

*Steven D. Grierson*

Roy Daniels Moraga

(Name)

31584

(I.D. No.)

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

Electronically Filed  
Jul 09 2021 02:11 p.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

ROY DANIELS MORAGA

Petitioner/Defendant,

vs.

THE STATE OF NEVADA

Respondent/Plaintiff

Case No.: 89C092174

Dept. No. \_\_\_\_\_

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that I, ROY DANIELS MORAGA appeal the  
Judgment / Order entered on the 23 day of JUNE, 2021 by this  
court.

Dated this 29 day of JUNE, 2021.

Roy D. Moraga

(Signature)

RECEIVED  
JUL - 6 2021  
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 27 day of JUNE, 2021, I mailed a true and correct copy of the foregoing NOTICE OF APPEAL to the following:

STEVEN WOLFSON County District Attorney

200 LEWIS AVE, LAS VEGAS, NV

89155-2212

Roy D. Moraga

(Signature)

AFFIRMATION PURSUANT TO NRS 239B.030

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

6-29-21

(Date)

Roy D. Moraga

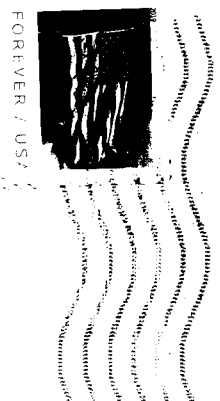
(Signature)

ROY D. MORAG 31584  
NCC - R.D. DEAN  
CARSON CITY NV 89742

Legal  
Mails

Clerk of the Court  
200 Lewis Ave., 3rd Fl.,  
Las Vegas, Nevada 89155-1160

RECEIVED  
30 JUN 2021 PM 3 T





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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 STATE OF NEVADA,

10 Plaintiff(s),

11 vs.

12 ROY D. MORAGA,

13 Defendant(s),

Case No: 89C092174

Dept No: VI

14  
15  
16 **CASE APPEAL STATEMENT**

17  
18 1. Appellant(s): Roy D. Moraga

19 2. Judge: Jacqueline M. Bluth

20 3. Appellant(s): Roy D. Moraga

21 Counsel:

22 Roy D. Moraga #31584  
23 P.O. Box 7000  
24 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: December 28, 1989

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): 42828, 44685, 49049, 61734, 64639, 64931, 65701,  
66826, 72898, 73349, 76345, 78172, 80897

12. Child Custody or Visitation: N/A

Dated This 7 day of July 2021.

Steven D. Grierson, Clerk of the Court

/s/ Heather Ungermann

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

cc: Roy D. Moraga

## EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY****The State of Nevada vs Roy D Moraga****CASE NO. 89C092174**

Location: **Department 6**  
 Judicial Officer: **Bluth, Jacqueline M.**  
 Filed on: **12/28/1989**  
 Case Number History:  
 Cross-Reference Case Number: **C092174**  
 Defendant's Scope ID #: **938554**  
 Lower Court Case # Root: **89F07220**  
 Lower Court Case Number: **89F07220X**  
 Supreme Court No.: **61734**  
**64639**  
**64931**  
**65701**  
**66826**  
**72898**  
**73349**  
**80897**

**CASE INFORMATION**

| <b>Offense</b>    | <b>Statute</b> | <b>Deg</b> | <b>Date</b> | <b>Case Type:</b> | <b>Felony/Gross Misdemeanor</b> |
|-------------------|----------------|------------|-------------|-------------------|---------------------------------|
| 1. BURGLARY       | 205.060        | F          | 01/01/1900  |                   |                                 |
| 2. BURGLARY       | 205.060        | F          | 01/01/1900  | Case              |                                 |
| 3. SEXUAL ASSAULT | 200.366        | F          | 01/01/1900  | Status:           | <b>09/13/2007 Closed</b>        |
| 4. SEXUAL ASSAULT | 200.366        | F          | 01/01/1900  |                   |                                 |

**Related Cases**

A-18-782168-W (Writ Related Case)

**Statistical Closures**

|            |                                    |
|------------|------------------------------------|
| 05/06/2007 | USJR Reporting Statistical Closure |
| 03/04/2007 | USJR Reporting Statistical Closure |
| 09/26/2004 | USJR Reporting Statistical Closure |
| 07/14/2004 | USJR Reporting Statistical Closure |
| 12/02/1999 | USJR Reporting Statistical Closure |
| 02/19/1996 | USJR Reporting Statistical Closure |
| 09/15/1993 | USJR Reporting Statistical Closure |
| 01/01/1992 | USJR Reporting Statistical Closure |
| 09/12/1991 | USJR Reporting Statistical Closure |
| 09/13/2007 | USJR Reporting Statistical Closure |
| 05/14/1998 | USJR Reporting Statistical Closure |
| 12/01/2005 | USJR Reporting Statistical Closure |
| 01/31/2005 | USJR Reporting Statistical Closure |
| 09/01/1998 | USJR Reporting Statistical Closure |

**DATE****CASE ASSIGNMENT****Current Case Assignment**

|                  |                      |
|------------------|----------------------|
| Case Number      | 89C092174            |
| Court            | Department 6         |
| Date Assigned    | 04/29/2019           |
| Judicial Officer | Bluth, Jacqueline M. |

**PARTY INFORMATION**

|                  |                        | <i>Lead Attorneys</i>                       |
|------------------|------------------------|---|
| <b>Defendant</b> | <b>Moraga, Roy D</b>   | <b>Pro Se</b>                               |
| <b>Plaintiff</b> | <b>State of Nevada</b> | <b>Wolfson, Steven B</b><br>702-671-2700(W) |


















**CASE SUMMARY****CASE NO. 89C092174**

EVENTS &amp; ORDERS OF THE COURT

DATE



















INDEX

**EVENTS**

|            |   |
|------------|---|
| 12/28/1989 |  Criminal Bindover<br><i>Criminal Bindover (Confidential)</i>                      |
| 01/09/1990 |  Information   |
| 01/24/1990 |  Reporters Transcript<br><i>Transcript of Hearing Held on December 26, 1989</i>    |
| 02/05/1990 |  Motion<br><i>Motion and Notice of Motion to Endorse Names on Information</i>      |
| 02/12/1990 |  Reporters Transcript<br><i>Transcript of Hearing Held on January 11, 1990</i>     |
| 02/15/1990 |  Order<br><i>Order to Endorse Names on Information</i>                             |
| 02/15/1990 |  Information Amended in Open Court<br><i>Information Amended by Interlineation</i> |
| 03/13/1990 |  Jury List  |
| 03/15/1990 |  Instructions to the Jury  |
| 03/15/1990 |  Verdict<br><i>Verdict - Count I</i>   |
| 03/15/1990 |  Verdict<br><i>Verdict - Count II</i>  |
| 03/15/1990 |  Verdict<br><i>Verdict - Count III</i>   |
| 03/15/1990 |  Verdict<br><i>Verdict - Count IV</i>  |
| 05/16/1990 |  PSI<br><i>Pre-Sentence Investigation Report (Unfiled) Confidential</i>          |
| 06/04/1990 |  Motion<br><i>Motion and Notice of Motion to Amend Information</i>               |
| 06/13/1990 |  Amended Information   |
| 06/13/1990 |  Order<br><i>Order to Amend Information</i>                                      |
| 06/13/1990 |   |

# CASE SUMMARY


















CASE NO. 89C092174

|            |  |
|------------|--|
|            |  Reporters Transcript<br><i>Transcript of Hearing Held on June 13, 1990 (File Stamp Illegible)</i>                            |
| 06/27/1990 |  Designation of Record on Appeal<br><i>Designation of Contents of Record on Appeal</i>  |
| 06/27/1990 |  Notice of Appeal (Criminal)<br><i>Notice of Appeal</i>   |
| 06/29/1990 |  Order  |
| 07/07/1990 |  Judgment of Conviction<br><i>Judgment of Conviction (Jury Trial)</i>   |
| 08/02/1990 |  Order  |
| 10/11/1990 |  Reporters Transcript<br><i>Transcript of Hearing Held on March 15, 1990</i>  |
| 10/11/1990 |  Reporters Transcript<br><i>Transcript of Hearing Held on March 13, 1990</i>  |
| 10/11/1990 |  Reporters Transcript<br><i>Transcript of Hearing Held on March 12, 1990</i>  |
| 01/09/1991 |  Petition for Release of Evidence   |
| 01/09/1991 |  Order<br><i>Order Releasing Evidence</i>   |
| 09/13/1991 |  Order for Production of Inmate   |
| 09/26/1991 |  Motion<br><i>Motion to Transfer Sentencing Back to Department VIII</i>   |
| 10/03/1991 |  Motion for Leave to Proceed in Forma Pauperis<br><i>Motion for Leave to Proceed in Forma Pauperis (Confidential)</i>       |
| 10/03/1991 |  Notice of Motion<br><i>Notice of Motion Motion for Withdrawal of Attorney of Record and Transfer of Records</i>            |
| 10/03/1991 |  Affidavit in Support<br><i>Affidavit in Support of Motion for Withdrawal of Attorney of Record and Transfer of Records</i> |
| 10/03/1991 |  Affidavit in Support<br><i>Affidavit in Support of Request to Proceed in Forma Pauperis (Confidential)</i>                 |
| 10/03/1991 |  Certificate<br><i>Financial Certificate (Confidential)</i>   |
| 10/04/1991 |  |




# CASE SUMMARY

CASE NO. 89C092174

|            |  |
|------------|--|
|            |  NV Supreme Court Clerks Certificate/Judgment -Remanded<br><i>Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Remand</i> |
| 10/23/1991 |  Order<br>Filed By: Defendant Moraga, Roy D<br><i>Order for Appointment of Counsel</i>  |
| 10/30/1991 |  Notice of Appeal (Criminal)<br><i>Notice of Appeal</i>   |
| 11/13/1991 |  Amended Judgment of Conviction<br><i>Amended Judgment of Conviction (Jury Trial)</i>   |
| 11/13/1991 |  Designation of Record on Appeal<br>Filed By: Defendant Moraga, Roy D   |
| 01/02/1992 |  Motion for Appointment of Attorney<br><i>Motion to Appoint Counsel for Appeal</i>  |
| 01/27/1992 |  Document Filed<br><i>Criminal Setting Slip</i>   |
| 02/10/1992 |  Order<br><i>Order Appointing Counsel</i>   |
| 02/13/1992 |  Designation of Record on Appeal<br>Filed By: Defendant Moraga, Roy D   |
| 02/20/1992 |  Order<br><i>Order Re: Preparation of Transcripts</i>   |
| 02/20/1992 |  Ex Parte Application<br><i>Ex Parte Application for Preparation of Transcripts</i>   |
| 02/20/1992 |  Order<br><i>Order Re: Preparation of Transcripts</i>   |
| 02/20/1992 |  Order<br><i>Order Re: Preparation of Transcripts</i>   |
| 02/20/1992 |  Order<br><i>Order Re: Preparation of Transcripts</i>   |
| 02/20/1992 |  Order<br><i>Order Re: Preparation of Transcripts</i>   |
| 02/20/1992 |  Order<br><i>Order Re: Preparation of Transcripts</i>   |
| 02/26/1992 |  Receipt of Copy<br>Filed by: Defendant Moraga, Roy D   |

# CASE SUMMARY

CASE NO. 89C092174

|            |   |
|------------|---|
| 02/26/1992 |  Receipt of Copy<br>Filed by: Defendant Moraga, Roy D  |
| 02/28/1992 |  Receipt of Copy   |
| 03/02/1992 |  Receipt of Copy   |
| 03/02/1992 |  Receipt of Copy   |
| 03/04/1992 |  Reporters Transcript<br><i>Transcript of Hearing Held on September 23, 1991</i>   |
| 03/04/1992 |  Reporters Transcript<br><i>Transcript of Hearing Held on October 11, 1991</i>   |
| 03/04/1992 |  Reporters Transcript<br><i>Transcript of Hearing Held on October 21, 1991</i>   |
| 03/04/1992 |  Reporters Transcript<br><i>Transcript of Hearing Held on October 14, 1991</i>   |
| 03/04/1992 |  Reporters Transcript<br><i>Transcript of Hearing Held on February 15, 1990</i>  |
| 03/04/1992 |  Reporters Transcript<br><i>Transcript of Hearing Held on October 9, 1991</i>  |
| 03/27/1992 |  Reporters Transcript<br><i>Transcript of Hearing Held on March 12, 1990</i>   |
| 04/14/1992 |  Reporters Transcript<br><i>Transcript of Hearing Held on March 9, 1990</i>  |
| 04/14/1992 |  Reporters Transcript<br><i>Transcript of Hearing Held on March 7, 1990</i>  |
| 05/26/1992 |  Request<br>Filed by: Defendant Moraga, Roy D<br><i>Request for Records</i>  |
| 07/21/1992 |  Motion to Return<br><i>Motion for Returning</i>   |
| 07/31/1992 |  Answer (Criminal)<br><i>Answer in Opposition to Motion for Returning Seized Property</i>  |
| 08/17/1992 |  Order   |
| 08/26/1993 |  Motion for Leave to Proceed in Forma Pauperis<br><i>Motion for Leave to Proceed in Forma Pauperis; Affidavit in Support of Request to Proceed in Forma Pauperis; Motion for Amended Judgment of Conviction to Include Jail Time Credits</i> |

# CASE SUMMARY
















CASE NO. 89C092174

*and Affidavit of Petition (Confidential)*

|            |  |
|------------|--|
| 08/27/1993 |  Receipt of Copy<br>Filed by: Defendant Moraga, Roy D   |
| 09/29/1993 |  Amended Judgment of Conviction<br><i>Second Amended Judgment of Conviction (Jury Trial)</i>  |
| 10/30/1995 |  NV Supreme Court Clerks Certificate/Judgment - Dismissed<br><i>Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed</i>            |
| 02/20/1996 |  Affidavit<br><i>Affidavit of Defendant</i>   |
| 02/20/1996 |  Supplemental Brief<br><i>Supplemental Brief and Points and Authorities in Support of Petition for Writ of Habeas Corpus</i>                            |
| 02/20/1996 |  Ex Parte Motion<br><i>Ex Parte Motion for Fees for Expert Services</i>   |
| 02/20/1996 |  Motion for Leave to Proceed in Forma Pauperis<br><i>Motion for Leave to Proceed in Forma Pauperis (Confidential)</i>                                   |
| 02/20/1996 |  Motion<br><i>Motion and Notice of Motion to Compel, Production of Semen and Blood</i>   |
| 02/20/1996 |  Petition for Writ of Habeas Corpus<br><i>Petition for Writ of Habeas Corpus (Post-Conviction)</i>  |
| 02/20/1996 |  Affidavit in Support<br>Filed By: Defendant Moraga, Roy D<br><i>Affidavit in Support of Motion to Proceed in Forma Pauperis (Confidential)</i>       |
| 03/05/1996 |  Motion for Leave to Proceed in Forma Pauperis<br><i>Motion for Leave to Proceed in Forma Pauperis (Confidential)</i>                                 |
| 03/05/1996 |  Affidavit in Support<br><i>Affidavit in Support of Motion for Withdrawal of Attorney of Record and Transfer of Records</i>                           |
| 03/05/1996 |  Notice of Motion<br>Filed By: Defendant Moraga, Roy D<br><i>Notice of Motion Motion for Withdrawal of Attorney of Record and Transfer of Records</i> |
| 03/11/1996 |  Motion for Leave to Proceed in Forma Pauperis<br><i>Motion for Leave to Proceed in Forma Pauperis (Confidential)</i>                                 |
| 03/11/1996 |  Motion to Return<br><i>Motion for Returning Seized Property</i>  |
| 03/11/1996 |  Affidavit<br><i>Affidavit of Petitioner</i>  |

# CASE SUMMARY

CASE NO. 89C092174

|            |  |
|------------|--|
| 03/11/1996 |  Affidavit in Support<br>Filed By: Defendant Moraga, Roy D<br><i>Affidavit in Support of Motion to Proceed in Forma Pauperis (Confidential)</i>   |
| 04/01/1996 |  Opposition to Motion<br><i>State's Opposition to Defendant's Motion to Compel Production of Semen and Blood, Petition for Writ of Habeas Corpus (Post-Conviction) and Motion to Proceed in Forma Pauperis (Sealed)</i> |
| 04/09/1996 |  Motion to Withdraw As Counsel  |
| 04/09/1996 |  Receipt of Copy<br>Filed by: Defendant Moraga, Roy D<br><i>Receipt of Copy and Certificate of Mailing</i>  |
| 04/11/1996 |  Motion<br>Filed By: Defendant Moraga, Roy D<br><i>Motion for Extension of Time to File Supplemental Points and Authorities</i>   |
| 04/15/1996 |  Receipt of Copy<br>Filed by: Defendant Moraga, Roy D<br><i>Receipt of Copy of Motion for Extension of Time to File Supplemental Points and Authorities</i>   |
| 04/17/1996 |  Order to Withdraw as Attorney of Record<br>Filed by: Defendant Moraga, Roy D  |
| 04/17/1996 |  Notice of Entry of Order<br>Filed By: Defendant Moraga, Roy D  |
| 05/20/1996 |  Substitution of Attorney<br>Filed by: Defendant Moraga, Roy D  |
| 06/13/1996 |  Supplemental<br>Filed by: Defendant Moraga, Roy D<br><i>Supplemental Points and Authorities in Support of Petition for Writ of Habeas Corpus</i>   |
| 06/27/1996 |  Supplemental<br><i>State's Supplemental Opposition to Petition for Writ of Habeas Corpus (Post-Conviction)</i>   |
| 07/16/1996 |  Supplemental<br>Filed by: Defendant Moraga, Roy D<br><i>Supplemental Reply and Opposition for Writ of Habeas Corpus</i>  |
| 08/02/1996 |  Motion to Withdraw As Counsel  |
| 08/05/1996 |  Receipt of Copy<br>Filed by: Defendant Moraga, Roy D<br><i>Receipt of Copy of Motion to Withdraw as Counsel</i>  |
| 08/05/1996 |  Certificate of Mailing<br>Filed By: Defendant Moraga, Roy D<br><i>Certificate of Mailing of Motion to Withdraw as Counsel</i>  |



















# CASE SUMMARY

CASE NO. 89C092174

|            |  |
|------------|--|
| 08/27/1996 |  Order<br><i>Order for Transcript</i>   |
| 09/06/1996 |  Findings of Fact, Conclusions of Law and Order   |
| 09/20/1996 |  Notice of Entry of Order   |
| 09/27/1996 |  Notice of Appeal (Criminal)<br>Party: Defendant Moraga, Roy D<br><i>Notice of Appeal</i>   |
| 10/07/1996 |  Designation of Record on Appeal<br>Filed By: Defendant Moraga, Roy D   |
| 10/28/1996 |  Notice of Entry of Order   |
| 10/29/1996 |  Case Appeal Statement<br>Filed By: Defendant Moraga, Roy D   |
| 01/13/1997 |  Reporters Transcript<br><i>Transcript of Hearing Held on March 6, 1996</i>   |
| 01/13/1997 |  Reporters Transcript<br><i>Transcript of Hearing Held on August 21, 1996</i>  |
| 01/13/1997 |  Reporters Transcript<br><i>Transcript of Hearing Held on April 17, 1996</i>  |
| 01/13/1997 |  Reporters Transcript<br><i>Transcript of Hearing Held on July 15, 1996</i>   |
| 01/13/1997 |  Reporters Transcript<br><i>Transcript of Hearing Held on August 12, 1996</i>   |
| 01/13/1997 |  Reporters Transcript<br><i>Transcript of Hearing Held on July 19, 1996</i>   |
| 01/17/1997 |  Certificate of Mailing<br>Filed By: Defendant Moraga, Roy D  |
| 04/30/1998 |  Motion to Modify Sentence<br><i>Motion to Modify or in the Alternative Correct Illegal Sentence</i>                              |
| 04/30/1998 |  Affidavit<br>Filed By: Defendant Moraga, Roy D<br><i>Affidavit of Roy D. Moraga</i>  |
| 05/08/1998 |  Opposition to Motion<br><i>State's Opposition to Defendant's Motion to Modify or in the Alternative Correct Illegal Sentence</i> |

# CASE SUMMARY

CASE NO. 89C092174

|            |   |
|------------|---|
| 05/28/1998 |  Order Denying Motion<br><i>Order Denying Defendant's Pro Per Motion to Modify or in Alternative Correct Illegal Sentence</i>                  |
| 05/29/1998 |  Notice of Entry of Order  |
| 06/01/1998 |  Motion<br><i>Motion for Enlargement of Time</i>   |
| 06/13/1998 |  Notice of Appeal (Criminal)<br>Party: Defendant Moraga, Roy D<br><i>Notice of Appeal</i>  |
| 06/13/1998 |  Designation of Record on Appeal<br>Filed By: Defendant Moraga, Roy D  |
| 06/15/1998 |  Case Appeal Statement   |
| 06/30/1998 |  Order Denying Motion<br><i>Order Denying Defendant's Motion for Enlargement of Time</i>   |
| 07/07/1998 |  Notice of Entry of Order  |
| 08/06/1998 |  Motion to Strike  |
| 08/17/1998 |  Response<br><i>State's Response to Defendant's Motion to Strike</i>   |
| 08/27/1998 |  Order Denying Motion<br><i>Order Denying Defendant's Pro Per Motion to Strike</i>   |
| 09/22/1998 |  Notice of Appeal (Criminal)<br>Party: Defendant Moraga, Roy D<br><i>Notice of Appeal</i>  |
| 09/22/1998 |  Designation of Record on Appeal<br>Filed By: Defendant Moraga, Roy D  |
| 09/28/1998 |  Case Appeal Statement   |
| 04/30/1999 |  NV Supreme Court Clerks Certificate/Judgment - Dismissed<br><i>Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed</i> |
| 06/01/1999 |  NV Supreme Court Clerks Certificate/Judgment - Dismissed<br><i>Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed</i> |
| 06/01/1999 |  NV Supreme Court Clerks Certificate/Judgment - Dismissed<br><i>Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed</i> |
| 02/25/2002 |  Motion for Leave to Proceed in Forma Pauperis   |

# CASE SUMMARY

CASE NO. 89C092174

*Motion for Leave to Proceed in Forma Pauperis (Confidential)*

02/25/2002



Motion

*Motion to Preserve Evidence and Order*

02/25/2002



Certificate

Filed By: Defendant Moraga, Roy D

*Certificate of Inmate's Institutional Account (Confidential)*

02/26/2002



Notice of Hearing

*Notice of Hearing - Criminal*

10/31/2002



Motion to Vacate

*Motion to Vacate and/or Amend Judgment*

11/21/2002



Order

Filed By: Defendant Moraga, Roy D

*Order for Appointment of Counsel for Post-Conviction Relief*

11/27/2002



Opposition to Motion

*State's Opposition to Defendant's Motion to Vacate and/or Amend Judgment*

06/11/2003



Stipulation and Order

Filed by: Defendant Moraga, Roy D

12/16/2003



Motion to Release

*Motion for Release of DNA Evidence Under Nevada Open Records Act*

12/17/2003



Receipt of Copy

Filed by: Defendant Moraga, Roy D

12/26/2003



Opposition to Motion

*State's Opposition to Defendant's Motion for Release of DNA Evidence Under Nevada Open Records Act*

01/05/2004



Reply to Opposition

Filed by: Defendant Moraga, Roy D

*Reply to State's Opposition to Defendant's Motion for Release of DNA Evidence Under Nevada Open Records Act*

01/07/2004



Order Denying Motion

*Order Denying Defendant's Motion for Release of DNA Evidence Under Nevada Open Records Act*

02/09/2004



Ex Parte Motion

Filed By: Defendant Moraga, Roy D

*Ex Parte Motion for Excess Fees*

02/11/2004



Order

Filed By: Defendant Moraga, Roy D

*Order for Payment of Excess Fees*

02/17/2004



















Notice of Appeal (Criminal)

# CASE SUMMARY

CASE NO. 89C092174
















## Notice of Appeal

|            |   |
|------------|---|
| 02/17/2004 |  Supplemental Brief<br>Filed By: Defendant Moraga, Roy D<br><i>Supplemental Brief to States Opposition to Defendant's Motion for Release of DNA Evidence Under Nevada Open Records Act</i> |
| 02/18/2004 |  Case Appeal Statement   |
| 05/04/2004 |  Reporters Transcript<br><i>Transcript of Hearing Held on November 13, 2002</i>  |
| 05/04/2004 |  Reporters Transcript<br><i>Transcript of Hearing Held on January 5, 2004</i>  |
| 05/14/2004 |  Reporters Transcript<br><i>Transcript of Hearing Held on May 11, 1998</i>   |
| 09/27/2004 |  Writ of Mandamus<br><i>Extraordinary Writ of Mandamus</i>   |
| 09/27/2004 |  Affidavit<br><i>Affidavit of Roy D. Moraga</i>  |
| 09/27/2004 |  Supplemental<br>Filed by: Defendant Moraga, Roy D<br><i>Supplemental Act</i>   |
| 10/18/2004 |  Motion<br><i>Motion and Order for Failure to Prosecute and Reinstate Motion to Vacate and/or Amend Judgment</i>   |
| 10/19/2004 |  NV Supreme Court Clerks Certificate/Judgment - Affirmed<br><i>Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Affirmed</i>   |
| 12/15/2004 |  Response<br>Filed by: Defendant Moraga, Roy D<br><i>State's Response to Extraordinary Writ of Mandamus</i>  |
| 01/05/2005 |  Reply<br>Filed by: Defendant Moraga, Roy D<br><i>Reply to State's Response to Extraordinary Writ of Mandamus and Motion to Dismiss</i>  |
| 02/10/2005 |  Case Appeal Statement   |
| 02/10/2005 |  Notice of Appeal (Criminal)<br><i>Notice of Appeal</i>  |
| 02/10/2005 |  Designation of Record on Appeal<br>Filed By: Defendant Moraga, Roy D  |
| 03/30/2005 |  Order   |





















# CASE SUMMARY

CASE NO. 89C092174

|            |   |
|------------|---|
|            | Filed By: Defendant Moraga, Roy D   |
| 04/08/2005 |  Notice of Entry of Order<br>Filed By: Defendant Moraga, Roy D   |
| 05/02/2005 |  NV Supreme Court Clerks Certificate/Judgment - Dismissed<br><i>Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed</i>   |
| 01/10/2006 |  Motion for Leave to Proceed in Forma Pauperis<br><i>Motion for Leave to Proceed in Forma Pauperis and for Appointment of Counsel (Confidential)</i>   |
| 01/10/2006 |  Petition for Writ of Habeas Corpus<br>Filed by: Defendant Moraga, Roy D<br><i>Petition for Writ of Habeas Corpus (Post-Conviction) (NRS 34.720, et seq.)</i>  |
| 01/10/2006 |  Certificate<br>Filed By: Defendant Moraga, Roy D<br><i>Financial Certificate (Confidential)</i>   |
| 01/10/2006 |  Affidavit in Support<br>Filed By: Defendant Moraga, Roy D<br><i>Affidavit in Support of Motion for Leave to Proceed in Forma Pauperis and for Appointment of Counsel (Confidential)</i>                   |
| 01/10/2006 |  Affidavit<br>Filed By: Defendant Moraga, Roy D<br><i>Affidavit of Petitioner</i>  |
| 01/12/2006 |  Order for Petition for Writ of Habeas Corpus  |
| 01/19/2006 |  Opposition to Motion<br><i>State's Opposition to Motion for Appointment of Counsel</i>  |
| 01/27/2006 |  Order Granting Motion<br><i>Order Granting Defendant's Pro Per Motion for Leave to Proceed in Forma Pauperis and Order Denying Defendant's Pro Per Motion for Appointment of Counsel (Confidential)</i> |
| 02/22/2006 |  Motion<br><i>Motion and Order to Transport and Produce Inmate for Hearing</i>   |
| 02/22/2006 |  Notice of Change of Address<br>Filed By: Defendant Moraga, Roy D  |
| 02/27/2006 |  Opposition to Motion<br><i>State's Opposition to Defendant's Motion for Transport</i>   |
| 02/27/2006 |  Response<br><i>State's Response and Motion to Dismiss Petition for Writ of Habeas Corpus (Post-Conviction)</i>  |
| 04/21/2006 |  Order for Production of Inmate<br><i>Order for Production of Inmate Roy D. Moraga, BAC # 31584</i>  |

# CASE SUMMARY

CASE NO. 89C092174

|            |   |
|------------|---|
| 05/05/2006 |  Order for Production of Inmate<br><i>Order for Production of Inmate Roy D. Moraga, BAC # 31584</i>  |
| 05/24/2006 |  Reply<br>Filed by: Defendant Moraga, Roy D<br><i>Reply to State's Response and Opposition to Motion to Dismiss Petition for Writ of Habeas Corpus (Post-Conviction)</i> |
| 06/05/2006 |  Order for Production of Inmate<br><i>Order for Production of Inmate Roy D. Moraga, BAC # 31584</i>  |
| 02/08/2007 |  Finding of Fact and Conclusions of Law  |
| 02/13/2007 |  Notice of Entry of Decision and Order   |
| 03/02/2007 |  Notice of Appeal (Criminal)<br>Party: Defendant Moraga, Roy D<br><i>Notice of Appeal</i>  |
| 03/02/2007 |  Case Appeal Statement<br>Filed By: Defendant Moraga, Roy D  |
| 03/05/2007 |  Case Appeal Statement   |
| 03/05/2007 |  Motion for Appointment of Attorney<br><i>Motion for Appointment of Counsel on Appeal</i>  |
| 03/12/2007 |  Reporters Transcript<br><i>Transcript of Hearing Held on January 23, 2006</i>   |
| 03/12/2007 |  Reporters Transcript<br><i>Transcript of Hearing Held on June 26, 2006</i>  |
| 03/16/2007 |  Opposition to Motion<br><i>State's Opposition to Defendant's Motion for Appointment of Counsel</i>  |
| 03/23/2007 |  Order Denying Motion<br><i>Order Denying Defendant's Motion for Appointment of Counsel</i>  |
| 09/13/2007 |  NV Supreme Court Clerks Certificate/Judgment - Affirmed<br><i>Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Affirmed</i>                             |
| 04/29/2011 |  Order   |
| 09/19/2011 |  Notice of Change of Address   |
| 11/04/2011 |  Supplemental Brief<br><i>Supplemental Brief in Support of the Petition for Writ of Habeas Corpus and Illegal Sentence Pursuant to NRS 126.555</i>                     |
| 02/15/2012 |  Motion  |

# CASE SUMMARY

CASE NO. 89C092174











## Motion for Judicial Action on Petition

|            |  |
|------------|--|
| 02/15/2012 |  Ex Parte Motion<br><i>Ex Parte Motion for Appointment of Counsel</i>   |
| 02/15/2012 |  Affidavit<br><i>Affidavit of Petitioner</i>  |
| 03/14/2012 |  Notice of Motion   |
| 03/23/2012 |  Response<br><i>State's Response to Defendant's Motion for Judicial Action and Opposition to Defendant's Motion to Appoint Counsel</i>                              |
| 04/09/2012 |  Motion<br><i>Motion for Enlargement of Time (First Request)</i>  |
| 04/17/2012 |  Opposition to Motion<br><i>State's Opposition to Defendant Motion for Enlargement of Time</i>  |
| 04/17/2012 |  Opposition to Motion<br><i>State's Opposition to Defendant Motion for Enlargement of Time</i>  |
| 05/16/2012 |  Response<br>Filed by: Plaintiff State of Nevada<br><i>State's Response and Motion to Dismiss Defendant's Petition for Writ of Habeas Corpus (Post-Conviction)</i> |
| 08/06/2012 |  Motion to Reconsider<br>Filed By: Defendant Moraga, Roy D<br><i>Motion for Reconsideration</i>   |
| 08/09/2012 |  Opposition to Motion<br>Filed By: Plaintiff State of Nevada<br><i>State's Opposition to Defendant's Motion to Reconsider</i>                                     |
| 08/13/2012 |  Findings of Fact, Conclusions of Law and Order<br>Filed By: Plaintiff State of Nevada  |
| 08/21/2012 |  Notice of Entry<br>Filed By: Plaintiff State of Nevada<br><i>Notice of Entry of Findings of Fact, Conclusions of Law and Order</i>                               |
| 08/28/2012 |  Reply to Opposition<br>Filed by: Defendant Moraga, Roy D<br><i>Reply to State's Opposition to Petitioner's Motion for Reconsideration</i>                        |
| 08/28/2012 |  Request<br>Filed by: Defendant Moraga, Roy D<br><i>Request to File Exhibit I</i>   |
| 09/17/2012 |  Notice of Appeal (Criminal)<br>Party: Defendant Moraga, Roy D  |

# CASE SUMMARY

CASE NO. 89C092174

## Notice of Appeal

|            |   |
|------------|---|
| 09/18/2012 |  Case Appeal Statement<br>Filed By: Defendant Moraga, Roy D  |
| 10/05/2012 |  Order Denying Motion<br>Filed By: Plaintiff State of Nevada<br><i>Order Denying Defendant's Motion to Reconsider</i>  |
| 08/14/2013 |  Petition for Writ of Habeas Corpus<br>Filed by: Defendant Moraga, Roy D<br><i>Petition for Writ of Habeas Corpus (Post-Conviction Relief - NRS 34.735 Petition: Form)</i>   |
| 08/14/2013 |  Memorandum of Points and Authorities<br>Filed By: Defendant Moraga, Roy D<br><i>Memorandum of Points and Authorities Petition for Writ of Habeas Corpus Post-Conviction</i>   |
| 08/14/2013 |  Motion for Appointment of Attorney<br>Filed By: Defendant Moraga, Roy D<br><i>Motion for Appointment of Counsel</i>   |
| 08/14/2013 |  Application to Proceed in Forma Pauperis<br>Filed By: Defendant Moraga, Roy D<br><i>Application to Proceed in Forma Pauperis (Confidential)</i>   |
| 08/26/2013 |  Order for Petition for Writ of Habeas Corpus  |
| 09/19/2013 |  Response<br>Filed by: Plaintiff State of Nevada<br><i>State's Response and Motion to Dismiss Defendant's Petition for Writ of Habeas Corpus (Post-Conviction) and Opposition to Defendant's Motion for Appointment of Counsel</i> |
| 09/27/2013 |  Notice of Change of Hearing   |
| 10/30/2013 |  NV Supreme Court Clerks Certificate/Judgment - Affirmed<br><i>Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Affirmed; Rehearing Denied</i>   |
| 12/04/2013 |  Findings of Fact, Conclusions of Law and Order<br>Filed By: Plaintiff State of Nevada   |
| 12/09/2013 |  Notice of Entry<br>Filed By: Plaintiff State of Nevada<br><i>Notice of Entry of Findings of Fact, Conclusions of Law and Order</i>  |
| 12/16/2013 |  Notice of Appeal (Criminal)<br><i>Notice of Appeal</i>  |
| 12/17/2013 |  Case Appeal Statement<br>Filed By: Defendant Moraga, Roy D  |
| 01/08/2014 |  Petition<br>Filed by: Defendant Moraga, Roy D<br><i>Postconviction Petition Requesting a Genetic Marker Analysis of Evidence Within the</i>   |

# CASE SUMMARY

CASE NO. 89C092174

*Possession or Custody of the State of Nevada (NRS 176.0918)*

01/08/2014



Declaration

Filed By: Defendant Moraga, Roy D

*Declaration of Roy D. Moraga*

01/08/2014



Application to Proceed in Forma Pauperis

Filed By: Defendant Moraga, Roy D

*Application to Proceed in Forma Pauperis (Confidential)*

01/08/2014



Certificate

Filed By: Defendant Moraga, Roy D

*Certificate of Inmate's Institutional Account (Confidential)*

01/08/2014



Motion for Appointment of Attorney

Filed By: Defendant Moraga, Roy D

*Motion for Appointment of Counsel*

01/17/2014



Application to Proceed in Forma Pauperis

Filed By: Defendant Moraga, Roy D

*Application to Proceed in Forma Pauperis (Confidential)*

01/21/2014



Motion to Correct Sentence

Filed by: Defendant Moraga, Roy D

*Motion for Correction of Illegal Sentence*

01/21/2014



Certificate

Filed By: Defendant Moraga, Roy D

*Certificate of Inmate's Institutional Account (Confidential)*

01/21/2014



Motion for Appointment of Attorney

Filed By: Defendant Moraga, Roy D

*Motion for Appointment of Counsel*

01/31/2014



Notice of Appeal (Criminal)

Party: Defendant Moraga, Roy D

*Notice of Appeal*

02/03/2014



Case Appeal Statement

Filed By: Defendant Moraga, Roy D

02/07/2014



Opposition to Motion

Filed By: Plaintiff State of Nevada

*State's Opposition to Defendant's Motion for Correction of Illegal Sentence and Defendant's Motion for Appointment of Counsel*

03/12/2014



Order Denying Motion

Filed By: Plaintiff State of Nevada

*Order Denying Defendant's Motions of February 12, 2014*

03/19/2014


















Motion

Filed By: Defendant Moraga, Roy D

*Motion for Returning Seized Property*











# CASE SUMMARY

CASE NO. 89C092174

|            |  |
|------------|--|
| 04/07/2014 |  Opposition to Motion<br>Filed By: Plaintiff State of Nevada<br><i>State's Opposition to Defendant's Motion for Returning Seized Property</i>                                 |
| 04/15/2014 |  Order Denying<br>Filed By: Plaintiff State of Nevada<br><i>Order Denying Defendant's Post-Conviction Petition Requesting Genetic Marker Testing Pursuant to NRS 176.0918</i> |
| 04/17/2014 |  Order Denying Motion<br>Filed By: Plaintiff State of Nevada<br><i>Order Denying Defendant's Motion for Return of Seized Property</i>   |
| 04/22/2014 |  Notice of Entry of Order<br>Filed By: Plaintiff State of Nevada  |
| 05/12/2014 |  NV Supreme Court Clerks Certificate/Judgment - Affirmed<br><i>Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Affirmed</i>                                    |
| 05/15/2014 |  Notice of Appeal (Criminal)<br>Party: Defendant Moraga, Roy D<br><i>Notice of Appeal</i>   |
| 05/16/2014 |  Case Appeal Statement<br>Filed By: Defendant Moraga, Roy D   |
| 06/12/2014 |  Motion<br>Filed By: Defendant Moraga, Roy D<br><i>Motion for Production of Transcripts at State Expense</i>  |
| 06/12/2014 |  Notice of Motion<br>Filed By: Defendant Moraga, Roy D<br><i>Notice of Motion and Motion for Order of Delivery of Records</i>   |
| 06/12/2014 |  Request<br>Filed by: Defendant Moraga, Roy D<br><i>Request for Rough Draft Transcript</i>  |
| 06/30/2014 |  Opposition to Motion<br>Filed By: Plaintiff State of Nevada<br><i>Opposition to Defendant's Motion for Production of Transcripts at State Expense</i>                      |
| 08/26/2014 |  Order<br><i>Order Regarding Motions of July 7, 2014</i>  |
| 08/26/2014 |  NV Supreme Court Clerks Certificate/Judgment - Dismissed<br><i>Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed; Rehearing Denied</i>              |
| 08/28/2014 |  NV Supreme Court Clerks Certificate/Judgment - Affirmed<br><i>Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Affirmed</i>                                  |
| 10/01/2014 |  Application to Proceed in Forma Pauperis   |

# CASE SUMMARY

CASE NO. 89C092174

|            |  |
|------------|--|
|            | <p>Filed By: Defendant Moraga, Roy D<br/> <i>Application to Proceed in Forma Pauperis (Confidential)</i></p>   |
| 10/01/2014 | <p> Motion to Correct Sentence<br/>           Filed by: Defendant Moraga, Roy D<br/> <i>Motion for Correction of Illegal Sentence</i></p>                               |
| 10/29/2014 | <p> Order Denying Motion<br/>           Filed By: Plaintiff State of Nevada<br/> <i>Order Denying Defendant's Pro Per Motion for Correction of Illegal Sentence</i></p> |
| 11/03/2014 | <p> Notice of Appeal (Criminal)<br/>           Party: Defendant Moraga, Roy D<br/> <i>Notice of Appeal</i></p>  |
| 11/04/2014 | <p> Case Appeal Statement<br/>           Filed By: Defendant Moraga, Roy D</p>  |
| 04/16/2015 | <p> NV Supreme Court Clerks Certificate/Judgment - Affirmed<br/> <i>Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Affirmed</i></p>                     |
| 12/22/2016 | <p> Motion to Return<br/>           Filed By: Defendant Moraga, Roy D<br/> <i>Motion for the Return Seized Property</i></p>   |
| 12/28/2016 | <p> Opposition to Motion<br/>           Filed By: Plaintiff State of Nevada<br/> <i>State's Opposition to Defendant's Motion for Return Seized Property</i></p>        |
| 01/12/2017 | <p> Reply to Opposition<br/>           Filed by: Defendant Moraga, Roy D<br/> <i>Reply to State's Opposition to Defendant's Motion for Return Seized Property</i></p> |
| 03/09/2017 | <p> Motion for Judgment<br/>           Filed By: Defendant Moraga, Roy D<br/> <i>Motion for Judgment on the Pleadings</i></p>   |
| 03/21/2017 | <p> Order Denying Motion<br/>           Filed By: Plaintiff State of Nevada<br/> <i>Order Denying Defendant's Motion for Return of Seized Property</i></p>            |
| 04/19/2017 | <p> Notice of Appeal (Criminal)<br/>           Party: Defendant Moraga, Roy D<br/> <i>Notice of Appeal</i></p>  |
| 04/21/2017 | <p> Case Appeal Statement</p>   |
| 04/25/2017 | <p> Notice of Appeal (Criminal)<br/>           Party: Defendant Moraga, Roy D<br/> <i>Notice of Appeal</i></p>  |
| 04/26/2017 | <p> Case Appeal Statement</p>   |

# CASE SUMMARY

CASE NO. 89C092174

|            |  |
|------------|--|
| 04/26/2017 |  Motion to Correct Sentence<br><i>Motion to Correct an Illegal Sentence Pursuant to NRS 176.555</i>   |
| 05/04/2017 |  Notice of Change of Hearing  |
| 05/15/2017 |  Notice of Change of Hearing  |
| 05/15/2017 |  Opposition to Motion<br>Filed By: Plaintiff State of Nevada<br><i>Opposition to Defendant's Motion to Correct Illegal Sentence Pursuant to NRS 176.555</i> |
| 05/31/2017 |  Reply to Opposition<br>Filed by: Defendant Moraga, Roy D<br><i>Reply to State's Opposition</i>   |
| 06/21/2017 |  Notice of Appeal (Criminal)<br><i>Notice of Appeal</i>   |
| 06/22/2017 |  Case Appeal Statement  |
| 07/11/2017 |  Order Denying Motion<br><i>Order Denying Defendant's Pro Per Motion to Correct an Illegal Sentence Pursuant to NRS 176.555</i>                             |
| 07/19/2017 |  NV Supreme Court Clerks Certificate/Judgment - Dismissed<br><i>Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed</i>              |
| 03/19/2018 |  NV Supreme Court Clerks Certificate/Judgment - Affirmed<br><i>Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Affirmed</i>                |
| 09/10/2018 |  Motion<br>Filed By: Defendant Moraga, Roy D<br><i>Motion for Order Directing Clerk to Issue Presentence Investigation Report to Defendant</i>            |
| 01/31/2019 |  Findings of Fact, Conclusions of Law and Order   |
| 02/05/2019 |  Notice of Entry<br>Filed By: Defendant Moraga, Roy D<br><i>Notice of Entry of Findings of Fact, Conclusions of Law and Order</i>                         |
| 04/29/2019 | Administrative Reassignment - Judicial Officer Change<br><i>To Judge Jacqueline M. Bluth</i>   |
| 02/11/2020 |  Writ of Certiorari<br><i>Petition for Extraordinary Writ and or Writ of Certiorari</i>   |
| 03/20/2020 |  Notice of Appeal (Criminal)<br>Party: Defendant Moraga, Roy D<br><i>Notice of Appeal</i>   |
| 03/25/2020 |  Case Appeal Statement<br>Filed By: Defendant Moraga, Roy D   |



# CASE SUMMARY

CASE NO. 89C092174

|            |   |
|------------|---|
| 06/20/2020 |  Order Denying<br>Filed By: Plaintiff State of Nevada<br><i>Order Denying Defendant's Pro Per Petition for Writ of Certiorari</i>          |
| 06/23/2020 |  Criminal Order to Statistically Close Case  |
| 12/21/2020 |  NV Supreme Court Clerks Certificate/Judgment - Affirmed<br><i>Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Affirmed</i> |
| 06/02/2021 |  Petition<br>Filed by: Defendant Moraga, Roy D<br><i>Writ of Prohibition Double Jeopardy Claim</i>   |
| 06/17/2021 |  Opposition<br>Filed By: Plaintiff State of Nevada<br><i>State's Opposition to Defendant's Writ of Prohibition Double Jeopardy Claim</i>   |
| 06/30/2021 |  Motion<br>Filed By: Defendant Moraga, Roy D<br><i>Motion for a Video Hearing</i>  |
| 07/06/2021 |  Notice of Appeal (Criminal)<br><i>Notice of Appeal</i>  |
| 07/07/2021 |  Case Appeal Statement<br>Filed By: Defendant Moraga, Roy D<br><i>Case Appeal Statement</i>  |

## **DISPOSITIONS**


|            |   |
|------------|---|
| 01/11/1990 | <b>Plea</b> (Judicial Officer: Cadish, Elissa F.)<br>1. BURGLARY<br>Not Guilty<br>PCN: Sequence:<br><br>2. BURGLARY<br>Not Guilty<br>PCN: Sequence:<br><br>3. SEXUAL ASSAULT<br>Not Guilty<br>PCN: Sequence:<br><br>4. SEXUAL ASSAULT<br>Not Guilty<br>PCN: Sequence: |
| 10/21/1991 | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>1. BURGLARY<br>Guilty<br>PCN: Sequence:  |
| 10/21/1991 | <b>Disposition</b> (Judicial Officer: User, Conversion)   |
| 10/21/1991 | <b>Disposition</b> (Judicial Officer: User, Conversion)   |

**CASE SUMMARY****CASE No. 89C092174**

|   |   |
|---|---|
|   | 2. BURGLARY<br>Guilty<br>PCN: Sequence:   |
| 10/21/1991  | <b>Disposition</b> (Judicial Officer: User, Conversion)   |
| 10/21/1991  | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>3. SEXUAL ASSAULT<br>Guilty<br>PCN: Sequence:                            |
| 10/21/1991  | <b>Disposition</b> (Judicial Officer: User, Conversion)   |
| 10/21/1991  | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>4. SEXUAL ASSAULT<br>Guilty<br>PCN: Sequence:                            |
| 10/21/1991  | <b>Disposition</b> (Judicial Officer: User, Conversion)   |
| 10/21/1991  | <b>Adult Adjudication</b> (Judicial Officer: User, Conversion)<br>1. BURGLARY<br>01/01/1900 (F) 205.060 (205.060)<br>PCN: Sequence: |
| <hr/> Converted Disposition:<br>Sentence# 0001: LIFE WITHOUT POSSIBILITY OF PAROLE<br>Converted Disposition:<br>Sentence# 0002: ADMINISTRATION FEE<br>Amount: \$20.00<br>Converted Disposition:<br>Sentence# 0003: SENTENCE SET ASIDE<br>Converted Disposition:<br>Sentence# 0004:<br>Minimum 10 Years to Maximum 10 Years<br>Placement: NSP<br>Converted Disposition:<br>Sentence# 0005: CREDIT FOR TIME SERVED<br>Converted Disposition:<br>Sentence# 0006: ADMINISTRATION FEE<br>Amount: \$25.00<br>Converted Disposition:<br>Sentence# 0007: SENTENCE AMENDED<br>Converted Disposition:<br>Sentence# 0008: CREDIT FOR TIME SERVED<br>Minimum 180 Days to Maximum 180 Days |   |
| 10/21/1991  | <b>Adult Adjudication</b> (Judicial Officer: User, Conversion)<br>2. BURGLARY<br>01/01/1900 (F) 205.060 (205.060)<br>PCN: Sequence: |
| <hr/> Converted Disposition:<br>Sentence# 0001:<br>Minimum 10 Years to Maximum 10 Years<br>Placement: NSP<br>Cons/Conc: Consecutive<br>w/Charge Item: 0001<br>and Sentence#: 0004   |   |

# CASE SUMMARY

CASE NO. 89C092174

|            |   |
|------------|---|
| 10/21/1991 | <p><b>Adult Adjudication</b> (Judicial Officer: User, Conversion)<br/> 3. SEXUAL ASSAULT<br/> 01/01/1900 (F) 200.366 (200.366)<br/> PCN: Sequence:</p> <hr/> <p>Converted Disposition:<br/> Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE<br/> Cons/Conc: Consecutive<br/> w/Charge Item: 0002<br/> and Sentence#: 0001</p>   |
| 10/21/1991 | <p><b>Adult Adjudication</b> (Judicial Officer: User, Conversion)<br/> 4. SEXUAL ASSAULT<br/> 01/01/1900 (F) 200.366 (200.366)<br/> PCN: Sequence:</p> <hr/> <p>Converted Disposition:<br/> Sentence# 0001: LIFE WITHOUT POSSIBILITY OF PAROLE<br/> Cons/Conc: Consecutive<br/> w/Charge Item: 0003<br/> and Sentence#: 0001</p>  |
|            | <p><b><u>HEARINGS</u></b></p>   |
| 01/11/1990 | <p><b>Initial Arraignment</b> (9:00 AM)<br/> Events: 12/28/1989 Criminal Bindover<br/> <i>INITIAL ARRAIGNMENT Heard By: Carl Christensen</i></p> <p><b>MINUTES</b><br/>  Criminal Bindover<br/> <i>Criminal Bindover (Confidential)</i><br/> Matter Heard; INITIAL ARRAIGNMENT Heard By: Carl Christensen</p> |
| 06/13/1990 | <p><b>Sentencing</b> (9:00 AM)<br/> <i>SENTENCING Heard By: Michael Wendell</i></p> <p><b>MINUTES</b><br/> Matter Heard; SENTENCING Heard By: Michael Wendell</p>   |
| 09/23/1991 | <p><b>Motion</b> (9:00 AM)<br/> <i>REMAND FROM SUPREME COURT FOR RE-SENTENCING Court Clerk: DEBRA VINSON Reporter/Recorder: SHARLEEN NICHOLSON Heard By: LEHMAN, JACK</i><br/> Matter Continued; REMAND FROM SUPREME COURT FOR RE-SENTENCING Court Clerk: DEBRA VINSON Reporter/Recorder: SHARLEEN NICHOLSON Heard By: LEHMAN, JACK</p>   |
| 10/09/1991 | <p><b>Motion</b> (9:00 AM)<br/> Events: 09/26/1991 Motion<br/> <i>MOTION TO TRANSFER SENTENCING BACK TO DEPT VIII Heard By: Jack Lehman</i></p>   |
| 10/09/1991 | <p><b>Petition</b> (9:00 AM)<br/> Events: 10/03/1991 Motion for Leave to Proceed in Forma Pauperis<br/> <i>PROPER PERSON MOTION TO PROCEED IN FORMAPAUPERIS Heard By: Jack Lehman</i></p>   |
| 10/09/1991 | <p><b>Petition</b> (9:00 AM)<br/> Events: 10/03/1991 Notice of Motion<br/> <i>PROPER PERSON MOTION FOR WITHDRAWAL OF ATTORNEY OF RECORD AND TRANSFER OF Heard By: Jack Lehman</i></p>   |
| 10/09/1991 | <p><b>All Pending Motions</b> (9:00 AM)<br/> <i>ALL PENDING MOTIONS Court Clerk: DEBRA VINSON Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</i></p>   |

# CASE SUMMARY

CASE No. 89C092174

|            |   |
|------------|---|
|            | Matter Heard; ALL PENDING MOTIONS Court Clerk: DEBRA VINSON<br>Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman  |
| 10/11/1991 | <b>Motion (9:00 AM)</b><br><i>REMAND FROM SUPREME COURT FOR RE-SENTENCING Court Clerk: DEBRA VINSON<br/>Reporter/Recorder: SHARLEEN NICHOLSON Heard By: LEHMAN, JACK</i><br>Matter Continued; REMAND FROM SUPREME COURT FOR RE-SENTENCING Court<br>Clerk: DEBRA VINSON Reporter/Recorder: SHARLEEN NICHOLSON Heard By:<br>LEHMAN, JACK  |
| 10/14/1991 | <b>Motion (9:00 AM)</b><br><i>REMAND FROM SUPREME COURT FOR RE-SENTENCING Court Clerk: DEBRA VINSON<br/>Reporter/Recorder: SHARLEEN NICHOLSON Heard By: LEHMAN, JACK</i><br>Matter Continued; REMAND FROM SUPREME COURT FOR RE-SENTENCING Court<br>Clerk: DEBRA VINSON Reporter/Recorder: SHARLEEN NICHOLSON Heard By:<br>LEHMAN, JACK  |
| 10/21/1991 | <b>Motion (9:00 AM)</b><br><i>REMAND FROM SUPREME COURT FOR RE-SENTENCING Court Clerk: DEBRA VINSON<br/>Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</i><br>Matter Heard; REMAND FROM SUPREME COURT FOR RE-SENTENCING Court Clerk:<br>DEBRA VINSON Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman   |
| 01/15/1992 | <b>Motion for Appointment of Attorney (9:00 AM)</b><br>Events: 01/02/1992 Motion for Appointment of Attorney<br><i>MOTION FOR APPOINT COUNSEL FOR APPEAL Court Clerk: DEBRA VINSON<br/>Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</i><br>Granted; MOTION FOR APPOINT COUNSEL FOR APPEAL Court Clerk: DEBRA<br>VINSON Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman     |
| 01/29/1992 | <b>Motion for Confirmation of Counsel (9:00 AM)</b><br>Events: 01/27/1992 Document Filed<br><i>CONFIRMATION OF COUNSEL (BAILUS M) (CRM STNG SLP) Court Clerk: DEBRA<br/>VINSON Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</i><br>Granted; CONFIRMATION OF COUNSEL (BAILUS M) (CRM STNG SLP) Court Clerk:<br>DEBRA VINSON Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman |
| 08/03/1992 | <b>Petition (9:00 AM)</b><br>Events: 07/21/1992 Motion to Return<br><i>PRO PER MOTION FOR RETURNING SEIZED PROPERTY Court Clerk: DEBRA VINSON<br/>Reporter/Recorder: SHIRLEY PARRAGUIRRE Heard By: Addeliar Guy, III</i><br>Denied; PRO PER MOTION FOR RETURNING SEIZED PROPERTY Court Clerk: DEBRA<br>VINSON Reporter/Recorder: SHIRLEY PARRAGUIRRE Heard By: Addeliar Guy, III                      |
| 09/08/1993 | <b>Motion (9:00 AM)</b><br>Events: 08/26/1993 Motion for Leave to Proceed in Forma Pauperis<br><i>MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS Court Clerk: DEBRA VINSON<br/>Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</i><br>Granted; MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS Court Clerk:<br>DEBRA VINSON Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman      |
| 09/15/1993 | <b>Status Check (9:00 AM)</b><br><i>STATUS CHECK RE: CREDIT FOR TIME SERVED Court Clerk: DEBRA VINSON<br/>Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</i><br>Granted; STATUS CHECK RE: CREDIT FOR TIME SERVED Court Clerk: DEBRA<br>VINSON Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman  |
| 03/06/1996 | <b>Motion (9:00 AM)</b><br>Events: 02/20/1996 Ex Parte Motion<br><i>DEFT'S PRO PER MOTION FOR FEES FOR EXPERT SERVICE Heard By: Jack Lehman</i>   |
| 03/06/1996 | <b>Petition to Proceed in Forma Pauperis (9:00 AM)</b><br>Events: 02/20/1996 Motion for Leave to Proceed in Forma Pauperis  |

# CASE SUMMARY

CASE No. 89C092174

|            |   |
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|            | <i>DEFT'S PRO PER MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS</i> Heard By: Jack Lehman   |
| 03/06/1996 | <b>Motion to Compel</b> (9:00 AM)<br>Events: 02/20/1996 Motion<br><i>DEFT'S PRO PER MOTION TO COMPEL PRODUCTION OF SEMAN/BLOOD</i> Heard By: Jack Lehman  |
| 03/06/1996 | <b>Petition for Writ of Habeas Corpus</b> (9:00 AM)<br>Events: 02/20/1996 Petition for Writ of Habeas Corpus<br><i>DEFT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS</i> Heard By: Jack Lehman  |
| 03/06/1996 | <b>All Pending Motions</b> (9:00 AM)<br><i>ALL PENDING MOTIONS (3/06/96) Relief Clerk: LARRY SNYDER/LS Reporter/Recorder: SHARLEEN NICHOLSON</i> Heard By: Jack Lehman<br>Matter Heard; ALL PENDING MOTIONS (3/06/96) Relief Clerk: LARRY SNYDER/LS Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman |
| 03/18/1996 | <b>CANCELED Motion to Withdraw as Counsel</b> (9:00 AM)<br><i>Vacated</i>   |
| 03/18/1996 | <b>CANCELED Petition to Proceed in Forma Pauperis</b> (9:00 AM)<br>Events: 03/05/1996 Motion for Leave to Proceed in Forma Pauperis<br><i>Vacated</i>   |
| 04/17/1996 | <b>Motion</b> (9:00 AM)<br><i>DEFT'S PRO PER MOTION FOR FEES FOR EXPERT SERVICE</i> Heard By: Jack Lehman   |
| 04/17/1996 | <b>Petition to Proceed in Forma Pauperis</b> (9:00 AM)<br><i>DEFT'S PRO PER MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS</i> Heard By: Jack Lehman   |
| 04/17/1996 | <b>Motion to Compel</b> (9:00 AM)<br><i>DEFT'S PRO PER MOTION TO COMPEL PRODUCTION OF SEMAN/BLOOD</i> Heard By: Jack Lehman   |
| 04/17/1996 | <b>Petition for Writ of Habeas Corpus</b> (9:00 AM)<br><i>DEFT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS</i> Court Clerk: NANCY NOBLE Reporter/Recorder: HELENE KARP Heard By: Jack Lehman   |
| 04/17/1996 | <b>Hearing</b> (9:00 AM)<br><i>HEARING: SUPPLEMENTAL PLEADINGS</i> Heard By: Jack Lehman  |
| 04/17/1996 | <b>Petition to Proceed in Forma Pauperis</b> (9:00 AM)<br>Events: 03/11/1996 Motion for Leave to Proceed in Forma Pauperis<br><i>DEFT'S PRO PER MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS</i> Heard By: Jack Lehman   |
| 04/17/1996 | <b>Motion</b> (9:00 AM)<br>Events: 03/11/1996 Motion to Return<br><i>DEFT'S PRO PER MOTION FOR RETURNING SEIZED PROPERTY</i> Heard By: Jack Lehman  |
| 04/17/1996 | <b>Motion to Withdraw as Counsel</b> (9:00 AM)<br>Events: 04/09/1996 Motion to Withdraw As Counsel<br><i>MARK BAILUS' MOTION TO WITHDRAW AS COUNSEL</i> Heard By: Jack Lehman   |
| 04/17/1996 | <b>Motion</b> (9:00 AM)<br><i>DEFT'S MOTION FOR EXTENSION OF TIME</i> Heard By: Jack Lehman   |
| 04/17/1996 | <b>All Pending Motions</b> (9:00 AM)  |

# CASE SUMMARY

CASE No. 89C092174

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|            | <p><i>ALL PENDING MOTIONS (4/17/96) Court Clerk: NANCY NOBLE Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</i></p> <p>Matter Heard; ALL PENDING MOTIONS (4/17/96) Court Clerk: NANCY NOBLE Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</p>  |
| 05/24/1996 | <p><b>Petition for Writ of Habeas Corpus (9:00 AM)</b></p> <p><i>DEFT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS Court Clerk: NANCY NOBLE Reporter/Recorder: HELENE KARP Heard By: Sally Loehrer</i></p> <p>Matter Heard; DEFT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS Court Clerk: NANCY NOBLE Reporter/Recorder: HELENE KARP Heard By: Sally Loehrer</p>   |
| 07/15/1996 | <p><b>Hearing (9:00 AM)</b></p> <p><i>ARGUMENT AND DECISION Court Clerk: CINDY LORY Reporter/Recorder: SHARLEEN NICHOLSON Heard By: LEHMAN, JACK</i></p> <p>Matter Continued; ARGUMENT AND DECISION Court Clerk: CINDY LORY Reporter/Recorder: SHARLEEN NICHOLSON Heard By: LEHMAN, JACK</p>  |
| 07/19/1996 | <p><b>Hearing (9:00 AM)</b></p> <p><i>ARGUMENT AND DECISION Court Clerk: CINDY LORY Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</i></p> <p>Denied; ARGUMENT AND DECISION Court Clerk: CINDY LORY Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</p>  |
| 08/12/1996 | <p><b>Motion to Withdraw as Counsel (9:00 AM)</b></p> <p>Events: 08/02/1996 Motion to Withdraw As Counsel</p> <p><i>DAVID SCHIECK'S MOTION TO WITHDRAW AS COUNSEL Court Clerk: MELISSA DAVIS Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</i></p> <p>Granted; DAVID SCHIECK'S MOTION TO WITHDRAW AS COUNSEL Court Clerk: MELISSA DAVIS Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</p> |
| 08/21/1996 | <p><b>Motion for Appointment (9:00 AM)</b></p> <p><i>APPOINTMENT OF COUNSEL</i></p>   |
| 08/21/1996 | <p><b>Status Check (9:00 AM)</b></p> <p><i>STATUS CHECK: FINDINGS OF FACTS AND CONCLUSION Heard By: Jack Lehman</i></p>   |
| 08/21/1996 | <p><b>All Pending Motions (9:00 AM)</b></p> <p><i>ALL PENDING MOTIONS (8/21/96) Court Clerk: NANCY NOBLE Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</i></p> <p>Matter Heard; ALL PENDING MOTIONS (8/21/96) Court Clerk: NANCY NOBLE Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</p>  |
| 08/26/1996 | <p><b>Petition to Proceed in Forma Pauperis (9:00 AM)</b></p> <p><i>DEFT'S PRO PER MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS Heard By: Jack Lehman</i></p>  |
| 08/26/1996 | <p><b>Status Check (9:00 AM)</b></p> <p><i>STATUS CHECK: FINDINGS OF FACTS AND CONCLUSION Heard By: Jack Lehman</i></p>   |
| 08/26/1996 | <p><b>Motion for Confirmation of Counsel (9:00 AM)</b></p> <p><i>CONFIRMATION OF COUNSEL (JACKSON) Heard By: Jack Lehman</i></p>  |
| 08/26/1996 | <p><b>All Pending Motions (9:00 AM)</b></p> <p><i>ALL PENDING MOTIONS (08-26-96) Court Clerk: CINDY LORY Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</i></p> <p>Matter Heard; ALL PENDING MOTIONS (08-26-96) Court Clerk: CINDY LORY Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</p>  |
| 08/28/1996 | <p><b>Status Check (9:00 AM)</b></p> <p><i>STATUS CHECK: FINDINGS OF FACTS AND CONCLUSION Heard By: Jack Lehman</i></p>   |
| 08/28/1996 | <p><b>Motion for Confirmation of Counsel (9:00 AM)</b></p>  |

# CASE SUMMARY

CASE No. 89C092174

CONFIRMATION OF COUNSEL (JACKSON) Heard By: Jack Lehman

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| 08/28/1996 | <p><b>All Pending Motions (9:00 AM)</b><br/> <i>ALL PENDING MOTIONS (08-28-96) Court Clerk: CINDY LORY Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</i><br/>                     Matter Heard; ALL PENDING MOTIONS (08-28-96) Court Clerk: CINDY LORY Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</p>   |
| 05/11/1998 | <p><b>Motion to Modify Sentence (9:00 AM)</b><br/>                     Events: 04/30/1998 Motion to Modify Sentence<br/> <i>DEFT'S PRO PER MOTION TO MODIFY OR CORRECT ILLEGAL SENTENCE Court Clerk: DOROTHY KELLY Relief Clerk: NORMA CHATY/NC Reporter/Recorder: MARILYN WAGGONER Heard By: Don Chairez</i><br/>                     Denied; DEFT'S PRO PER MOTION TO MODIFY OR CORRECT ILLEGAL SENTENCE Court Clerk: DOROTHY KELLY Relief Clerk: NORMA CHATY/NC Reporter/Recorder: MARILYN WAGGONER Heard By: Don Chairez</p> |
| 06/15/1998 | <p><b>Motion (9:00 AM)</b><br/>                     Events: 06/01/1998 Motion<br/> <i>DEFT'S PRO PER MOTION FOR ENLARGEMENT OF TIME Heard By: Don Chairez</i></p>  |
| 06/17/1998 | <p><b>Motion (9:00 AM)</b><br/> <i>DEFT'S PRO PER MOTION FOR ENLARGEMENT OF TIME Court Clerk: DOROTHY KELLY Relief Clerk: CYNTHIA NAVARRETTE-LORY/CNL Reporter/Recorder: SHAWN OTT Heard By: Mark Gibbons</i><br/>                     Denied; DEFT'S PRO PER MOTION FOR ENLARGEMENT OF TIME Court Clerk: DOROTHY KELLY Relief Clerk: CYNTHIA NAVARRETTE-LORY/CNL Reporter/Recorder: SHAWN OTT Heard By: Mark Gibbons</p>  |
| 08/18/1998 | <p><b>Motion to Strike (9:00 AM)</b><br/>                     Events: 08/06/1998 Motion to Strike<br/> <i>DEFT'S PRO PER MOTION TO STRIKE Court Clerk: RITA LOPEZ Reporter/Recorder: YVONNE VALENTIN Heard By: Lee Gates</i><br/>                     Denied; DEFT'S PRO PER MOTION TO STRIKE Court Clerk: RITA LOPEZ Reporter/Recorder: YVONNE VALENTIN Heard By: Lee Gates</p>   |
| 09/01/1998 | <p><b>Status Check (9:00 AM)</b><br/> <i>STATUS CHECK: ORDER Court Clerk: RITA LOPEZ Reporter/Recorder: YVONNE VALENTIN Heard By: Lee Gates</i><br/>                     Off Calendar; STATUS CHECK: ORDER Court Clerk: RITA LOPEZ Reporter/Recorder: YVONNE VALENTIN Heard By: Lee Gates</p>  |
| 03/11/2002 | <p><b>CANCELED Petition to Proceed in Forma Pauperis (9:00 AM)</b><br/>                     Events: 02/25/2002 Motion for Leave to Proceed in Forma Pauperis<br/> <i>Vacated</i></p>   |
| 03/11/2002 | <p><b>CANCELED Motion (9:00 AM)</b><br/>                     Events: 02/25/2002 Motion<br/> <i>Vacated</i></p>   |
| 11/13/2002 | <p><b>Motion to Vacate (9:00 AM)</b><br/>                     Events: 10/31/2002 Motion to Vacate<br/> <i>DEFT'S PRO PER MTN TO VACATE AMEND JUDGMNT/40 Court Clerk: Sharon Coffman Reporter/Recorder: Sonja Riley-Bennett Heard By: Lee Gates</i><br/>                     Matter Heard; DEFT'S PRO PER MTN TO VACATE AMEND JUDGMNT/40 Court Clerk: Sharon Coffman Reporter/Recorder: Sonja Riley-Bennett Heard By: Lee Gates</p>   |
| 11/18/2002 | <p><b>Motion for Confirmation of Counsel (9:00 AM)</b><br/> <i>CONFIRMATION OF COUNSEL (HINDS) Court Clerk: Sharon Coffman Reporter/Recorder: Sonja Riley-Bennett Heard By: Lee Gates</i><br/>                     Granted; CONFIRMATION OF COUNSEL (HINDS) Court Clerk: Sharon Coffman Reporter/Recorder: Sonja Riley-Bennett Heard By: Lee Gates</p>   |

# CASE SUMMARY

CASE NO. 89C092174

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| 12/02/2002 | <p><b>Status Check (9:00 AM)</b><br/> <i>STATUS CHECK: PETITION Court Clerk: Sharon Coffman Heard By: Gates, Lee A</i><br/> Matter Continued; STATUS CHECK: PETITION Court Clerk: Sharon Coffman Heard By: Gates, Lee A</p>   |
| 12/18/2002 | <p><b>Status Check (9:00 AM)</b><br/> <i>STATUS CHECK: PETITION Relief Clerk: April Watkins Reporter/Recorder: Sonia Riley-Bennett Heard By: Gates, Lee A</i><br/> Matter Continued; STATUS CHECK: PETITION Relief Clerk: April Watkins Reporter/Recorder: Sonia Riley-Bennett Heard By: Gates, Lee A</p>   |
| 12/23/2002 | <p><b>Status Check (9:00 AM)</b><br/> <i>STATUS CHECK: PETITION Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley-Bennett Heard By: Gates, Lee A</i><br/> Matter Continued; STATUS CHECK: PETITION Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley-Bennett Heard By: Gates, Lee A</p>   |
| 01/08/2003 | <p><b>Status Check (9:00 AM)</b><br/> <i>STATUS CHECK: PETITION Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley-Bennett Heard By: Gates, Lee A</i><br/> Matter Continued; STATUS CHECK: PETITION Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley-Bennett Heard By: Gates, Lee A</p>   |
| 02/03/2003 | <p><b>Status Check (9:00 AM)</b><br/> <i>STATUS CHECK: PETITION Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley-Bennett Heard By: Gates, Lee A</i><br/> Matter Continued; STATUS CHECK: PETITION Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley-Bennett Heard By: Gates, Lee A</p>   |
| 02/05/2003 | <p><b>Status Check (9:00 AM)</b><br/> <i>STATUS CHECK: PETITION Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley-Bennett Heard By: Lee Gates</i><br/> Matter Heard; STATUS CHECK: PETITION Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley-Bennett Heard By: Lee Gates</p>   |
| 07/23/2003 | <p><b>CANCELED Hearing (9:00 AM)</b><br/> <i>Vacated</i></p>  |
| 12/29/2003 | <p><b>Motion (9:00 AM)</b><br/> Events: 12/16/2003 Motion to Release<br/> <i>DEFT'S MTN FOR RELEASE OF DNA EVID UNDERNV OPEN RECORDS ACT/44 Court Clerk: Sharon Coffman Reporter/Recorder: Shawna Craig Heard By: Gates, Lee A</i><br/> Matter Continued; DEFT'S MTN FOR RELEASE OF DNA EVID UNDERNV OPEN RECORDS ACT/44 Court Clerk: Sharon Coffman Reporter/Recorder: Shawna Craig Heard By: Gates, Lee A</p> |
| 01/05/2004 | <p><b>Motion (9:00 AM)</b><br/> <i>DEFT'S MTN FOR RELEASE OF DNA EVID UNDERNV OPEN RECORDS ACT/44 Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates</i><br/> Denied; DEFT'S MTN FOR RELEASE OF DNA EVID UNDERNV OPEN RECORDS ACT/44 Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates</p>   |
| 10/13/2004 | <p><b>Motion (9:00 AM)</b><br/> Events: 09/27/2004 Writ of Mandamus<br/> <i>DEFT'S PRO PER MTN FOR EXTRAORDINARY WRIT/45 Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates</i><br/> Matter Continued; DEFT'S PRO PER MTN FOR EXTRAORDINARY WRIT/45 Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates</p>  |
| 11/01/2004 | <p><b>Motion (9:00 AM)</b><br/> Events: 10/18/2004 Motion<br/> <i>DEFT'S PRO PER MTN FOR ORDER FOR FAILURE TO PROSECUTE/REINSTATE MTN TO VACATE/47 Court Clerk: Sharon Coffman Relief Clerk: Michelle Jones/mj</i></p>  |



# CASE SUMMARY

CASE No. 89C092174

Reporter/Recorder: Sonia Riley Heard By: Gates, Lee A

Matter Continued; DEFT'S PRO PER MTN FOR ORDER FOR FAILURE TO PROSECUTE/REINSTATE MTN TO VACATE/47 Court Clerk: Sharon Coffman Relief Clerk: Michelle Jones/mj Reporter/Recorder: Sonia Riley Heard By: Gates, Lee A

01/31/2005

**Hearing (9:00 AM)**

*ARGUMENT: DEFT MTN FOR EXTRAORDINARY WRIT Heard By: Lee Gates*

01/31/2005

**Motion (9:00 AM)**

*DEFT'S PRO PER MTN FOR ORDER FOR FAILURE TO PROSECUTE/REINSTATE MTN TO VACATE/47 Heard By: Lee Gates*

01/31/2005

**All Pending Motions (9:00 AM)**

*ALL PENDING MOTIONS (1-31-05) Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates*

Matter Heard; ALL PENDING MOTIONS (1-31-05) Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates

01/23/2006

**Petition to Proceed in Forma Pauperis (9:00 AM)**

Events: 01/10/2006 Motion for Leave to Proceed in Forma Pauperis

*DEFT'S PRO PER MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS AND FOR /49 Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates*

Granted in Part; DEFT'S PRO PER MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS AND FOR /49 Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates

03/22/2006

**Motion (9:00 AM)**

Events: 02/22/2006 Motion

*DEFT'S PRO PER MTN AND ORDER TO TRANSPORT AND PRODUCE INMATE FOR /51 Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates*

Matter Heard; DEFT'S PRO PER MTN AND ORDER TO TRANSPORT AND PRODUCE INMATE FOR /51 Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates

03/29/2006

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

Events: 01/12/2006 Order for Petition for Writ of Habeas Corpus

*DEFT'S PTN FOR WRIT OF HABEAS CORPUS /50*

04/19/2006

**Status Check (9:00 AM)**

*STATUS CHECK: PETITION HEARING / ORDER TO TRANSPORT Court Clerk: Sharon Coffman/sc Relief Clerk: Phyllis Irby Reporter/Recorder: Jackie Nelson Heard By: Bonaventure, Joseph T.*

Matter Continued; STATUS CHECK: PETITION HEARING / ORDER TO TRANSPORT Court Clerk: Sharon Coffman/sc Relief Clerk: Phyllis Irby Reporter/Recorder: Jackie Nelson Heard By: Bonaventure, Joseph T.

04/26/2006

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

*DEFT'S PTN FOR WRIT OF HABEAS CORPUS /50*

05/01/2006

**Status Check (9:00 AM)**

*STATUS CHECK: PETITION HEARING / ORDER TO TRANSPORT Court Clerk: Sharon Coffman/sc Relief Clerk: Phyllis Irby Reporter/Recorder: Sonia Riley Heard By: Gates, Lee A*

Matter Continued; STATUS CHECK: PETITION HEARING / ORDER TO TRANSPORT Court Clerk: Sharon Coffman/sc Relief Clerk: Phyllis Irby Reporter/Recorder: Sonia Riley Heard By: Gates, Lee A

05/31/2006




**Status Check (9:00 AM)**

*STATUS CHECK: PETITION HEARING / ORDER TO TRANSPORT Court Clerk: Sharon Coffman/sc Relief Clerk: Phyllis Irby Reporter/Recorder: Sonia Riley Heard By: Lee Gates*

Matter Heard; STATUS CHECK: PETITION HEARING / ORDER TO TRANSPORT Court Clerk: Sharon Coffman/sc Relief Clerk: Phyllis Irby Reporter/Recorder: Sonia Riley Heard By: Lee Gates

# CASE SUMMARY

CASE No. 89C092174

|            |  |
|------------|--|
| 06/26/2006 | <p><b>Hearing (9:00 AM)</b><br/> <i>ARGUMENT: PETITION FOR WRIT OF HABEAS CORPUS Court Clerk: Sharon Coffman/sc Relief Clerk: Phyllis Irby Reporter/Recorder: Sonia Riley Heard By: Lee Gates</i><br/>           Denied; <i>ARGUMENT: PETITION FOR WRIT OF HABEAS CORPUS Court Clerk: Sharon Coffman/sc Relief Clerk: Phyllis Irby Reporter/Recorder: Sonia Riley Heard By: Lee Gates</i></p>  |
| 07/06/2006 | <p><b>Minute Order (9:00 AM)</b><br/> <i>MINUTE ORDER RE: PETITION FOR WRIT OF HABEAS CORPUS Court Clerk: Connie Gleason Relief Clerk: Phyllis Irby/pi Heard By: Lee Gates</i><br/>           Matter Heard; <i>MINUTE ORDER RE: PETITION FOR WRIT OF HABEAS CORPUS Court Clerk: Connie Gleason Relief Clerk: Phyllis Irby/pi Heard By: Lee Gates</i></p>   |
| 03/19/2007 | <p><b>Motion (9:00 AM)</b><br/>           Events: 03/05/2007 Motion for Appointment of Attorney<br/> <i>DEFT'S PRO PER MTN FOR APPOINTMENT OF COUNSEL ON APPEAL/55 Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates</i><br/>           Denied; <i>DEFT'S PRO PER MTN FOR APPOINTMENT OF COUNSEL ON APPEAL/55 Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates</i></p>  |
| 04/25/2012 | <p> <b>Status Check (8:30 AM)</b> (Judicial Officer: Cadish, Elissa F.)<br/> <i>Further Proceedings (Deft's Pro per Mtn for Judicial Action on Petition, Exparte Mtn for Appointment of Counsel filed in A640265)</i><br/>           Matter Heard;<br/>           Journal Entry Details:<br/> <i>Court stated findings noting after the change of venue the Deft's case was calendared in Department V on a civil calendar in error, and was then recalendared in Department VI and ORDERED, Deft's Pro Per Motion for Judicial action GRANTED; matter set for hearing regarding the Deft's Petition For Writ Of Habeas Corpus; state's response to be filed by June 13th; Deft's Motion For Appointment Of Counsel CONTINUED. NDC 7-16-12 HEARING: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS...DEFT'S EXPARTE MOTION FOR APPOINTMENT OF COUNSEL CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584, Love Lock Correctional Center, 1200 Prison Road, Love Lock NV. 89419 ;</i></p> |
| 07/16/2012 | <p><b>Hearing (8:30 AM)</b> (Judicial Officer: Cadish, Elissa F.)<br/> <i>HEARING: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS</i><br/>           Denied;</p>  |
| 07/16/2012 | <p><b>Motion (8:30 AM)</b> (Judicial Officer: Cadish, Elissa F.)<br/> <i>DEFT'S EXPARTE MOTION FOR APPOINTMENT OF COUNSEL</i><br/>           Denied;</p>   |
| 07/16/2012 | <p> <b>All Pending Motions (8:30 AM)</b> (Judicial Officer: Cadish, Elissa F.)<br/>           Denied;<br/>           Journal Entry Details:<br/> <i>HEARING: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS...DEFT'S EXPARTE MOTION FOR APPOINTMENT OF COUNSEL In the absence of the Deft., Court advised there will not be any argument. Court stated findings and ORDERED, Deft's Petition For Writ of Habeas Corpus and Exparte Motion For Appointment of counsel DENIED. NDC CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584, Ely State Prison, POB 1989, Ely Nv., 89301 ;</i></p>  |
| 08/27/2012 | <p> <b>Motion (8:30 AM)</b> (Judicial Officer: Cadish, Elissa F.)<br/>           Events: 08/06/2012 Motion to Reconsider<br/> <i>Motion for Reconsideration</i><br/>           Denied;<br/>           Journal Entry Details:<br/> <i>In the absence of the Deft., Court noted there will not be any argument. Court stated findings noting the Deft. is seeking reconsideration of the ruling of July 16th due to his absence and ORDERED, Deft's Pro Se Motion For Reconsideration DENIED; there was no argument in the Deft's absence, and no basis for reconsideration. NDC CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584. Love Lock Correctional Center, 1200</i></p>  |

# CASE SUMMARY

CASE No. 89C092174

Prison Road, Love Lock Nv. 89419 ;

10/21/2013



**Petition for Writ of Habeas Corpus** (8:30 AM) (Judicial Officer: Cadish, Elissa F.)

Events: 08/26/2013 Order for Petition for Writ of Habeas Corpus

Denied;

Journal Entry Details:

*In the absence of the Deft., Court stated there will not be any argument. Court stated findings noting the petition is untimely, successive, no good cause has been shown for the procedural defaults, there is no showing in evidence of actual innocence, the sentence is not illegal and ORDERED, Deft's Pro Se Petition For Writ of Habeas Corpus DENIED. FURTHER ORDERED, due to the ruling of the Court, Defendant's request for counsel is DENIED; State to prepare the order. NDC CLERK'S NOTE: The above minute order has been distributed to: Roy Moraga #31584, Love Lock Correctional Center, 1200 Prison Road, Love Lock Nv. 89419 ;*

01/17/2014



**Minute Order** (3:00 AM) (Judicial Officer: Cadish, Elissa F.)

*Minute Order Re: Post-Conviction Petition requesting genetic marker testing pursuant to NRS 176.0918.*

Denied;

Journal Entry Details:

*Petitioner submitted a Post-Conviction Petition requesting genetic marker testing pursuant to NRS 176.0918. Defendant does not meet the requirements of NRS 176.0918(3)(b) because there does not exist a reasonable possibility that Petitioner would not have been convicted if exculpatory results had been obtained. Additionally, Petitioner previously raised the issue of DNA testing by filing a Motion for Release of DNA Evidence Under Nevada Open Records Act on December 16, 2003. On January 5, 2004, the court DENIED the motion on the merits because the Petitioner admitted during trial that he had consensual sex with the victim. As this issue has previously been decided on the merits, instant Petition is barred by the law of the case. NDC CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584, Love Lock Correctional Center, 1200 Prison Road, Love Lock Nv. 89419 ;*

02/12/2014

**Motion to Correct Sentence** (8:30 AM) (Judicial Officer: Cadish, Elissa F.)

*Defendant's Motion for Correction of Illegal Sentence*

Denied;

02/12/2014

**Motion for Appointment of Attorney** (8:30 AM) (Judicial Officer: Cadish, Elissa F.)

*Defendant's Motion for Appointment of Counsel*

Denied;

02/12/2014



**All Pending Motions** (8:30 AM) (Judicial Officer: Cadish, Elissa F.)

Denied;

Journal Entry Details:

*DEFENDANT'S PRO PER MOTION FOR CORRECTION OF ILLEGAL SENTENCE...DEFENDANT'S PRO SE MOTION FOR APPOINTMENT OF COUNSEL Court noted the absence of the Defendant as he is currently in the Nevada Department of Corrections (NDC) and was not transported. Court advised it will not hear argument but will rule based on the pleadings filed. Court advised that the sentence imposed is legal, Court previously denied this motion, Defendant appealed to the Nevada Supreme Court, which upheld this Court's decision and, ORDERED, Defendant's Pro Per Motion for Correction of Illegal Sentence and Defendant's Pro Se Motion for Appointment of Counsel DENIED; State to prepare and submit appropriate Order. NDC ;*

04/09/2014



**Motion** (8:30 AM) (Judicial Officer: Cadish, Elissa F.)

*Motion for Returning Seized Property*





Denied;

Journal Entry Details:

*In the absence of the Defendant the Court stated there will not be any argument and a ruling will be issued based upon the papers. Court stated findings and ORDERED, Defendant's Pro Se Motion For Returning Seized Property DENIED as the items impounded as evidence are not appropriate for release under the applicable statutes; State to prepare the order. NDC CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584, Love Lock Correctional Center, 1200 Prison Rd., Love Lock Nv. 89419 ;*

# CASE SUMMARY

CASE NO. 89C092174

|            |  |
|------------|--|
| 07/07/2014 | <p><b>Motion</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.)<br/> <i>Motion for Production of Transcripts at State Expense</i><br/>           Denied;</p>  |
| 07/07/2014 | <p><b>Motion for Order</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.)<br/> <i>Notice of Motion and Motion for Order of Delivery of Records</i><br/>           Denied;</p>   |
| 07/07/2014 | <p><b>Motion</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.)<br/> <i>Request for Rough Draft Transcript</i><br/>           Denied;</p>   |
| 07/07/2014 | <p> <b>All Pending Motions</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.)<br/>           Matter Heard;<br/>           Journal Entry Details:<br/> <i>DEFT'S PRO SE MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATE EXPENSE...DEFT'S PRO SE MOTION FOR AN ORDER OF DELIVERY OF RECORDS...DEFT'S PRO SE REQUEST FOR ROUGH DRAFT TRANSCRIPT Court stated findings and ORDERED, Motion For Production of Transcripts At State Expense and Request For Rough Draft Transcript DENIED; as to the Motion For Delivery Of Records, specially the file from Mr. Hillman, Mr. Hillman is with the Office of the Public Defender (P.D.) and the P.D. substituted out of the case in 1991 for someone else, and it's the understanding of the Court the Office of the P.D. no longer maintains the file to give to the Defendant; when new counsel came into the case in 1991 the P.D. would have provided the file to them. COURT ORDERED, Motion For Delivery Of Records DENIED; State to prepare the order. NDC CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584, Lovelock Correctional Center, 1200 Prison Rd., Lovelock Nv. 89419 ;</i></p> |
| 10/22/2014 | <p> <b>Motion</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.)<br/> <i>Deft's Pro Per Motion for Correction of Illegal Sentence</i><br/>           Motion Denied; Deft's Pro Per Motion for Correction of Illegal Sentence<br/>           Journal Entry Details:<br/> <i>Court noted Deft. had filed this similar motion several times, stated no arguments will be heard, advised its ruling is based upon the pleadings and ORDERED, motion DENIED as barred and noted it had been rejected by the Supreme Court and District Court. State to prepare the Order. NDC CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584 c/o Lovelock Correctional Center, 1200 Prison Road, Lovelock, NV 89419. 10/23/14 kls ;</i></p>   |
| 01/18/2017 | <p> <b>Motion</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.)<br/> <i>Defendant's Pro Per Motion for the Return Siezed Property</i><br/>           Denied;<br/>           Journal Entry Details:<br/> <i>Defendant not present. In the absence of the Defendant, Court stated there will not be any argument, and a ruling will be issued based upon the papers. Court stated findings noting there is insufficient grounds for the return of the items, the motion was previously denied, nothing has changed to grant a different outcome, and ORDERED, Defendant's Pro Per Motion For The Return of Seized Property DENIED; State to prepare the order. NDC CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584, Ely State Prison, POB 1989, Ely Nv. 89301 ;</i></p>  |
| 04/03/2017 | <p> <b>Motion for Judgment</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.)<br/> <i>Defendant's Pro Per Motion for Judgment on the Pleadings</i><br/>           Granted in Part; Defendant's Pro Per Motion For Judgment On The Pleadings<br/>           Journal Entry Details:<br/> <i>Court stated the Defendant represents himself, is not present, and in his absence, the Court will not have argument but will rule based on the papers on file. Court noted Defendant calls his pleading a Motion for Judgment on the Pleadings and it appears he just wanted to know what happened with his prior motion for return of seized property. Court stated there was hearing on that matter on January 18, 2017, at which time the Court denied the motion and the Order</i></p>   |

# CASE SUMMARY

CASE NO. 89C092174

was filed on March 21, 2017, after the instant motion was filed. COURT ORDERED, the Clerk to provide a copy of the March 21, 2017, Order to Defendant, and DENIED any other relief. NDC CLERK'S NOTE: The above minute order and a copy of the Order dated 3/21/17 has been distributed to: Roy D. Moraga #31584, Ely State Prison, P.O. Box 1989, Ely, NV 89301. (tmj:4/12/17);

06/02/2017



**Motion to Correct Sentence** (8:30 AM) (Judicial Officer: Cadish, Elissa F.)

Defendant's Pro Per Motion to Correct an Illegal Sentence Pursuant to NRS 176.555

Denied;

Journal Entry Details:

Court noted Mr. Moraga was in the Nevada Department of Corrections and was not transported. In his absence, the Court will not hear argument but will rule based on the papers. COURT ORDERED, Motion to Correct Illegal Sentence DENIED, as it is barred by the law of the case. Court noted Defendant previously requested the same relief on the same grounds which was previously denied and affirmed on appeal. Additionally, there are very limited circumstances under which a motion can be filed and they don't apply here. The sentence imposed was not illegal, nor was it based on any misunderstanding regarding Mr. Moraga's criminal history. NDC CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584, Ely State Prison, P.O. Box 1989, Ely, NV 89301. /lg 6-5-17;

10/03/2018



**Motion** (8:30 AM) (Judicial Officer: Cadish, Elissa F.)

Defendant's Pro Per Motion for Order Directing Clerk to Issue Presentence Investigation Report to Defendant

Granted;

Journal Entry Details:

There being no opposition, COURT ORDERED, Defendant's Pro Per Motion for Order Directing Clerk to Issue Presentence Investigation Report (PSI) To Defendant GRANTED; the PSI is to be sent to the Defendant by the Clerk's Office, if it's accessible at this point. NDC CLERK'S NOTE: The above minute order has been distributed to: District Court Clerk's Office;

03/04/2020



**Petition for Writ of Certiorari** (9:30 AM) (Judicial Officer: Bluth, Jacqueline M.)

Petition for Extraordinary Writ and or Writ of Certiorari

Denied;

Journal Entry Details:

Court stated findings and ORDERED, Petition For Extraordinary Writ And Or Writ Of Certiorari DENIED. NDC;

06/22/2021



**Minute Order** (3:00 AM) (Judicial Officer: Bluth, Jacqueline M.)

Minute Order re: Deft's Writ of Prohibition Double Jeopardy Claim

Minute Order - No Hearing Held;

Journal Entry Details:

Defendant s Writ of Prohibition Double Jeopardy Claim is hereby DENIED. Defendant requests that this court issue a writ of prohibition altering the sentence imposed, however, a writ of prohibition is the incorrect remedy for such a request. Further, Defendant s sentence does not violate the prohibition against double jeopardy. A writ of prohibition may be used by a court to order a judicial body to refrain from doing an act in excess of its jurisdiction. NRS 34.320. The writ of prohibition may be issued only by the supreme court, the court of appeals, or a district court to an inferior tribunal, or to a corporation, board or person, in all cases where there is not a plain, speedy, and adequate remedy in the ordinary course of law. NRS 34.330. Here, the department of corrections is not a judicial body. It is an agency within the executive branch of Nevada s state government. Accordingly, a writ of prohibition may not be used to order it to refrain from engaging in certain activities. Even if Defendant had raised his claims in a pleading that the court could consider, his claim that he was improperly adjudicated as a habitual criminal is barred from consideration under the law of the case. Defendant raised this claim on direct appeal of the Amended Judgment of Conviction, and the Nevada Supreme Court rejected it. Moraga v. State, No. 22901 (Order Dismissing Appeal, Oct. 4, 1995). Defendant also claims that his sentence violates double jeopardy because he is serving a habitual sentence in addition to his other sentences. The prohibition against double jeopardy protects against 3 distinct abuses: (1) a second prosecution for the same offense after acquittal, (2) a second prosecution for the same offense after conviction, and (3) multiple

## EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY****CASE NO. 89C092174**

*punishments for the same offense. Peck v. State, 116 Nev. 840 (2000). Here, the facts of defendant s case do not fit within any of those 3 categories. Defendant received sentences within the statutory limits for Counts 1-4. See NRS 205.060, 200.366. Moreover, defendant was appropriately adjudicated as a habitual criminal for Count 4 pursuant to NRS 207.010. Defendant s claim that he is serving his habitual sentence in addition to the primary offense is belied by the record because he received a habitual sentence in lieu of the punishment contemplated by NRS 200.366. Therefore, defendant s sentence does not violate double jeopardy. CLERK'S NOTE: A copy of this minute order was distributed to Karen Mishler, Deputy District Attorney and a copy mailed to the Defendant./kb;*

06/23/2021 **CANCELED Petition** (11:00 AM) (Judicial Officer: Bluth, Jacqueline M.)  
*Vacated*  
*Writ of Prohibition Double Jeopardy Claim*

07/21/2021 **Motion** (11:00 AM) (Judicial Officer: Bluth, Jacqueline M.)  
*Motion for a Video Hearing*

**DATE****FINANCIAL INFORMATION****Defendant** Moraga, Roy D

Total Charges

8.00

Total Payments and Credits

8.00

**Balance Due as of 7/7/2021****0.00**

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

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****April 25, 2012**

89C092174

The State of Nevada vs Roy D Moraga

**April 25, 2012****8:30 AM****Status Check****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**Ferreira, Amy L.  
State of NevadaAttorney  
Plaintiff**JOURNAL ENTRIES**

- Court stated findings noting after the change of venue the Deft's case was calendared in Department V on a civil calendar in error, and was then recalendared in Department VI and ORDERED, Deft's Pro Per Motion for Judicial action GRANTED; matter set for hearing regarding the Deft's Petition For Writ Of Habeas Corpus; state's response to be filed by June 13th; Deft's Motion For Appointment Of Counsel CONTINUED.

NDC

7-16-12 HEARING: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS...DEFT'S EXPARTE  
MOTION FOR APPOINTMENT OF COUNSEL

CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584, Love Lock  
Correctional Center, 1200 Prison Road, Love Lock NV. 89419



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****July 16, 2012**

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89C092174

The State of Nevada vs Roy D Moraga

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**July 16, 2012****8:30 AM****All Pending Motions****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**Rinetti, Dena I.  
State of NevadaAttorney  
Plaintiff**JOURNAL ENTRIES**

- HEARING: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS...DEFT'S EXPARTE MOTION FOR APPOINTMENT OF COUNSEL

In the absence of the Deft., Court advised there will not be any argument. Court stated findings and ORDERED, Deft's Petition For Writ of Habeas Corpus and Exparte Motion For Appointment of counsel DENIED.

NDC

CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584, Ely State Prison, POB 1989, Ely Nv., 89301

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****August 27, 2012**

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89C092174

The State of Nevada vs Roy D Moraga

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**August 27, 2012****8:30 AM****Motion****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**Rinetti, Dena I.  
State of NevadaAttorney  
Plaintiff**JOURNAL ENTRIES**

- In the absence of the Deft., Court noted there will not be any argument. Court stated findings noting the Deft. is seeking reconsideration of the ruling of July 16th due to his absence and ORDERED, Deft's Pro Se Motion For Reconsideration DENIED; there was no argument in the Deft's absence, and no basis for reconsideration.

NDC

CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584. Love Lock Correctional Center, 1200 Prison Road, Love Lock Nv. 89419

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****October 21, 2013**

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89C092174

The State of Nevada vs Roy D Moraga

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**October 21, 2013****8:30 AM****Petition for Writ of Habeas  
Corpus****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**State of Nevada  
Wiborg, Erika L.Plaintiff  
Attorney**JOURNAL ENTRIES**

- In the absence of the Deft., Court stated there will not be any argument. Court stated findings noting the petition is untimely, successive, no good cause has been shown for the procedural defaults, there is no showing in evidence of actual innocence, the sentence is not illegal and ORDERED, Deft's Pro Se Petition For Writ of Habeas Corpus DENIED. FURTHER ORDERED, due to the ruling of the Court, Defendant's request for counsel is DENIED; State to prepare the order.

NDC

CLERK'S NOTE: The above minute order has been distributed to: Roy Moraga #31584, Love Lock Correctional Center, 1200 Prison Road, Love Lock Nv. 89419

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****January 17, 2014**

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89C092174

The State of Nevada vs Roy D Moraga

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**January 17, 2014****3:00 AM****Minute Order****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:****REPORTER:****PARTIES****PRESENT:****JOURNAL ENTRIES**

- Petitioner submitted a Post-Conviction Petition requesting genetic marker testing pursuant to NRS 176.0918. Defendant does not meet the requirements of NRS 176.0918(3)(b) because there does not exist a reasonable possibility that Petitioner would not have been convicted if exculpatory results had been obtained. Additionally, Petitioner previously raised the issue of DNA testing by filing a Motion for Release of DNA Evidence Under Nevada Open Records Act on December 16, 2003. On January 5, 2004, the court DENIED the motion on the merits because the Petitioner admitted during trial that he had consensual sex with the victim. As this issue has previously been decided on the merits, instant Petition is barred by the law of the case.

NDC

CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584, Love Lock Correctional Center, 1200 Prison Road, Love Lock Nv. 89419

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****February 12, 2014**

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89C092174

The State of Nevada vs Roy D Moraga

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**February 12, 2014****8:30 AM****All Pending Motions****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed

Carole D'Aloia

**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**Smith, Tyler D., ESQ  
State of NevadaAttorney  
Plaintiff**JOURNAL ENTRIES**

- DEFENDANT'S PRO PER MOTION FOR CORRECTION OF ILLEGAL  
SENTENCE...DEFENDANT'S PRO SE MOTION FOR APPOINTMENT OF COUNSEL

Court noted the absence of the Defendant as he is currently in the Nevada Department of Corrections (NDC) and was not transported. Court advised it will not hear argument but will rule based on the pleadings filed. Court advised that the sentence imposed is legal, Court previously denied this motion, Defendant appealed to the Nevada Supreme Court, which upheld this Court's decision and, ORDERED, Defendant's Pro Per Motion for Correction of Illegal Sentence and Defendant s Pro Se Motion for Appointment of Counsel DENIED; State to prepare and submit appropriate Order.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****April 09, 2014**

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89C092174

The State of Nevada vs Roy D Moraga

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**April 09, 2014****8:30 AM****Motion****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**Beverly, Leah C  
State of NevadaAttorney  
Plaintiff**JOURNAL ENTRIES**

- In the absence of the Defendant the Court stated there will not be any argument and a ruling will be issued based upon the papers. Court stated findings and ORDERED, Defendant's Pro Se Motion For Returning Seized Property DENIED as the items impounded as evidence are not appropriate for release under the applicable statutes; State to prepare the order.

NDC

CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584, Love Lock Correctional Center, 1200 Prison Rd., Love Lock Nv. 89419

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****July 07, 2014**

89C092174

The State of Nevada vs Roy D Moraga

**July 07, 2014****8:30 AM****All Pending Motions****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**

State of Nevada

Plaintiff

Thoman, Charles W.

Attorney

**JOURNAL ENTRIES**

- DEFT'S PRO SE MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATE EXPENSE...DEFT'S PRO SE MOTION FOR AN ORDER OF DELIVERY OF RECORDS...DEFT'S PRO SE REQUEST FOR ROUGH DRAFT TRANSCRIPT

Court stated findings and ORDERED, Motion For Production of Transcripts At State Expense and Request For Rough Draft Transcript DENIED; as to the Motion For Delivery Of Records, specially the file from Mr. Hillman, Mr. Hillman is with the Office of the Public Defender (P.D.) and the P.D. substituted out of the case in 1991 for someone else, and it's the understanding of the Court the Office of the P.D. no longer maintains the file to give to the Defendant; when new counsel came into the case in 1991 the P.D. would have provided the file to them. COURT ORDERED, Motion For Delivery Of Records DENIED; State to prepare the order.

NDC

CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584, Lovelock Correctional Center, 1200 Prison Rd., Lovelock Nv. 89419





**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****October 22, 2014**

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89C092174

The State of Nevada vs Roy D Moraga

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**October 22, 2014****8:30 AM****Motion****Deft's Pro Per Motion  
for Correction of  
Illegal Sentence****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Katherine Streuber**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**

State of Nevada

Plaintiff

Thoman, Charles W.

Attorney

**JOURNAL ENTRIES**

- Court noted Deft. had filed this similar motion several times, stated no arguments will be heard, advised its ruling is based upon the pleadings and ORDERED, motion DENIED as barred and noted it had been rejected by the Supreme Court and District Court. State to prepare the Order.

NDC

CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584 c/o Lovelock Correctional Center, 1200 Prison Road, Lovelock, NV 89419. 10/23/14 kls

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****January 18, 2017**

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89C092174

The State of Nevada vs Roy D Moraga

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**January 18, 2017****8:30 AM****Motion****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**LoGrippo, Frank R.  
State of NevadaAttorney  
Plaintiff**JOURNAL ENTRIES**

- Defendant not present.

In the absence of the Defendant, Court stated there will not be any argument, and a ruling will be issued based upon the papers. Court stated findings noting there is insufficient grounds for the return of the items, the motion was previously denied, nothing has changed to grant a different outcome, and ORDERED, Defendant's Pro Per Motion For The Return of Seized Property DENIED; State to prepare the order.

NDC

CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584, Ely State Prison, POB 1989, Ely Nv. 89301

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****April 03, 2017**

89C092174

The State of Nevada vs Roy D Moraga

**April 03, 2017****8:30 AM****Motion for Judgment**

**Defendant's Pro Per  
Motion For Judgment  
On The Pleadings**

**HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Tena Jolley**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**

Smith, Tyler D.  
State of Nevada

Attorney  
Plaintiff

**JOURNAL ENTRIES**

- Court stated the Defendant represents himself, is not present, and in his absence, the Court will not have argument but will rule based on the papers on file. Court noted Defendant calls his pleading a Motion for Judgment on the Pleadings and it appears he just wanted to know what happened with his prior motion for return of seized property. Court stated there was hearing on that matter on January 18, 2017, at which time the Court denied the motion and the Order was filed on March 21, 2017, after the instant motion was filed. COURT ORDERED, the Clerk to provide a copy of the March 21, 2017, Order to Defendant, and DENIED any other relief.

NDC

CLERK'S NOTE: The above minute order and a copy of the Order dated 3/21/17 has been distributed to: Roy D. Moraga #31584, Ely State Prison, P.O. Box 1989, Ely, NV 89301. (tmj:4/12/17)

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****June 02, 2017**

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89C092174

The State of Nevada vs Roy D Moraga

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**June 02, 2017****8:30 AM****Motion to Correct Sentence****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Louisa Garcia**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**

State of Nevada

Plaintiff

Zadrowski, Bernard B.

Attorney

**JOURNAL ENTRIES**

- Court noted Mr. Moraga was in the Nevada Department of Corrections and was not transported. In his absence, the Court will not hear argument but will rule based on the papers. COURT ORDERED, Motion to Correct Illegal Sentence DENIED, as it is barred by the law of the case. Court noted Defendant previously requested the same relief on the same grounds which was previously denied and affirmed on appeal. Additionally, there are very limited circumstances under which a motion can be filed and they don't apply here. The sentence imposed was not illegal, nor was it based on any misunderstanding regarding Mr. Moraga's criminal history.

NDC

CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584, Ely State Prison, P.O. Box 1989, Ely, NV 89301. /lg 6-5-17

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****October 03, 2018**

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89C092174

The State of Nevada vs Roy D Moraga

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**October 03, 2018****8:30 AM****Motion****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:** De'Awna Takas**REPORTER:****PARTIES****PRESENT:**Scheible, Melanie L.  
State of NevadaAttorney  
Plaintiff**JOURNAL ENTRIES**

- There being no opposition, COURT ORDERED, Defendant's Pro Per Motion for Order Directing Clerk to Issue Presentence Investigation Report (PSI) To Defendant GRANTED; the PSI is to be sent to the Defendant by the Clerk's Office, if it's accessible at this point.

NDC

CLERK'S NOTE: The above minute order has been distributed to: District Court Clerk's Office

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****March 04, 2020**

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89C092174

The State of Nevada vs Roy D Moraga

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**March 04, 2020****9:30 AM****Petition for Writ of  
Certiorari****HEARD BY:** Bluth, Jacqueline M.**COURTROOM:** RJC Courtroom 10C**COURT CLERK:** Keith Reed**RECORDER:** De'Awna Takas**REPORTER:****PARTIES****PRESENT:**

State of Nevada

Plaintiff

Turner, Robert B.

Attorney

**JOURNAL ENTRIES**

- Court stated findings and ORDERED, Petition For Extraordinary Writ And Or Writ Of Certiorari  
DENIED.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****June 22, 2021**

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89C092174

The State of Nevada vs Roy D Moraga

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**June 22, 2021****3:00 AM****Minute Order****HEARD BY:** Bluth, Jacqueline M.**COURTROOM:** Chambers**COURT CLERK:** Kristen Brown**RECORDER:****REPORTER:****PARTIES****PRESENT:****JOURNAL ENTRIES**

- Defendant s Writ of Prohibition Double Jeopardy Claim is hereby DENIED. Defendant requests that this court issue a writ of prohibition altering the sentence imposed, however, a writ of prohibition is the incorrect remedy for such a request. Further, Defendant s sentence does not violate the prohibition against double jeopardy.

A writ of prohibition may be used by a court to order a judicial body to refrain from doing an act in excess of its jurisdiction. NRS 34.320. The writ of prohibition may be issued only by the supreme court, the court of appeals, or a district court to an inferior tribunal, or to a corporation, board or person, in all cases where there is not a plain, speedy, and adequate remedy in the ordinary course of law. NRS 34.330. Here, the department of corrections is not a judicial body. It is an agency within the executive branch of Nevada s state government. Accordingly, a writ of prohibition may not be used to order it to refrain from engaging in certain activities.

Even if Defendant had raised his claims in a pleading that the court could consider, his claim that he was improperly adjudicated as a habitual criminal is barred from consideration under the law of the case. Defendant raised this claim on direct appeal of the Amended Judgment of Conviction, and the Nevada Supreme Court rejected it. Moraga v. State, No. 22901 (Order Dismissing Appeal, Oct. 4, 1995).

Defendant also claims that his sentence violates double jeopardy because he is serving a habitual

sentence in addition to his other sentences. The prohibition against double jeopardy protects against 3 distinct abuses: (1) a second prosecution for the same offense after acquittal, (2) a second prosecution for the same offense after conviction, and (3) multiple punishments for the same offense. *Peck v. State*, 116 Nev. 840 (2000). Here, the facts of defendant's case do not fit within any of those 3 categories. Defendant received sentences within the statutory limits for Counts 1-4. See NRS 205.060, 200.366. Moreover, defendant was appropriately adjudicated as a habitual criminal for Count 4 pursuant to NRS 207.010. Defendant's claim that he is serving his habitual sentence in addition to the primary offense is belied by the record because he received a habitual sentence in lieu of the punishment contemplated by NRS 200.366. Therefore, defendant's sentence does not violate double jeopardy.

CLERK'S NOTE: A copy of this minute order was distributed to Karen Mishler, Deputy District Attorney and a copy mailed to the Defendant./kb



## PLAINTIFF'S EXHIBITS

CASE NO. C 99174

[illegible]

| Item  | 3-13-90                             | 3-18-90                             |
|---|-------------------------------------|-------------------------------------|
| 1. Photo                                    | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Photo                                    | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Photo                                    | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Large Evidence Bag                       | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4A. Evidence Envelope                       | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4B. Boots with Sock                         | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4C. Lens                                    | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Large Evidence Bag                       | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5A. Plastic Bag "Blade (Simon)"             | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5B. Jacket                                  | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5C. Undershorts (Boxer)                     | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5D. Shirt (Tee)                             | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5E. Elastic Stretch Leg Bands               | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5F. Shirt w/ red trim + Printing (M.V.)     | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Small Manila Envelope                    | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6A. Vial (Blood)                            | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6B. Vial (Blood)                            | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6C. Vial (Blood)                            | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6D. Small White Envelope (Deft's Head Hair) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6E. " " " (Deft's Pubic Hair Strand)        | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6F. " " " " "                               | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6H. " " " (Deft's Saliva Sample)            | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7. Fingerprint Chart                        | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 8. Mug Shot (Booking Photo)                 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 9. Mug Shot                                 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |

PLAINTIFF'S EXHIBITS

CASE NO. 092174

OFFERED ADMITTED

|                                 |                                     |         |                                     |         |
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| 10. Small Manila Envelope       | <input checked="" type="checkbox"/> | 3.13.90 | <input checked="" type="checkbox"/> | 3.13.90 |
| 10A. Fingerprint Card           | <input checked="" type="checkbox"/> | "       | <input checked="" type="checkbox"/> | "       |
| 10B. Fingerprint Card           | <input checked="" type="checkbox"/> | "       | <input checked="" type="checkbox"/> | "       |
| 10C. Fingerprint Card           | <input checked="" type="checkbox"/> | "       | <input checked="" type="checkbox"/> | "       |
| 10D. Fingerprint Card (Left.)   | <input checked="" type="checkbox"/> | "       | <input checked="" type="checkbox"/> | "       |
| 10E. Fingerprint Card (Left.)   | <input checked="" type="checkbox"/> | "       | <input checked="" type="checkbox"/> | "       |
| 10F. Fingerprint Card           | <input checked="" type="checkbox"/> | "       | <input checked="" type="checkbox"/> | "       |
| 11. Evidence Envelope           | <input checked="" type="checkbox"/> | "       | <input checked="" type="checkbox"/> | "       |
| 11A. Ruber Hair Sample (Sample) | <input checked="" type="checkbox"/> | "       | <input checked="" type="checkbox"/> | "       |
| 11B. Head Hair                  | <input checked="" type="checkbox"/> | "       | <input checked="" type="checkbox"/> | "       |
| 11C. Combed Ruber Hair          | <input checked="" type="checkbox"/> | "       | <input checked="" type="checkbox"/> | "       |
| 11D. Saliva Sample              | <input checked="" type="checkbox"/> | "       | <input checked="" type="checkbox"/> | "       |
| 11E. Vaginal                    | <input checked="" type="checkbox"/> | "       | <input checked="" type="checkbox"/> | "       |
| 11F. Vaginal Swab               | <input checked="" type="checkbox"/> | "       | <input checked="" type="checkbox"/> | "       |
| 11G. Mouth Swab                 | <input checked="" type="checkbox"/> | "       | <input checked="" type="checkbox"/> | "       |
| 11H. Blood (vial)               | <input checked="" type="checkbox"/> | "       | <input checked="" type="checkbox"/> | "       |
| 11I. Blood (vial)               | <input checked="" type="checkbox"/> | "       | <input checked="" type="checkbox"/> | "       |
| 11J. Blood (vial)               | <input checked="" type="checkbox"/> | "       | <input checked="" type="checkbox"/> | "       |
| 12. Evidence Envelope           | <input checked="" type="checkbox"/> | "       | <input checked="" type="checkbox"/> | "       |
| 12A. Receipt for Key            | <input checked="" type="checkbox"/> | "       | <input checked="" type="checkbox"/> | "       |
| 12B. Key                        | <input checked="" type="checkbox"/> | "       | <input checked="" type="checkbox"/> | "       |
| 13. Evidence Envelope           | <input checked="" type="checkbox"/> | "       | <input checked="" type="checkbox"/> | "       |
| 13A. Watch                      | <input checked="" type="checkbox"/> | "       | <input checked="" type="checkbox"/> | "       |
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## EXHIBITS

CASE NO. C92174

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1. Copy Information for Aggravated Assault Case # 95949  
2. Information, Case # CR 131275  
3. Indictment, Case # 12891

[illegible]

## EXHIBITS

**CASE NO**

092174

OFFERED ADMITTED

1. Information for Aggravated Assault
2. Information 1-24-83
3. Indictment Plea Agreement &  
Sentence of Probation



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

ROY D. MORAGA #31584  
P.O. BOX 7000  
CARSON CITY, NV 89702

DATE: July 7, 2021  
CASE: 89C092174

**RE CASE:** STATE OF NEVADA vs. ROY D. MORAGA

NOTICE OF APPEAL FILED: July 6, 2021

**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

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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.

# 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; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

STATE OF NEVADA,

Plaintiff(s),

vs.

ROY D. MORAGA,

Defendant(s).

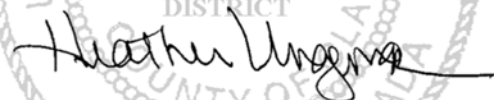
Case No: 89C092174

Dept No: VI

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 7 day of July 2021.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk

