

FILED

JUN 09 2021

Hayes, James H ID NO. 1175077

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20825 COLD CREEK RD.
P.O. BOX 208
INDIAN SPRINGS, NV 89070

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY: [Signature]
DEPUTY CLERK

In the Supreme Court of the State
of Nevada

James H. Hayes
(Appellant)

v.

State of Nevada
(Respondent)

CASE NO.: 82734

DEPT. NO.:

DOCKET:

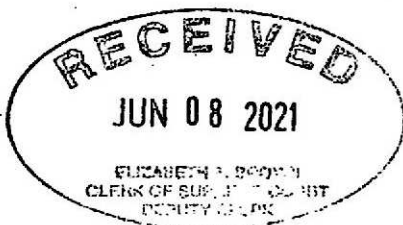
Motion for Leave of Appeal to obtain favorable
ruling in the 8th Judicial District Court, Clark County

COMES NOW, ~~appellant~~, James H. Hayes, herein above respectfully
moves this Honorable Court for an GOOD FAITH ruling allowing
appellant leave of appeal and a ruling on "writ of
prohibition" pending in this Honorable Court...

This Motion is made and based upon the accompanying Memorandum of Points and
Authorities,

DATED: this 3RD day of JUNE, 2021

BY: [Signature]
James H. Hayes # 1175077
Defendant In Proper Personam



ADDITIONAL FACTS OF THE CASE:

COMES NOW JAMES H. HAYES APPELLANT IN
NECESSITY, "MOVES" THIS HONORABLE COURT FOR A "LEAVE OF
APPEAL" TO OBTAIN A FAVORABLE RULING IN THE 8TH JUDICIAL
DISTRICT COURT ON APPELLANT'S "MOTION TO MODIFY AND/OR
CORRECT ILLEGAL SANSURE," SUPPLEMENTAL TO AMENDED
PETITION FOR WRIT OF HABEAS CORPUS, AND "WRIT OF PROHIBITION"
THAT HAS BEEN FILED IN THE HONORABLE COURT. IN SUPPORT,
THE APPELLANT SHOWS THIS HONORABLE COURT
THE FOLLOWING:

1. JAMES H. HAYES, DEPOSE AND STATE THAT THE
FOLLOWING FACTS ARE TRUE AND CORRECT UNDER PENALTY
OF PERJURY.

2. THE CURRENT APPEAL WAS FILED PREMATURE
AS THE 8TH JUDICIAL DISTRICT COURT JUDGE MONICA TRUJILLO
ISSUED A MINUTE ORDER ON MARCH 08, 2021 THAT STATED
"AFTER REVIEWING PETITION, COURT DETERMINED DEFENDANT,
JAMES H. HAYES NEEDS TO SUPPLEMENT HIS PETITION WITH
SPECIFICITY. FURTHER DIRECTED STATE TO RESPOND TO DEFENDANT'S
PETITION" AND SET BRIEFING SCHEDULE THAT DEFENDANT HAD
UNTIL APRIL 4 AND STATE HAD UNTIL MAY 5 AND DECISION
WAS SET FOR MAY 10, 2021 IN CASE NO: A-19-793315-14
THAT HAS BEEN TAKEN OFF CALENDAR DUE TO THE CURRENT
APPEAL IN THIS HONORABLE COURT CASE NO: 82734

3. APPELLANT'S "MOTION TO MODIFY AND/OR CORRECT
ILLEGAL SANSURE" FILED IN THE 8TH JUDICIAL DISTRICT COURT
THAT WAS SET FOR DECISION ON JUNE 2, 2021 WAS TAKEN
OFF CALENDAR PENDING THE ISSUE OF REMITTAL OF THIS

1 honorable court in case No: 82234

2 4. In the best interests of Justice, to redress
3 this fundamental miscarriage of Justice, the granting
4 of "leave of appeal" would be in the best interests of
5 judicial economy and afford the appellant a speedy
6 remedy for relief that Justice so requires.

7 5. Furthermore, appellant has many times
8 sought relief from this honorable court to overcome
9 this egregious case of wrongful imprisonment to
10 only have my cries out for help to be denied.
11 When the issues for relief are blatant and on the
12 face of the record that is obvious to a layman of
13 law that should not have occurred when this
14 honorable court is very aware of the state law,
15 Nanda and United States constitutional violations
16 and just remain silent and allowed this
17 miscarriage of Justice ~~to continue~~ ^{to continue}. Appellant NARR
18 was appointed counsel for direct appeal only had
19 trial counsel file last track ~~and~~ brief after threat of
20 sanction by this honorable court. When in fact
21 trial counsel refuse to file notice of appeal that
22 was filed pro se by appellant and was dismissed
23 by 8th Judicial district court Judge William Kestret
24 prior to perfection of appeal; NRS 174.085 and NRS 178.
25 562 violations etc.).

26 Wherefore, appellant "MOVES" this Honorable court
27 for a "leave of appeal" and a ruling on "writ of prohibition"
28 before this honorable court. Page 3

CERTIFICATE OF SERVICE BY MAILING

I, JAMES H. HAYES, hereby certify, pursuant to NRCP 5(b), that on this 3rd
day of JUNE, 2021, I mailed a true and correct copy of the foregoing, "LEAVE OF
APPEAL"

by placing document in a sealed pre-postage paid envelope and deposited said envelope in the
United State Mail addressed to the following:

SUNSHINE COURT of Nevada
OFFICE OF THE CLERK
201 S. MAIN ST. STE 201
CARSON CITY, NV
89701

ATTORNEY GENERAL of Nevada
100 N. CARSON ST
CARSON CITY, NV
89701

CLARK COUNTY District Atty
200 LEWIS AVE
LAS VEGAS, NV
89155-2212

CC:FILE

DATED: this 3rd day of JUNE, 2021.

James H. Hayes
JAMES H. HAYES # 1175077
/In Propria Personam
Post Office Box 208, S.D.C.C.
Indian Springs, Nevada 89018
IN FORMA PAUPERIS: