

*Steven D. Grierson*

Electronically Filed  
Oct 26 2020 11:37 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

1 CHRISTOPHER R. KELLER #81840  
2 Plaintiff In Proper Person  
3 P.O. Box 650 H.D.S.P.  
4 Indian Springs, Nevada 89018

5 8th DISTRICT COURT

6 CLARK COUNTY NEVADA

7  
8 CHRISTOPHER KELLER,

9 Plaintiff,

10 -v-

11 STATE OF NEVADA,

12 DEFENDANT,

Case No. A-19-800950-W

Dept. No. XIX

Docket

13  
14 NOTICE OF APPEAL

15 Notice is hereby given that the Plaintiff, CHRISTOPHER  
16 KELLER, by and through himself in proper person, does now appeal  
17 to the Supreme Court of the State of Nevada, the decision of the District  
18 Court DENYING his Writ of HABEAS CORPUS  
19 (post conviction).

20  
21 Dated this date, OCTOBER 8th, 2020.

22  
23 Respectfully Submitted,

24 *Chris Keller*  
25 CHRISTOPHER R. KELLER

26 In Proper Person

27 RECEIVED

28 OCT 13 2020

CLERK OF THE COURT

**CERTIFICATE OF SERVICE BY MAILING**

I, Christopher Keller, hereby certify, pursuant to NRCP 5(b), that on this 8th day of October, 2020, I mailed a true and correct copy of the foregoing, "NOTICE of APPEAL" by depositing it in the High Desert State Prison, Legal Library, First-Class Postage, fully prepaid, addressed as follows:

STEVEN D. GRIERSON (Clerk)  
200 LEWIS AVE 3rd Fl  
LAS VEGAS, NV 89155-1160

SUPREME COURT of NEVADA  
Office of the Clerk  
201 S. CARSON ST. SUITE 201  
CARSON CITY, NV 89701

DATED: this 8th day of October, 2020.

Christopher Keller # 81890  
Plaintiff /In Propria Persona  
Post Office box 650 [HDSP]  
Indian Springs, Nevada 89018

**AFFIRMATION**  
**Pursuant to NRS 239B.030**

The undersigned does hereby affirm that the preceding \_\_\_\_\_

NOTICE OF APPEAL  
(Title of Document)

filed in District Court Case number A-19-800950-W

☒ Does not contain the social security number of any person.

-OR-

☐ Contains the social security number of a person as required by:

A. A specific state or federal law, to wit:

\_\_\_\_\_  
(State specific law)

-or-

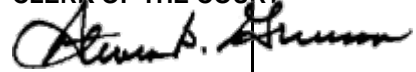
B. For the administration of a public program or for an application  
for a federal or state grant.

  
Signature

10-8-20  
Date

Christopher Keller  
Print Name

Plaintiff in proper person  
Title



1 ASTA

2  
3  
4  
5  
6 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**  
7 **STATE OF NEVADA IN AND FOR**  
8 **THE COUNTY OF CLARK**

9 CHRISTOPHER R. KELLER,

10 Plaintiff(s),

11 vs.

12 STATE OF NEVADA,

13 Defendant(s),  
14

Case No: A-19-800950-W

Dept No: XIX

15  
16 **CASE APPEAL STATEMENT**  
17

18 1. Appellant(s): Christopher R. Keller

19 2. Judge: William D. Kephart

20 3. Appellant(s): Christopher R. Keller

21 Counsel:

22 Christopher R. Keller #81840  
23 P.O. Box 650  
24 Indian Springs, NV 89070

25 4. Respondent (s): State of Nevada

26 Counsel:

27 Steven B. Wolfson, District Attorney  
28 200 Lewis Ave.  
Las Vegas, NV 89155-2212

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

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

5 6. Has Appellant Ever Been Represented by Appointed Counsel In District Court: No

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

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

8 \*\*Expires 1 year from date filed

9 Appellant Filed Application to Proceed in Forma Pauperis: No  
10 Date Application(s) filed: N/A

11 9. Date Commenced in District Court: August 26, 2019

12 10. Brief Description of the Nature of the Action: Civil Writ

13 Type of Judgment or Order Being Appealed: Civil Writ of Habeas Corpus

14 11. Previous Appeal: No

15 Supreme Court Docket Number(s): N/A

16 12. Child Custody or Visitation: N/A

17 13. Possibility of Settlement: Unknown

18 Dated This 21 day of October 2020.

19 Steven D. Grierson, Clerk of the Court

20 /s/ Heather Ungermann

21 Heather Ungermann, Deputy Clerk  
22 200 Lewis Ave  
23 PO Box 551601  
24 Las Vegas, Nevada 89155-1601  
25 (702) 671-0512

26 cc: Christopher R. Keller  
27  
28

# CASE SUMMARY

## CASE NO. A-19-800950-W

**Christopher Keller, Plaintiff(s)**  
**vs.**  
**State of Nevada, Defendant(s)**

§  
§  
§  
§  
§

Location: **Department 19**  
 Judicial Officer: **Kephart, William D.**  
 Filed on: **08/26/2019**  
 Cross-Reference Case Number: **A800950**

### CASE INFORMATION

#### Related Cases

C-16-312717-1 (Writ Related Case)

Case Type: **Writ of Habeas Corpus**

Case Status: **08/26/2019 Open**

#### DATE

#### CASE ASSIGNMENT

#### Current Case Assignment

Case Number	A-19-800950-W
Court	Department 19
Date Assigned	08/26/2019
Judicial Officer	Kephart, William D.

### PARTY INFORMATION

#### Plaintiff

**Keller, Christopher R**

*Lead Attorneys*

**Pro Se**

#### Defendant

**State of Nevada**







**Wolfson, Steven B**  
*Retained*  
 702-671-2700(W)

#### DATE

#### EVENTS & ORDERS OF THE COURT


#### INDEX


### EVENTS

08/26/2019	 Inmate Filed - Petition for Writ of Habeas Corpus Party: Plaintiff Keller, Christopher R <i>Post Conviction</i>
09/05/2019	 Order for Petition for Writ of Habeas Corpus <i>Order for Petition for Writ of Habeas Corpus</i>
01/21/2020	 Response Filed by: Defendant State of Nevada <i>State's Response to Defendant's Pro Per Petition for Writ of Habeas Corpus (Post-Conviction)</i>
02/12/2020	 Supplemental Filed by: Plaintiff Keller, Christopher R <i>Defendants/Plaintiff's Supplemental Response to State's Response to Defendant's Pro Per Petition for Writ of Habeas Corpus</i>
03/20/2020	 Order for Production of Inmate Party: Defendant State of Nevada <i>Order for Production of Inmate Christopher Robert Keller, BAC #81840</i>
05/20/2020	 Audiovisual Transmission Equipment Appearance Request <i>Audiovisual Transmission Equipment Appearance Request and Physical Presence be Waived</i>

**CASE SUMMARY**  
**CASE NO. A-19-800950-W**


09/16/2020  Order for Production of Inmate  
*Order for Production Via Video Conference of Inmate Christopher Keller, BAC #81840*

09/16/2020  Motion for Appointment of Attorney  
Filed By: Plaintiff Keller, Christopher R  
*Motion to Appoint Counsel*

09/16/2020  Notice of Motion  
Filed By: Plaintiff Keller, Christopher R  
*Notice of Motion*

09/16/2020  Clerk's Notice of Hearing  
*Notice of Hearing*

10/20/2020  Notice of Appeal  
*Notice of Appeal*

10/21/2020  Case Appeal Statement  
Filed By: Plaintiff Keller, Christopher R  
*Case Appeal Statement*

**HEARINGS**

12/09/2019  **Petition for Writ of Habeas Corpus (8:30 AM)** (Judicial Officer: Kephart, William D.)  
**12/09/2019, 03/11/2020, 10/01/2020**

Matter Continued;  
Matter Heard;

Denied;  
Matter Continued;  
Matter Heard;

Denied;  
Journal Entry Details:

*Court noted Defendant not present and in custody with the Nevada Department of Corrections. Further, Court noted Defendant has made a number of claims and COURT ORDERED, as to claims 1 - 7 are substantive claims which should have been raised on direct appeal and have therefore been those claims have been waived. FURTHER ORDERED, matter SET for Evidentiary Hearing as to 3, 4, 5, 7 & 8 regarding ineffective of counsel as follows; 3 - counsel failing to use a different investigator based on his parents 4 - counsel failing to visit while preparing 5 - failure to subpoena and/or call certain witnesses regarding living arrangements he had 7 - failure to ask for testimony of canine handlers records 8 - failure to relay Defendant's mental health history and the fact Defendant was on and off medication. Court noted as to claims 1, 2 & 6 the Court will not need to hear any information regarding these claims. NDC 4/23/2020 8:30 AM EVIDENTIARY HEARING;*

Matter Continued;  
Matter Heard;


Denied;  
Journal Entry Details:

*Court noted Defendant not present and in custody with the Nevada Department of Corrections. Further, Court stated a written opposition has not been filed. Mr. Zadrowski advised the State is requesting 45 days to file a written response. COURT ORDERED, State's Response shall be due on or before 1/22/2020; Defendant's Reply shall be due on or before 2/26/2020 and matter CONTINUED. NDC CONTINUED TO: 3/11/2020 8:30 AM CLERK'S NOTE: The above minute order has been distributed to: CHRISTOPHER KELLER # 81840 LOVELOCK CORRECTIONAL CENTER 1200 PRISON RD LOVELOCK, NV 89419;*

10/01/2020 **Evidentiary Hearing (8:30 AM)** (Judicial Officer: Kephart, William D.)  
Matter Heard;

**CASE SUMMARY**

**CASE NO. A-19-800950-W**

10/01/2020	<b>Motion for Appointment of Attorney</b> (8:30 AM) (Judicial Officer: Kephart, William D.) <i>Plaintiff's Motion to Appoint Counsel</i> Denied;
10/01/2020	 <b>All Pending Motions</b> (8:30 AM) (Judicial Officer: Kephart, William D.) Matter Heard; Journal Entry Details: <i>PLAINTIFF'S MOTION TO APPOINT COUNSEL: COURT ORDERED, Motion DENIED as Defendant is not entitled to counsel at this point. PETITION FOR WRIT OF HABEAS CORPUS ... EVIDENTIARY HEARING Court reviewed Defendant's claims for the record. Kenneth Frizzell sworn and testified. Court FINDS, Defendant's claims 1 - 7 were claims which could have been raised on direct appeal and therefore WAIVED; and Defendant has failed to establish how counsel's representations fell below a reasonable standard as well as but for counsel's errors how the outcome would have been different. COURT ORDERED, Petition DENIED. NDC;</i>



## DISTRICT COURT CIVIL COVER SHEET

A-19-800950-W

County, Nevada

Dept. XIX

Case No. \_\_\_\_\_

(Assigned by Clerk's Office)

**I. Party Information** (provide both home and mailing addresses if different)

Plaintiff(s) (name/address/phone): Christopher Keller	Defendant(s) (name/address/phone): State of Nevada
Attorney (name/address/phone):	Attorney (name/address/phone):

**II. Nature of Controversy** (please select the one most applicable filing type below)**Civil Case Filing Types**

<b>Real Property</b> <b>Landlord/Tenant</b> <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant <b>Title to Property</b> <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Other Title to Property <b>Other Real Property</b> <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property	<b>Negligence</b> <input type="checkbox"/> Auto <input type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence <b>Malpractice</b> <input type="checkbox"/> Medical/Dental <input type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice	<b>Torts</b> <b>Other Torts</b> <input type="checkbox"/> Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Employment Tort <input type="checkbox"/> Insurance Tort <input type="checkbox"/> Other Tort
<b>Probate</b> <b>Probate</b> (select case type and estate value) <input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside <input type="checkbox"/> Trust/Conservatorship <input type="checkbox"/> Other Probate <b>Estate Value</b> <input type="checkbox"/> Over \$200,000 <input type="checkbox"/> Between \$100,000 and \$200,000 <input type="checkbox"/> Under \$100,000 or Unknown <input type="checkbox"/> Under \$2,500	<b>Construction Defect &amp; Contract</b> <b>Construction Defect</b> <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect <b>Contract Case</b> <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Building and Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Collection of Accounts <input type="checkbox"/> Employment Contract <input type="checkbox"/> Other Contract	<b>Judicial Review/Appeal</b> <b>Judicial Review</b> <input type="checkbox"/> Foreclosure Mediation Case <input type="checkbox"/> Petition to Seal Records <input type="checkbox"/> Mental Competency <b>Nevada State Agency Appeal</b> <input type="checkbox"/> Department of Motor Vehicle <input type="checkbox"/> Worker's Compensation <input type="checkbox"/> Other Nevada State Agency <b>Appeal Other</b> <input type="checkbox"/> Appeal from Lower Court <input type="checkbox"/> Other Judicial Review/Appeal
<b>Civil Writ</b> <input checked="" type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrant <input type="checkbox"/> Writ of Prohibition <input type="checkbox"/> Other Civil Writ		<b>Other Civil Filing</b> <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Other Civil Matters

Business Court filings should be filed using the Business Court civil coversheet.

August 26, 2019

Date

Signature of initiating party or representative

See other side for family-related case filings.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Writ of Habeas Corpus**

**COURT MINUTES**

**December 09, 2019**

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A-19-800950-W      Christopher Keller, Plaintiff(s)  
vs.  
State of Nevada, Defendant(s)

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**December 09, 2019      8:30 AM      Petition for Writ of Habeas  
Corpus**

**HEARD BY:** Kephart, William D.      **COURTROOM:** RJC Courtroom 16B

**COURT CLERK:** Tia Everett

**RECORDER:** Christine Erickson

**REPORTER:**

**PARTIES**

**PRESENT:**      Zadrowski, Bernard B.      Attorney

**JOURNAL ENTRIES**

- Court noted Defendant not present and in custody with the Nevada Department of Corrections. Further, Court stated a written opposition has not been filed. Mr. Zadrowski advised the State is requesting 45 days to file a written response. COURT ORDERED, State's Response shall be due on or before 1/22/2020; Defendant's Reply shall be due on or before 2/26/2020 and matter CONTINUED.

NDC

CONTINUED TO: 3/11/2020 8:30 AM

CLERK'S NOTE: The above minute order has been distributed to:

CHRISTOPHER KELLER # 81840  
LOVELOCK CORRECTIONAL CENTER  
1200 PRISON RD  
LOVELOCK, NV 89419

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Writ of Habeas Corpus**

**COURT MINUTES**

**March 11, 2020**

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A-19-800950-W	Christopher Keller, Plaintiff(s)
	vs.
	State of Nevada, Defendant(s)

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<b>March 11, 2020</b>	<b>8:30 AM</b>	<b>Petition for Writ of Habeas Corpus</b>
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**HEARD BY:** Kephart, William D. **COURTROOM:** RJC Courtroom 16B

**COURT CLERK:** Tia Everett

**RECORDER:** Christine Erickson

**REPORTER:**

**PARTIES**

**PRESENT:** Brooks, Parker Attorney

**JOURNAL ENTRIES**

- Court noted Defendant not present and in custody with the Nevada Department of Corrections. Further, Court noted Defendant has made a number of claims and COURT ORDERED, as to claims 1 - 7 are substantive claims which should have been raised on direct appeal and have therefore been those claims have been waived. FURTHER ORDERED, matter SET for Evidentiary Hearing as to 3, 4, 5, 7 & 8 regarding ineffective of counsel as follows;

3 - counsel failing to use a different investigator based on his parents

4 - counsel failing to visit while preparing

5 - failure to subpoena and/or call certain witnesses regarding living arrangements he had

7 - failure to ask for testimony of canine handlers records

8 - failure to relay Defendant's mental health history and the fact Defendant was on and off medication.

Court noted as to claims 1, 2 & 6 the Court will not need to hear any information regarding these claims.

NDC

4/23/2020 8:30 AM EVIDENTIARY HEARING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Writ of Habeas Corpus**

**COURT MINUTES**

**October 01, 2020**

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A-19-800950-W      Christopher Keller, Plaintiff(s)  
vs.  
State of Nevada, Defendant(s)

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**October 01, 2020      8:30 AM      All Pending Motions**

**HEARD BY:** Kephart, William D.      **COURTROOM:** RJC Courtroom 16B

**COURT CLERK:** Tia Everett

**RECORDER:** Christine Erickson

**REPORTER:**

**PARTIES**

**PRESENT:**      Dickerson, Michael      Attorney  
Keller, Christopher R      Plaintiff

**JOURNAL ENTRIES**

- PLAINTIFF'S MOTION TO APPOINT COUNSEL:

COURT ORDERED, Motion DENIED as Defendant is not entitled to counsel at this point.

PETITION FOR WRIT OF HABEAS CORPUS ... EVIDENTIARY HEARING

Court reviewed Defendant's claims for the record. Kenneth Frizzell sworn and testified. Court FINDS, Defendant's claims 1 - 7 were claims which could have been raised on direct appeal and therefore WAIVED; and Defendant has failed to establish how counsel's representations fell below a reasonable standard as well as but for counsel's errors how the outcome would have been different. COURT ORDERED, Petition DENIED.

NDC



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

**CHRISTOPHER R. KELLER #81840  
P.O. BOX 650  
INDIAN SPRINGS, NV 89070**

**DATE: October 21, 2020  
CASE: A-19-800950-W**

**RE CASE:** CHRISTOPHER R. KELLER vs. STATE OF NEVADA

**NOTICE OF APPEAL FILED:** October 20, 2020

**YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.**

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

- ☐ \$250 – Supreme Court Filing Fee (Make Check Payable to the Supreme Court)\*\*
  - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- ☐ \$24 – District Court Filing Fee (Make Check Payable to the District Court)\*\*
- ☐ \$500 – Cost Bond on Appeal (Make Check Payable to the District Court)\*\*
  - NRAP 7: Bond For Costs On Appeal in Civil Cases
  - *Previously paid Bonds are not transferable between appeals without an order of the court.*
- ☐ Case Appeal Statement
  - NRAP 3 (a)(1), Form 2
- ☒ Order
- ☒ Notice of Entry of Order

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**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.***

---

***\*\*Per District Court Administrative Order 2012-01, in regards to civil litigants, "...all Orders to Appear in Forma Pauperis expire one year from the date of issuance." You must reapply for in Forma Pauperis status.***

# 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; CASE APPEAL STATEMENT; DISTRICT COURT  
DOCKET ENTRIES; CIVIL COVER SHEET; DISTRICT COURT MINUTES; NOTICE OF  
DEFICIENCY

CHRISTOPHER R. KELLER,

Plaintiff(s),

vs.

STATE OF NEVADA,

Defendant(s),

Case No: A-19-800950-W

Dept No: XIX

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 21 day of October 2020.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk

