPOINTMENT OF COUNSEL...DEFT'S. MOTION FOR TRANSCRIPT AT STATE EXPENSE...MOTION FOR TRANSCRIPTS AT STATE EXPENSE...MOTION FOR LEAVE TO PROCEED INFORMA PAUPERIS Deft. not present, Nevada Department of Correction (NDC) MOTION FOR LEAVE TO PROCEED INFORMA PAUPERIS COURT ADVISED Its recollection is that Deft. was previously GRANTED leave to proceed informa pauperis. If the Motion was not formally GRANTED and MOOT, COURT ORDERS, Motion GRANTED at this time. DEFT'S. MOTION FOR TRANSCRIPT AT STATE EXPENSE...MOTION FOR TRANSCRIPTS AT STATE EXPENSE. COURT STATED unless we have significant specificity as to what Deft. wants transcripts of and what Deft. things he has the ability to petition for as post-conviction relief, in fairness to both sides, COURT ORDERS, Motions DENIED WITHOUT PREJUDICE. Deft. should be more specific as to what specific transcripts he should have and if he can overcome procedural bars. Following Court's review of prior minute orders, COURT ADVISED there are likely procedural bars Deft. would need to overcome. DEFT'S. MOTION FOR APPOINTMENT OF COUNSEL...MOTION FOR APPOINTMENT OF COUNSEL COURT ORDERED, Motions DENIED WITHOUT PREJUDICE, Court does not know a basis upon which Deft. could file a Writ of Habeas Corpus. COURT STATED FINDINGS, and FURTHER ORDERED, Ms. Betsy Allen, Esq. WITHDRAWN as counsel of record. NDC CLERK'S NOTE A copy of this minute order was mailed to Deft. (Freddy Martinez #1003276 (Northern Nevada Correctional Center PO Box 7000 Carson City, NV 89702) /sb 06.17.20 ;</i></p> |

THE SEALED DOCUMENT(S)
IN THIS CASE
WILL FOLLOW VIA
U.S. MAIL

THE SEALED PORTION
OF THESE MINUTES
WILL FOLLOW VIA
U.S. MAIL.

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****November 09, 2009**

06C226586

The State of Nevada vs Freddy Martinez

November 09, 2009**9:00 AM****Motion****DEFT'S PRO PER
MTN TO MAKE
ADDITIONAL
FUNDS Court Clerk:
Linda Skinner
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**Chen, Alexander G.
Frierson, Jason M.
Public DefenderAttorney
Attorney
Attorney**JOURNAL ENTRIES**

- Court noted Defendant is in prison and not present today, that he gives no specifics and the time has passed for a Writ of Habeas Corpus. As the circumstances do not warrant, COURT ORDERED, Pro Per Motion DENIED.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****April 14, 2010**

06C226586

The State of Nevada vs Freddy Martinez

April 14, 2010**9:00 AM****Motion****DEFT'S PRO PER
MTN FOR APPT OF
CNSL/023 Relief
Clerk: Roshonda
Mayfield
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Carroll, Thomas M.

Attorney

JOURNAL ENTRIES

- Court advised, this is a pro per motion where the Deft. is requesting to have counsel appointed. Upon review it appears the writ is time barred and there is no need for appointment of counsel. Therefore, COURT ORDERED, motion DENIED.
NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****May 05, 2010**

06C226586

The State of Nevada vs Freddy Martinez

May 05, 2010**9:00 AM****Motion to Vacate****DEFT'S PRO PER
MOTION TO
VACATE A
J.O.C./24 Court
Clerk: Linda Skinner
Reporter/Recorder:
Marcia Leonard
Heard By: Donald
Mosley****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Morton, Carrie A.

Attorney

JOURNAL ENTRIES

- Court noted Defendant is in prison and not present today. He went to trial in front of Judge Bell in 2007 and was found not guilty on Count 4 and incorrectly thinks all the counts should be stricken. Court stated this is the wrong vehicle, that he should have filed a Writ of Habeas Corpus, however, to file one now would be time barred as the Judgment of Conviction was signed in 2007. COURT ORDERED, Pro Per Motion DENIED.
NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 26, 2010**

06C226586

The State of Nevada vs Freddy Martinez

May 26, 2010**9:00 AM****Motion**

**DEFT'S PRO PER
MTN FOR AN
EVIDENTIARY
HEARING/26 Court
Clerk: Linda Skinner
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley**

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Turner, Robert B.

Attorney

JOURNAL ENTRIES

- Court advised Defendant is in prison and not present today, that he is asking for an Evidentiary Hearing to decide the writ, however, this motion is premature. Court advised the Writ is set for 7/14 and on that date it will be decided if an Evidentiary Hearing is necessary and if one is, it will be set and Defendant will be transported for it. COURT ORDERED, matter OFF CALENDAR as it is premature.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****July 14, 2010**

06C226586

The State of Nevada vs Freddy Martinez

July 14, 2010**9:00 AM****Petition for Writ of Habeas
Corpus**

**PTN FOR WRIT OF
HABEAS CORPUS
Court Clerk: Linda
Skinner
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley**

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Schifalacqua, Barbara

Attorney

JOURNAL ENTRIES

- Court advised Defendant is in prison and not present today, that the Judgment of Conviction was filed on 6/3/08 and this Petition was filed on 4/30/10. Court stated it is extremely untimely with no good cause given. As this Court lacks jurisdiction, COURT ORDERED, DENIED.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****August 09, 2010**

06C226586

The State of Nevada vs Freddy Martinez

August 09, 2010**9:00 AM****Motion for Appointment of
Attorney****Pro Per's Motion for
Appointment of
Counsel****HEARD BY:** Mosley, Donald**COURTROOM:** RJC Courtroom 12B**COURT CLERK:** Linda Skinner
Karina Kennedy**RECORDER:****REPORTER:** Maureen Schorn**PARTIES
PRESENT:****JOURNAL ENTRIES**

- The Court NOTED it was not sure what the Deft is asking for and there is no cause therefore,
COURT ORDERED, Motion DENIED based on the merits this could be duplicative.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****April 04, 2011**

06C226586

The State of Nevada vs Freddy Martinez

April 04, 2011**9:00 AM****All Pending Motions****HEARD BY:** Mosley, Donald**COURTROOM:** RJC Courtroom 12B**COURT CLERK:** Linda Skinner**RECORDER:****REPORTER:** Bill Nelson**PARTIES****PRESENT:**Fattig, John T
State of NevadaAttorney
Plaintiff**JOURNAL ENTRIES**

- DEFT'S PRO PER MOTION FOR APPOINTMENT OF COUNSEL PURSUANT TO NRS
34.750...DEFT'S PRO PER MOTION TO EXTEND PRISON COPYWORK LIMIT FOR

Court noted Defendant is in prison and not present today; that he is asking for counsel and wants the amount allotted for copies to be extended. Court advised it is not satisfied there is a need for the appointment of counsel and as to the latter, it should have been addressed by the Attorney General's Office, however, ORDERED, both Motions are DENIED.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****October 14, 2015**

06C226586

The State of Nevada vs Freddy Martinez

October 14, 2015**9:00 AM****Motion for Order****Defendant's Pro Per
Motion to Produce
Prisoner Transcripts****HEARD BY:** Barker, David**COURTROOM:** RJC Courtroom 15C**COURT CLERK:** Andrea Natali**RECORDER:** Cheryl Carpenter**REPORTER:****PARTIES****PRESENT:**Moskal, Thomas J.
State of NevadaAttorney
Plaintiff**JOURNAL ENTRIES**

- Deft. not present. Court provided a summary of the Motion filed. COURT stated FINDINGS in that there was no jurisdiction over the federal hearing matters and ORDERED, motion DENIED.

NDC

CLERK'S NOTE: At the direction of the Court, on 10/15/15 a copy of the foregoing minute order was mailed to;

Freddy Martinez #1003276

1200 Prison Rd.

Lovelock, NV 89419

(10/15/15 amn).

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****December 28, 2015**

06C226586

The State of Nevada vs Freddy Martinez

December 28, 2015 9:00 AM All Pending Motions**HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Dania Batiste**RECORDER:****REPORTER:** Brenda Schroeder**PARTIES****PRESENT:** Burns, J Patrick Attorney
State of Nevada Plaintiff**JOURNAL ENTRIES**

- COURT ORDERED, no oral argument will be entertained for today's hearing, and ruled as follows:

As to Defendant's Pro Per Motion for Enlargement of Time (First Request):

COURT ORDERED, motion DENIED; as this motion appears to be related to Defendant's Federal Court proceedings.

As to Defendant's Pro Per Motion to the Court Asking Where Are the Records of My Criminal Case:

COURT ORDERED, motion DENIED WITHOUT PREJUDICE; as Defendant must be more specific as to what records he is seeking, if he plans to pursue some post-conviction proceedings; and why he would not be time-barred from doing so.

As to Defendant's Pro Per Motion for Production of Transcripts at State Expense:

COURT ORDERED, motion DENIED; as this motion appears to be related to Defendant's Federal Court proceedings.

As to Defendant's Pro Per Motion to Extend Prison Copywork Limit:

COURT ORDERED, motion DENIED; as this motion appears to be related to Defendant's Federal Court proceedings.

As to Defendant's Pro Per Motion for Appointment of Counsel:

COURT ORDERED, motion DENIED; as this motion appears to be related to Defendant's Federal Court proceedings.

As to Defendant's Pro Per Motion for Order of Delivery of Records:

COURT ORDERED, motion DENIED; as this motion appears to be related to Defendant's Federal Court proceedings.

As to Defendant's Pro Per Motion for Order to Produce Prison er Transcripts and Record:

COURT ORDERED, motion DENIED; as this motion appears to be related to Defendant's Federal Court proceedings.

NDC

CLERK'S NOTE: A copy of this Minute Order has been mailed to Defendant. /db 12.28.2015

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****March 14, 2016**

06C226586

The State of Nevada vs Freddy Martinez

March 14, 2016**9:00 AM****Motion for Production of
Transcript****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Dania Batiste**RECORDER:****REPORTER:** Sharon Howard**PARTIES****PRESENT:**Palal, Binu G.
State of NevadaAttorney
Plaintiff**JOURNAL ENTRIES**

- Defendant not present, incarcerated in the Nevada Department of Corrections (NDC).

COURT NOTED Defendant is requesting a 911 call made by an individual in August 2006, however, it is not clear why Defendant wants or needs this information; therefore, COURT ORDERED, motion DENIED, as it is premature and has no purpose as to why it is necessary. State to prepare the order.

NDC

CLERK'S NOTE: A copy of this minute order has been mailed to Defendant. /db 3.15.2016

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****April 27, 2016**

06C226586

The State of Nevada vs Freddy Martinez

April 27, 2016**9:00 AM****All Pending Motions****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Dania Batiste**RECORDER:****REPORTER:** Sharon Howard**PARTIES****PRESENT:**Merback, William J.
State of NevadaAttorney
Plaintiff**JOURNAL ENTRIES**

- DEFENDANT'S PRO PER MOTION FOR APPOINTMENT OF COUNSEL.....DEFENDANT'S PRO PER MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATE EXPENSE: "BRADY DECLARATION & VERBAL DECLARATION" OF THE POLICE WHO ARRESTED ME IN MESQUITE, NV THIS DAY AUGUST 16-2006.....DEFENDANT'S PRO PER MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATE EXPENSE: "BRADY S TRANSCRIPTS" OF THE INVESTIGATION OF THIS CAR, FORD FOCUS NEVADA PLATE 308TRL, DAY OF MY ARREST AUGUST 16-2006.....DEFENDANT'S PRO PER MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATE EXPENSE: "BRADY VERBAL DECLARATION" OF BIANCA MARINA HERNANDES WITH DETECTIVE CHAVEZ, ARTURO LVMPDP #4048 AND GODDARD BLAKE, LVMPDP #59, AUGUST 16-2006

Due to the Court's schedule, matter CONTINUED to the next available calendar.

NDC

Continued to: 5/2/2016 9:00 am

CLERK'S NOTE: A copy of this Minute Order has been mailed to Defendant. /db 4.27.2016

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 02, 2016**

06C226586

The State of Nevada vs Freddy Martinez

May 02, 2016**9:00 AM****All Pending Motions****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Dania Batiste**RECORDER:****REPORTER:** Brenda Schroeder**PARTIES****PRESENT:**Overly, Sarah
State of NevadaAttorney
Plaintiff**JOURNAL ENTRIES**

- DEFENDANT S PRO PER MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATE EXPENSE: BRADY DECLARATION TRANSCRIPTS OF THE MESQUITE POLICE WHO ARREST ME THIS DAY, AUGUST 16-2006; AND THE BRADY OF THE KNIFE, 8-16-2006.....DEFENDANT S PRO PER MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATE EXPENSE: BRADY VERBAL DECLARATION OF BIANCA-MARINA, H. WITH MS. NYIKOS, NOREEN, STATE OF NEVADA ATTORNEY, THIS DAY SEPTEMBER 14, 2006, AND BARR, L. MESQUITE POLICE, AUGUST 16, 2006.....DEFENDANT S PRO PER MOTION FOR APPOINTMENT OF COUNSEL.....DEFENDANT'S PRO PER MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATE EXPENSE: BRADY DECLARATION AND VERBAL DECLARATION OF THE POLICE WHO ARRESTED ME IN MESQUITE, NV THIS DAY OF AUGUST 16, 2006.....DEFENDANT'S MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATE EXPENSE: BRADY TRANSCRIPTS OF THE INVESTIGATION OF THIS CAR, FORD FOCUS NEVADA PLATE 308TRL, DAY OF MY ARREST AUGUST 16, 2006.....DEFENDANT'S MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATE EXPENSE: BRADY VERBAL DECLARATION OF BIANCA MAXIMA HERNANDEZ WITH DETECTIVE CHAVEZ, ARTURO LVMPDP #4 048 AND GODDARD BLAKE LVMPDP #59 AUGUST 16, 2006

Defendant not present, incarcerated in the Nevada Department of Corrections (NDC).

COURT NOTED, in looking at the history of this case, Defendant has filed prior habeas petitions and appeals that have been denied, additionally, it is not clear the motions regarding transcripts are requesting transcripts or court documents. COURT FURTHER NOTED, Motions DENIED WITHOUT PREJUDICE, as they are time-barred and successive; FURTHER, Defendant has not shown any basis why he is entitled to counsel; May 16th hearing regarding Defendant's Pro Per Motion for Appointment of Counsel VACATED. State to prepare one order.

NDC

CLERK'S NOTE: A copy of this Minute Order has been mailed to Defendant. /db 5.3.2016

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****June 01, 2016**

06C226586

The State of Nevada vs Freddy Martinez

June 01, 2016**9:00 AM****All Pending Motions****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Dania Batiste**RECORDER:****REPORTER:** Brenda Schroeder**PARTIES****PRESENT:**Little, Benard H
State of Nevada
Wong, Hetty O.Attorney
Plaintiff
Attorney**JOURNAL ENTRIES**

- DEFENDANT'S PRO PER MOTION FOR APPOINTMENT OF COUNSEL.....DEFENDANT'S PRO PER MOTION OF "MISCARRIAGE" OF THE COURT OF DISTRICT COURT CLARK COUNTY, NEVADA

Defendant not present, incarcerated in the Nevada Department of Corrections (NDC).

Noting no oral argument will be entertained for today's hearing, COURT ruled as follows: Defendant's Pro Per Motion for Appointment of Counsel is DENIED WITHOUT PREJUDICE, as there is nothing file, no argument, no reason to consider said motion. As to Defendant's Pro Per Motion of "Miscarriage" of the Court of District Court Clark County, Nevada: COURT ORDERED, motion DENIED WITHOUT PREJUDICE, as it is vague and impossible for the Court to consider it. State to prepare the orders.

NDC

CLERK'S NOTE: A copy of this minute order has been mailed to Defendant. / db 6.2.2016

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****June 22, 2016**

06C226586

The State of Nevada vs Freddy Martinez

June 22, 2016**9:00 AM****All Pending Motions****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Dania Batiste**RECORDER:****REPORTER:** Sharon Howard**PARTIES****PRESENT:**Albritton, Alicia A.
State of NevadaAttorney
Plaintiff**JOURNAL ENTRIES**

- DEFENDANT'S PRO PER MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATE EXPENSE (CLOTHES AND FOOTWEAR).....DEFENDANT'S PRO PER MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATE EXPENSE (FULLER CLAYTON, M.D.)

Defendant not present, incarcerated in the Nevada Department of Corrections (NDC).

Due to the Court's scheduled, matter CONTINUED to the June 27th, to be heard with Defendant's other pro per motions.

NDC

Continued to: 6/27/2016

9:00 am

CLERK'S NOTE: A copy of this Minute Order has been mailed to Defendant. /db 6.22.2016

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 27, 2016**

06C226586

The State of Nevada vs Freddy Martinez

June 27, 2016**9:00 AM****All Pending Motions****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Dania Batiste**RECORDER:****REPORTER:** JoAnn Melendez**PARTIES****PRESENT:**Overly, Sarah
State of NevadaAttorney
Plaintiff**JOURNAL ENTRIES**

- DEFENDANT'S PRO PER MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATE'S EXPENSE (DECLARATION OF JOSE CASTILLO).....DEFENDANT'S PRO PER MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATE EXPENSE.....DEFENDANT'S PRO PER MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATE EXPENSE

COURT NOTED it has signed and will be sending Defendant the approval of his order to proceed in forma pauperis.

COURT ORDERED, Defendant's Pro Per Motion to Appoint Counsel calendared for July 11th will be ADVANCED to today, and GRANTED; matter SET for Confirmation of Counsel for Drew Christensen, Esq.'s office to determine how the new attorney wishes to proceed. COURT FURTHER ORDERED, today's motions CONTINUED.

NDC

7/20/2016 9:00 am Confirmation of Counsel (D. Christensen, Esq.)...Deft's Pro Per Motions

PRINT DATE: 07/22/2020 Page 39 of 50 Minutes Date: September 29, 2006

for Production of Transcripts

CLERK'S NOTE: A copy of this Minute Order has been electronically mailed to Drew Christensen, Esq.; and mailed to Defendant at the Nevada Department of Corrections (NDC) /db 6.29.2016

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 20, 2016

06C226586

The State of Nevada vs Freddy Martinez

July 20, 2016

9:00 AM

All Pending Motions

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Dania Batiste

RECORDER:

REPORTER: Sharon Howard

PARTIES

PRESENT:

Allen, Betsy

Attorney

State of Nevada

Plaintiff

Thomson, Megan

Attorney

JOURNAL ENTRIES

- DEFENDANT'S PRO PER MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATE EXPENSE (DECLARATION OF JOSE CASTILLO).....DEFENDANT'S PRO PER MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATE EXPENSE.....DEFENDANT'S PRO PER MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATE EXPENSE.....CONFIRMATION OF COUNSEL (D. CHRISTENSEN, ESQ.)

Ms. Allen advised the Court that she can confirm as counsel; however, will need additional time to ascertain what does and does not need to be addressed, or if she needs to file a supplement to anything.

COURT SO NOTED, and ORDERED, Ms. Allen CONFIRMED as counsel, all of today's motions DENIED WITHOUT PREJUDICE; matter SET for Status Check.

NDC

8/17/2016 9:00 am Status Check: Status of Case/Briefing Schedule

CLERK'S NOTE: A copy of this Minute Order has been mailed to Defendant. /db 7.21.2016

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****July 25, 2016**

06C226586

The State of Nevada vs Freddy Martinez

July 25, 2016**9:00 AM****Motion for Appointment of
Attorney****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Dania Batiste**RECORDER:****REPORTER:** Sharon Howard**PARTIES****PRESENT:**

Allen, Betsy

Attorney

Giles, Michael G, ESQ

Attorney

State of Nevada

Plaintiff

JOURNAL ENTRIES

- COURT ORDERED, matter off calendar as MOOT; as Ms. Allen was appointed on July 20th.

NDC

8/17/2016

9:00 am

Status Check: Status of Case/Briefing Schedule

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****August 17, 2016**

06C226586

The State of Nevada vs Freddy Martinez

August 17, 2016**9:00 AM****Status Check****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Dania Batiste**RECORDER:****REPORTER:** Sharon Howard**PARTIES****PRESENT:**

Allen, Betsy

State of Nevada

Thomson, Megan

Attorney

Plaintiff

Attorney

JOURNAL ENTRIES

- Ms. Allen advised the Court that she received the file from the Special Public Defender's Office; however, she has additional portions to obtain for Deputy P.D. Christy Craig.

COURT SO NOTED, and ORDERED, Briefing Schedule SET as follows: defense to file its supplemental on or before December 16th; State to respond by February 18th; defense to reply no later than March 4th; matter SET for hearing. COURT DIRECTED Ms. Allen to advise her client that he is not helping the case by continuously filing motions; additionally, whatever he files will not be accepted, as he is represented by counsel.

NDC

3/8/2017

9:00 am

Hearing: Deft.'s Supplemental Petition for Writ of Habeas Corpus

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 11, 2017**

06C226586

The State of Nevada vs Freddy Martinez

January 11, 2017**9:00 AM****Motion****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 03F**COURT CLERK:** Shelley Boyle**RECORDER:****REPORTER:** Sharon Howard**PARTIES****PRESENT:**

Allen, Betsy

State of Nevada

Thomson, Megan

Attorney

Plaintiff

Attorney

JOURNAL ENTRIES

- Deft. not present, Nevada Department of Corrections.

Ms. Allen requested the matter be continued so she may file a supplement. With there being no objection from the State, COURT ORDERED, Motion GRANTED, a Briefing Schedule SET; Supplement DUE 04/14/17, Response DUE 06/09/17, Reply DUE 07/07/17, Hearing SET 03/18/17 CONTINUED.

NDC

07/12/17 9:00 A.M. HEARING: PETITION FOR WRIT OF HABEAS CORPUS

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****July 12, 2017**

06C226586

The State of Nevada vs Freddy Martinez

July 12, 2017**9:00 AM****Hearing****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 03F**COURT CLERK:** Shelley Boyle**RECORDER:****REPORTER:** Sharon Howard**PARTIES****PRESENT:**

Allen, Betsy

Attorney

State of Nevada

Plaintiff

Thomson, Megan

Attorney

JOURNAL ENTRIES

- Deft. not present. CONFERENCE AT BENCH. COURT ADVISED, following discussions at the bench and counsel's representations, COURT ORDERED, Deft. Filing DUE 09/13/17, State's Response DUE 11/15/17, Deft's. Final Pleading DUE 12/13/17; Hearing CONTINUED.

NDC

12/20/17 9:00 A.M. HEARING: DEFT'S SUPPLEMENTAL PETITION FOR WRIT OF HABEAS CORPUS

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****December 20, 2017**

06C226586

The State of Nevada vs Freddy Martinez

December 20, 2017 9:00 AM Hearing**HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 03F**COURT CLERK:** Shelley Boyle
Kimberly Estala**RECORDER:****REPORTER:** Renee Silvaggio**PARTIES**

| | | |
|-----------------|-----------------|-----------|
| PRESENT: | Allen, Betsy | Attorney |
| | State of Nevada | Plaintiff |
| | Thomson, Megan | Attorney |

JOURNAL ENTRIES

- Deft. not present.

CONFERENCE AT BENCH. COURT ORDERED, Deft's. Supplemental Brief DUE 12/29/17, State's Response DUE 02/23/18. Deft's Reply DUE 03/23/18, Hearing CONTINUED.

NDC

CONTINUED TO: 04/04/18 9:00 A.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****April 04, 2018**

06C226586

The State of Nevada vs Freddy Martinez

April 04, 2018**9:00 AM****Hearing****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 03F**COURT CLERK:** Madalyn Kearney**RECORDER:****REPORTER:** Sharon Howard**PARTIES****PRESENT:**

Albritton, Alicia A.

Attorney

Allen, Betsy

Attorney

State of Nevada

Plaintiff

JOURNAL ENTRIES

- Deft. not present. Counsel submitted on the pleadings. COURT stated its FINDINGS and ORDERED, Petition DENIED. Ms. Albritton to prepare the Order. Court directed Ms. Allen to remain on the case for appeal purposes.

NDC

CLERK'S NOTE: A copy of this minute order has been mailed to: Freddy Martinez #1003276 (Northern Nevada Correctional Center PO Box 7000 Carson City, NV 89702) /mk

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 15, 2020**

06C226586

The State of Nevada vs Freddy Martinez

June 15, 2020**1:45 PM****All Pending Motions****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Shelley Boyle**RECORDER:****REPORTER:** Bill Nelson**PARTIES****PRESENT:**State of Nevada
Thomson, MeganPlaintiff
Attorney**JOURNAL ENTRIES**

- DEFT'S. MOTION FOR APPOINTMENT OF COUNSEL...MOTION FOR APPOINTMENT OF COUNSEL...DEFT'S. MOTION FOR TRANSCRIPT AT STATE EXPENSE...MOTION FOR TRANSCRIPTS AT STATE EXPENSE...MOTION FOR LEAVE TO PROCEED INFORMA PAUPERIS

Deft. not present, Nevada Department of Correction (NDC)

MOTION FOR LEAVE TO PROCEED INFORMA PAUPERIS

COURT ADVISED Its recollection is that Deft. was previously GRANTED leave to proceed informa pauperis. If the Motion was not formally GRANTED and MOOT, COURT ORDERS, Motion GRANTED at this time.

DEFT'S. MOTION FOR TRANSCRIPT AT STATE EXPENSE...MOTION FOR TRANSCRIPTS AT STATE EXPENSE.

COURT STATED unless we have significant specificity as to what Deft. wants transcripts of and what Deft. things he has the ability to petition for as post-conviction relief, in fairness to both sides, COURT ORDERS, Motions DENIED WITHOUT PREJUDICE. Deft. should be more specific as to what specific transcripts he should have and if he can overcome procedural bars. Following Court's review of prior minute orders, COURT ADVISED there are likely procedural bars Deft. would need to overcome.

DEFT'S. MOTION FOR APPOINTMENT OF COUNSEL...MOTION FOR APPOINTMENT OF COUNSEL

COURT ORDERED, Motions DENIED WITHOUT PREJUDICE, Court does not know a basis upon which Deft. could file a Writ of Habeas Corpus.

COURT STATED FINDINGS, and FURTHER ORDERED, Ms. Betsy Allen, Esq. WITHDRAWN as counsel of record.

NDC

CLERK'S NOTE A copy of this minute order was mailed to Deft. (Freddy Martinez #1003276 (Northern Nevada Correctional Center PO Box 7000 Carson City, NV 89702) /sb 06.17.20

GRAND JURY INDICTMENTS RETURNED IN OPEN COURT SEPTEMBER 29, 2006
(From Grand Jury sessions held on September 28, 2006)

ACTING CHIEF JUDGE MICHAEL A. CHERRY

FOREPERSON VERN RATZLAFF

CHIEF DEPUTY DISTRICT ATTORNEY ERIC JORGENSEN
DEPUTY DISTRICT ATTORNEY NOREEN NYIKOS
DEPUTY DISTRICT ATTORNEY DANA ADAMS
DEPUTY DISTRICT ATTORNEY TINA SEDLOCK
DEPUTY DISTRICT ATTORNEY CHERYL KOSEWICZ

Defendant(s): **MARTINEZ, FREDDY, aka Fredys A. Martinez**

C226586
VII

Case No(s): **05BGJ145X** (Previously tracked into Dept. VII)

Charge(s): (1) COUNT - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON
(1) COUNT - BATTERY WITH USE OF A DEADLY WEAPON
(1) COUNT - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON
(1) COUNT - SEXUAL ASSAULT WITH USE OF A DEADLY WEAPON

Def. Counsel(s): **PUBLIC DEFENDER**

WARRANT (IN-CUSTODY, THESE & OTHER CHARGES)
- SET FELONY ARRAIGNMENT (1 WEEK DATE)

Exhibits: 1. **Proposed Indictment**
2. **Photo**
3. **Transcript 9-21-06**

Exhibits 1-3, to be lodged with the Clerk of the Court.

STATE 5

EXHIBITS

CASE NO. C226586

| | | OFFERED | | ADMITTED | |
|----|---------------------------|---------|--------|----------|--|
| | | DATE | OBJ | DATE | |
| 1 | Photo | | | | |
| 2 | Photo | | | | |
| 3 | | | | | |
| 4 | | | | | |
| 5 | | | | | |
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| 13 | | | | | |
| 14 | | | | | |
| 15 | ↓ | | | | |
| 16 | Photo (car) | 4/11 | no obj | 4/11 | |
| 17 | Photo (car w/ lic pl.) | 11 | " | 11 | |
| 18 | Photo (gas can) | 11 | " | 11 | |
| 19 | 911 tape - NOT PROVIDED - | | | | |
| 20 | buccal swabs (4) | 4/11 | no obj | 4/11 | |
| 21 | sex assault kit | 11 | 11 | 11 | |
| | | | | | |

STATE 5

EXHIBITS

CASE NO. C226586

| | OFFERED | | ADMITTED | |
|---|---------|-----------|----------|--|
| | DATE | OBJ | DATE | |
| 22 evidence bag containing CD | | | | |
| 22A surveillance CD | | | | |
| 23 evidence bag (victim's clothing): | | | | |
| bra | | | | |
| shorts | | | | |
| shirt | | | | |
| 24 evidence bag (A's clothing) | | | | |
| 24A- shoes + socks (inside bag) | | | | |
| 24B- underwear (inside bag) | | | | |
| 24C shirt (gray + white)/tanktop (in bag) | | | | |
| 24D jeans/belt / baseball cap (bag) | | | | |
| 24E evidence envelope and contents (black folding knife) | 4/11 | mg obj | 4/11 | |
| 25 Evidence bag | | | | |
| 25A Black + Gray Flip Flops | | | | |
| 26- Large Color Photograph | 4/12 | mg obj | 4/12 | |
| 27- " " " " | 11 | 11 | 11 | |

STATE'S EXHIBITS

CASE NO. C226586

[illegible]

Court's EXHIBITS

CASE NO. C226586

[illegible]



EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE
NOTICE OF DEFICIENCY
ON APPEAL TO NEVADA SUPREME COURT

FREDYS ARCANGEL-MARTINEZ #1003276
P.O. BOX 7000
CARSON CITY, NV 89702

DATE: July 22, 2020
CASE: 06C226586

RE CASE: STATE OF NEVADA vs. FREDDY MARTINEZ aka FREDYS A. MARTINEZ

NOTICE OF APPEAL FILED: July 21, 2020

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

PLEASE NOTE: DOCUMENTS **NOT** TRANSMITTED HAVE BEEN MARKED:

☐

Case Appeal Statement

- NRAP 3 (a)(1), Form 2

☐

Order

☒

Notice of Entry of Order

NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. **The district court clerk shall apprise appellant of the deficiencies in writing**, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (g) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

Please refer to Rule 3 for an explanation of any possible deficiencies.

Certification of Copy

State of Nevada }
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL ACUTALLY INNOCENT 28 U.S.C.S. 2244(D)(1)...
U.S.C.S.R. RULE 32(A)(2) TROUGH (8); SEE 26(C)(1)(B); SEE 30(A)(2)(A)(III).; CASE APPEAL
STATEMENT; DISTRICT COURT DOCKET ENTRIES; ORDER GRANTING DEFENDANT'S
MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS AND ORDER DENYING
DEFENDANT'S MOTION FOR TRANSCRIPT AT STATE EXPENSE AND ORDER DENYING
DEFENDANT'S MOTION FOR APPOINTMENT OF COUNSEL (CONFIDENTIAL); DISTRICT
COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

STATE OF NEVADA,

Plaintiff(s),

vs.

FREDDY MARTINEZ
aka FREDYS A. MARTINEZ,

Defendant(s).

Case No: 06C226586

Dept No: XXV

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 22 day of July 2020.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk