

IN THE SUPREME COURT OF THE STATE OF NEVADA

INDICATE FULL CAPTION:

TROY WHITE
Appellant

vs.

THE STATE OF NEVADA
Respondent

No. 82798

Electronically Filed
Apr 26 2021 11:12 a.m.

DOCKETING Elizabeth A. Brown
CRIMINAL APPEALS Clerk of Supreme Court

(Including appeals from pretrial and post-conviction rulings and other requests for post-conviction relief)

GENERAL INFORMATION

1. Judicial District Eighth County Clark
Judge Ronald J. Israel District Ct Case No. C-12-286357-1

2. If the defendant was given a sentence,

(a) what is the sentence?

See attached.

(b) has the sentence been stayed pending appeal?

No.

(c) was defendant admitted to bail pending appeal?

No.

3. Was counsel in the district court appointed ☐ or retained ☒ ?

4. Attorney filing this docketing statement:

Attorney CHRISTOPHER R. ORAM, Esq. Telephone (702)598-1471

Firm: Christopher R. Oram LTD.

Address:

Client(s) TROY WHITE

5. Is appellate counsel appointed ☐ or retained ☒ ?

If this is a joint statement by multiple appellants, add the names and addresses of other counsel on an additional sheet accompanied by a certification that they concur in the filing of this statement.

6. Attorney(s) representing respondent(s):

Attorney Steve Wolfson Telephone

Firm: District Attorney

Address: 200 Lewis Avenue
Las Vegas, Nevada 89101

Client(s) State of Nevada

Attorney Aaron Ford Telephone

Firm: Attorney General

Address: 100 North Carson Street
Carson City, Nevada 89701-4717

Client(s) State of Nevada

(List additional counsel on separate sheet if necessary)

7. Nature of disposition below:

- | | |
|--|---|
| <input type="checkbox"/> Judgment after bench trial | <input type="checkbox"/> Grant of pretrial habeas |
| <input type="checkbox"/> Judgment after jury verdict | <input type="checkbox"/> Grant of motion to suppress evidence |
| <input type="checkbox"/> Judgment upon guilty plea | <input checked="" type="checkbox"/> Post-conviction habeas (NRS ch. 34) |
| <input type="checkbox"/> Grant of pretrial motion to dismiss | <input type="checkbox"/> grant <input checked="" type="checkbox"/> denial |
| <input type="checkbox"/> Parole/Probation revocation | <input type="checkbox"/> Other disposition (specify) |
| <input type="checkbox"/> Motion for new trial | |
| <input type="checkbox"/> grant <input type="checkbox"/> denial | |
| <input type="checkbox"/> Motion to withdraw guilty plea | |
| <input type="checkbox"/> grant <input type="checkbox"/> denial | |

8. Does this appeal raise issues concerning any of the following:

☐ death sentence

☒ life sentence

☐ juvenile offender

☐ pretrial proceedings

9. Expedited appeals: The court may decide to expedite the appellate process in this matter. Are you in favor of proceeding in such manner?

Yes ☐ No ☒

10. Pending and prior proceedings in this court. List the case name and docket number of all appeals or original proceedings presently or previously pending before this court which are related to this appeal (e.g, separate appeals by co-defendants, appeal after post-conviction proceedings):

None that counsel is aware.

11. Pending and prior proceedings in other courts. List the case name, number and court of all pending and prior proceedings in other courts that are related to this appeal (e.g., habeas corpus proceedings in state or federal court, bifurcated proceedings against co-defendants):

None that counsel is aware.

12. Nature of action. Briefly describe the nature of the action and the result below:

Mr. White appeals to the Supreme Court of the State of Nevada from his denial of his Petition for Writ of Habeas Corpus on March 04, 2021 by the Honorable Ronald J. Israel. The Order was entered April 13, 2021.

13. **Issues on appeal.** State concisely the principal issue(s) in this appeal:
Mr. White reserves the right to address issues as they may arise.

14. **Constitutional issues.** If the State is not a party and if this appeal challenges the constitutionality of a statute or municipal ordinance, have you notified the clerk of this court and the attorney general in accordance with NRAP 44 and NRS 30.130?

N/A ☒ Yes ☐ No ☐
If not, explain

15. **Issues of first-impression or of public interest.** Does this appeal present a substantial legal issue of first-impression in this jurisdiction or one affecting an important public interest?

First-impression: Yes ☐ No ☒
Public interest: Yes ☐ No ☒

16. **Length of trial.** If this action proceeded to trial or evidentiary hearing in the district court, how many days did the trial or evidentiary hearing last?

8 days

17. **Oral argument.** Would you object to submission of this appeal for disposition without oral argument?

Yes ☒ No ☐

TIMELINESS OF NOTICE OF APPEAL

18. Date district court announced decision, sentence or order appealed from 03/04/2021

19. Date of entry of written judgment or order appeal from 04/13/2021

(a) If no written judgment or order was filed in the district court, explain the basis for seeking appellate review:

20. If this appeal is from an order granting or denying a petition for a writ of habeas corpus, indicate the date written notice of entry of judgment or order was served by the district court

(a) Was service by delivery ☐ or by mail ☐.

21. If the time for filing the notice of appeal was tolled by a post judgment motion,

(a) Specify the type of motion, and the date of filing of the motion:

Arrest judgment _____	Date filed _____
New trial _____	Date filed _____
(newly discovered evidence)	
New trial _____	Date filed _____
(other grounds)	

(b) Date of entry of written order resolving motion _____

22. Date notice of appeal filed 04/16/2021

23. Specify statute or rule governing the time limit for filing the notice of appeal, e.g., NRAP 4(b), NRS 34.560, NRS 34.575, NRS 177.015(2), or other

SUBSTANTIVE APPEALABILITY

24. Specify statute, rule or other authority that grants this court jurisdiction to review from:

NRS 177.015(1)(b) _____	NRS 34.560 _____
NRS 177.015(1)(c) _____	NRS 34.575(1) _____
NRS 177.015(2) _____	NRS 34.575(2) _____
NRS 177.015(3) _____	Other (specify) <u>NRAP 4(b)</u>
NRS 177.055 _____	

VERIFICATION

I certify that the information provided in this docketing statement is true and complete to the best of my knowledge, information and belief.

TROY WHITE

Name of appellant

April 26, 2021

Date

CHRISTOPHER R. ORAM, ESQ.

Name of counsel of record

/s/ Christopher R. Oram, Esq.

Signature of counsel of record

CERTIFICATE OF SERVICE

I certify and affirm that this document was filed electronically with the Nevada Supreme Court day of April 26, 2021 Electronic Service of the foregoing document shall be made in the accordance with Master Service list as follow:

AARON FORD
Nevada Attorney General

STEVE WOLFSON
District Attorney

CHRISTOPHER R. ORAM, ESQ

BY:

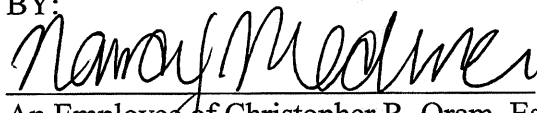
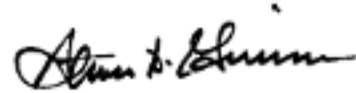

An Employee of Christopher R. Oram, Esq.

EXHIBIT A



CLERK OF THE COURT

JOC

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

TROY RICHARD WHITE
#1383512

Defendant.

CASE NO. C286357-1

DEPT. NO. XI

JUDGMENT OF CONVICTION
(JURY TRIAL)


The Defendant previously entered a plea of not guilty to the crimes of COUNT 1 – MURDER WITH USE OF A DEADLY WEAPON (Category A Felony) in violation of NRS 200.010, 200.030, 193.165; COUNT 2 – ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.010, 200.030, 193.330, 193.165; COUNT 3 – CARRYING A CONCEALED FIREARM OR OTHER DEADLY WEAPON (Category C Felony) in violation of NRS 202.350(1)(d)(3); and COUNTS 4, 5, 6, 7 and 8 – CHILD ABUSE, NEGLECT OR ENDANGERMENT (Category B Felony) in violation of NRS 200.508(1); and the matter having been tried

1 before a jury and the Defendant having been found guilty of the crimes of COUNT 1 –
2 SECOND DEGREE MURDER WITH USE OF A DEADLY WEAPON (Category A
3 Felony) in violation of NRS 200.010, 200.030, 193.165; COUNT 2 – ATTEMPT
4 MURDER WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of
5 NRS 200.010, 200.030, 193.330, 193.165; COUNT 3 – CARRYING A CONCEALED
6 FIREARM OR OTHER DEADLY WEAPON (Category C Felony) in violation of NRS
7 202.350(1)(d)(3); and COUNTS 4, 5, 6, 7 and 8 – CHILD ABUSE, NEGLECT OR
8 ENDANGERMENT (Category B Felony) in violation of NRS 200.508(1); thereafter, on
9 the 20th day of July, 2015, the Defendant was present in court for sentencing with
10 counsel SCOTT COFFEE, Deputy Public Defender, and good cause appearing,
11

12 THE DEFENDANT IS HEREBY ADJUDGED guilty of said offenses and, in
13 addition to the \$25.00 Administrative Assessment Fee, \$250.00 Indigent Defense Civil
14 Assessment Fee, \$335.50 Extradition Costs and \$150.00 DNA Analysis Fee including
15 testing to determine genetic markers plus \$3.00 DNA Collection Fee, the Defendant is
16 SENTENCED to the Nevada Department of Corrections (NDC) as follows: **COUNT 1 –**
17 LIFE with the eligibility for parole after serving a MINIMUM of TEN (10) YEARS, plus a
18 CONSECUTIVE term of ONE HUNDRED NINETY-TWO (192) MONTHS with a
19 MINIMUM parole eligibility of SEVENTY-SIX (76) MONTHS for the Use of a Deadly
20 Weapon; **COUNT 2 -** a MAXIMUM of ONE HUNDRED NINETY-TWO (192) MONTHS
21 with a MINIMUM parole eligibility of SEVENTY-SIX (76) MONTHS, plus a
22 CONSECUTIVE term of ONE HUNDRED NINETY-TWO (192) MONTHS with a
23 MINIMUM parole eligibility of SEVENTY-SIX (76) MONTHS for the Use of a Deadly
24 Weapon; CONSECUTIVE to COUNT 1; **COUNT 3 –** a MAXIMUM of FORTY-EIGHT
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26
27
28

1 (48) MONTHS with a MINIMUM Parole Eligibility of NINETEEN (19) MONTHS,
2 CONCURRENT WITH COUNTS 1 & 2; **COUNT 4** – a MAXIMUM of SIXTY (60)
3 MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS,
4 CONSECUTIVE TO COUNTS 1 & 2; **COUNT 5** – a MAXIMUM of SIXTY (60) MONTHS
5 with a MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS, CONCURRENT
6 with ALL OTHER COUNTS; **COUNT 6** – a MAXIMUM of SIXTY (60) MONTHS with a
7 MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS, CONCURRENT with
8 ALL OTHER COUNTS; **COUNT 7** – a MAXIMUM of SIXTY (60) MONTHS with a
9 MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS, CONCURRENT with
10 ALL OTHER COUNTS; **COUNT 8** – a MAXIMUM of SIXTY (60) MONTHS with a
11 MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS, CONCURRENT with
12 ALL OTHER COUNTS; with ONE THOUSAND EIGHTY-EIGHT DAYS (1,088) DAYS
13 credit for time served. The AGGREGATE TOTAL sentence is LIFE with a MINIMUM
14 OF THIRTY-FOUR (34) YEARS.
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18 DATED this 23rd day of July, 2015
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23 ELIZABETH GONZALEZ
24 DISTRICT COURT JUDGE
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