

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

TOMMY BRIAN FROST,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

Docket No. 83065

Electronically Filed  
Dist. Ct. Case No. 20-CV-00635  
Oct 26 2021 10:41 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

**CASE APPEAL STATEMENT (CRIMINAL)**

**1. Name of appellant filing this case disclosure statement:**

TOMMY BRIAN FROST

**2. Name of Judge issuing the decision:**

JOHN P. SCHLEGELMILCH, Department 1, Third Judicial  
District Court, Lyon County.

**3. Counsel for Appellant, Thomas James Bernal:**

**Name/ associations of KARLA K. BUTKO, ESQ.**

Appellant: KARLA K. BUTKO, Attorney:

KARLA K. BUTKO, is an employee of KARLA K. BUTKO, LTD.

KARLA K. BUTKO, LTD. is a Nevada professional

corporation duly licensed to conduct business in the

State of Nevada and is owned entirely by Karla K.

Butko.

Address: Karla K. Butko, Ltd.:

P. O. Box 1249, Verdi, NV 89439

(775) 786-7118

butkolawoffice@sbcglobal.net

Identity of prior counsel for Appellant:

Matthew Merrill and Mario Walther, court appointed counsel were trial counsel for Appellant.

**4. Identity of Respondent and Respondent's Counsel:**

Respondent: The State of Nevada

Counsel: STEPHEN B. RYE, District. Attorney for Lyon

County: 31 S. Main Street, Yerington, NV 89447

(775) 463-6511, at the trial stage and he continues to represent the State of Nevada on the direct appeal.

5. All attorneys are licensed in Nevada to practice law.

6. Appellant was been represented by court appointed counsel throughout all trial stages of all proceedings.

7. Appellant is represented by court appointed counsel Karla K. Butko on this appeal.

8. Appellant was granted leave to proceed in forma pauperis: Yes. Appellant was deemed indigent and appellate counsel was appointed.

9. The Information was filed on October 10, 2018. The judgment of conviction was dated July 12, 2019. The Petition for Writ of Habeas Corpus was timely filed and amended by counsel. The Order denying the Petition for Writ of Habeas Corpus was filed May 19, 2021 and the Clerk entered the notice of entry of order on June 3, 2021. The notice of appeal was filed June 10, 2021.

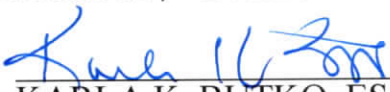
10. This is an appeal from denial of postconviction relief based upon convictions for lewdness with a minor (two counts), Category A felonies, and two life prison sentences with an aggregate term of twenty years to be served prior to parole eligibility.

11. There are no other cases on point on direct appeal, to the best of my knowledge.

12. The appeal does not involve child custody or visitation.

13. This is not a settlement type of case.

Dated this 26 day of October, 2021.

  
KARLA K. BUTKO, ESQ.  
State Bar No. 3307  
P. O. Box 1249  
Verdi, NV 89439  
(775) 786-7118

**CERTIFICATE OF SERVICE**

I, Karla K. Butko, Esq., hereby certify that on this date I caused to be delivered by way of the E FLEX DELIVERY SYSTEM of the Nevada Supreme Court, the foregoing document, addressed to the following:

Steven Rye/ Matthew Merrill  
Lyon County District Attorney's Office  
31 S. Main Street  
Yerington, NV 89447

DATED this 26 day of October, 2021.

  
\_\_\_\_\_  
KARLA K. BUTKO, ESQ.