

CLERK

"Please" return me a filed (stamped) copy of this "NOTICE OF APPEAL"

Electronically Filed  
7/6/2021 2:27 PM  
Steven D. Grierson  
CLERK OF THE COURT  
*Steven D. Grierson*

Alan Daniels #63982  
Petitioner, In Propria Personam  
Post Office Box 208, S.D.C.C.  
Indian Springs, Nevada 89018 89070-0208

Electronically Filed  
Jul 12 2021 11:55 a.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

ALAN DANIELS  
Petitioner Plaintiff,  
vs.  
DIRECTOR NEVADA DEPT  
OF CORRECTIONS, et al.,  
Respondents Defendant.

Case No. C262523  
Dept. No. \_\_\_\_\_  
Docket \_\_\_\_\_

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN, That the Petitioner/Defendant,  
ALAN DANIELS #63982, in and through his proper person, hereby  
appeals to the Supreme Court of Nevada from the ORDER denying and/or  
dismissing the ORAL ORDER dismissing Petitioner's  
WRS 34.320 Petition for Writ of Prohibition on/about

filed on the 7th day of JUNE, 2021.

Dated this 30th day of JUNE, 2021.  
Per NRS 239B.030, I  
certify this NOTICE OF  
APPEAL does not contain  
the social security number  
of any person.

Respectfully Submitted,  
BY: Alan Daniels  
Alan Daniels #63982  
PETITIONER PRO-SE

RECEIVED  
JUL 5 - 6 2021  
CLERK OF THE COURT

**CERTIFICATE OF SERVICE BY MAILING**

I, ALAN DANIELS # 63982, hereby certify, pursuant to NRCP 5(b), that on this 30th day of JUNE, 2021, I mailed a true and correct copy of the foregoing, "

NOTICE OF APPEAL

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

Clark County Court Clerk

POB 551160

LV NV 89155-1160

NV Attorney General

100 No. Carson St #100

Carson City, NV 89701-4717

CC:FILE

DATED: this 30th day of JUNE, 2021.

BY: Alan Daniels

ALAN DANIELS

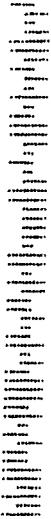
# 63982

Petitioner /In Propria Personam

Post Office Box 208, S.D.C.C.

Indian Springs, Nevada ~~89018~~ 89070-0208

IN FORMA PAUPERIS:



\* Mailed: 6-30-21 (WE)

\* Petition for writ of Prohibition

\* Notices of Appeal (8 Cases below)

- 1) Case # C332985
- 2) Case # C156246
- 3) Case # C161246
- 4) Case # C169550
- 5) Case # C189650
- 6) Case # C262523
- 7) Case # C270333
- 8) Case # C334954

\* LEGAL MAIL / ~~CONFIDENTIAL~~ \*

Las Vegas P&DC 89199  
THU 01 JUL 2021 PM



FROM:

George Luster #57587  
SDCC / POB 208  
IS NV 89070-0208

TO:

Clark County Court Clerk  
NOTICES OF APPEAL  
CRIMINAL DESK  
POB 551160  
LV NV 89155-1160



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7 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**  
8 **STATE OF NEVADA IN AND FOR**  
9 **THE COUNTY OF CLARK**

10 STATE OF NEVADA,

11 Plaintiff(s),

12 vs.

13 ALAN DANIELS  
14 aka ALAN DEMETRIUS DANIELS,

15 Defendant(s),  
16

Case No: 10C262523-1

Dept No: III

17 **CASE APPEAL STATEMENT**  
18

19 1. Appellant(s): Alan Daniels

20 2. Judge: Monica Trujillo

21 3. Appellant(s): Alan Daniels

22 Counsel:

23 Alan Daniels #63982  
24 P.O. Box 208  
25 Indian Springs, NV 89070

26 4. Respondent: The State of Nevada

27 Counsel:

28 Steven B. Wolfson, District Attorney  
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: No

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: March 3, 2010

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): 58191, 65037, 75042, 75468

12. Child Custody or Visitation: N/A

Dated This 8 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: Alan Daniels

**CASE SUMMARY****CASE NO. 10C262523-1****The State of Nevada vs Alan D Daniels**§  
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§

Location: **Department 3**  
 Judicial Officer: **Trujillo, Monica**  
 Filed on: **03/03/2010**  
 Case Number History:  
 Cross-Reference Case Number: **C262523**  
 Defendant's Scope ID #: **747918**  
 ITAG Booking Number: **1000007617**  
 ITAG Case ID: **1130386**  
 Lower Court Case # Root: **10F02742**  
 Lower Court Case Number: **10F02742A**  
 Supreme Court No.: **65037**  
**75468**

**CASE INFORMATION**

Offense	Statute	Deg	Date	Case Type:	Felony/Gross Misdemeanor
1. BURGLARY WHILE IN POSSESSION OF A FIREARM	205.060	F	01/01/1900	Case Status:	<b>05/11/2010 Closed</b>
2. CONSPIRACY TO COMMIT ROBBERY	200.380	F	01/01/1900		
3. ROBBERY WITH USE OF A DEADLY WEAPON	200.380	F	01/01/1900		
4. POSSESS OF FIREARM BY EX-FELON	202.360	F	01/01/1900		

**Related Cases**

10C262523-2 (Multi-Defendant Case)

**Statistical Closures**

05/11/2010 USJR Reporting Statistical Closure





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

Case Number 10C262523-1  
 Court Department 3  
 Date Assigned 01/04/2021  
 Judicial Officer Trujillo, Monica

**PARTY INFORMATION**
















		Lead Attorneys
<b>Defendant</b>	<b>Daniels, Alan</b>	<b>Pro Se</b>
<b>Plaintiff</b>	<b>State of Nevada</b>	<b>Wolfson, Steven B</b> 702-671-2700(W)

**DATE****EVENTS & ORDERS OF THE COURT****INDEX****EVENTS**

03/03/2010	 Criminal Bindover
03/08/2010	 Information
03/10/2010	 Information
03/11/2010	 Guilty Plea Agreement

# CASE SUMMARY

CASE NO. 10C262523-1

03/11/2010	 Guilty Plea Agreement
03/26/2010	 Order for Production of Inmate <i>Order for Production of Inmates</i>
05/04/2010	 PSI <i>Pre-Sentence Investigation Report (Unfiled) Confidential</i>
05/14/2010	 Judgment of Conviction <i>Judgment of Conviction (Plea of Guilty)</i>
05/19/2010	 Judgment of Conviction <i>Judgment of Conviction (Plea of Guilty)</i>
07/13/2010	 Reporters Transcript <i>Transcript of Hearing Held on February 25, 2010</i>
07/13/2010	 Reporters Transcript <i>Transcript of Hearing Held on February 25, 2010</i>
11/22/2013	 Motion <i>Accused Motion for Decision on the Merits of Invalid Law of the State of Nevada Causing the District Court to be Divested of Subject Matter Jurisdiction Abintio.</i>
11/22/2013	 Notice of Motion
12/03/2013	 Opposition to Motion <i>State's Opposition to Defendant's Pro Per Accused Motion for Decision on the Merits of Invalid Laws of the State of Nevada Causing the District Court to be Divested of Subject Matter Jurisdiction Ab Initio</i>
12/27/2013	 Reply to Opposition Filed by: Defendant Daniels, Alan <i>Accused Reply to State's Opposition to Defendant's Pro Per Accused Motion for Decision on the Merits of Invalid Laws of the State of Nevada Causing the District Court to be Divested of Subject Matter Jurisdiction Ab Initio/Request to Reply to Any Opposition of the Attorney General's Office</i>
01/10/2014	 Order Denying Motion Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Pro Per Accused Motion for Decision on the Merits of Invalid Laws of the State of Nevada Causing the District Court to be Divested of Subject Matter Jurisdiction Ab Initio</i>
02/12/2014	 Notice of Appeal (Criminal) Party: Defendant Daniels, Alan <i>Notice of Appeal</i>
02/12/2014	 Designation of Record on Appeal Filed By: Defendant Daniels, Alan
02/13/2014	 Case Appeal Statement

# CASE SUMMARY

CASE NO. 10C262523-1

Filed By: Defendant Daniels, Alan

04/10/2014



NV Supreme Court Clerks Certificate/Judgment - Dismissed  
*Nevada Supreme Court Clerk's Certificate Judgment - Dismissed*

01/05/2015

Case Reassigned to Department 19  
*District Court Case Reassignment 2015*

02/21/2018



Notice of Motion  
Filed By: Defendant Daniels, Alan

02/21/2018



Motion to Correct Sentence  
Filed by: Defendant Daniels, Alan  
*Motion to Correct Disproportionality of Sentence and to Amend the Judgment of Conviction*

03/08/2018



Response  
*State's Response to Defendant's Motion to Correct Disproportionality of Sentence and Amend Judgment of Conviction*

03/22/2018



Notice of Appeal (Criminal)  
Party: Defendant Daniels, Alan  
*Notice of Appeal*

03/22/2018



Designation of Record on Appeal  
Filed By: Defendant Daniels, Alan

03/27/2018



Case Appeal Statement

05/10/2018



Order Denying Motion  
*Order Denying Defendant's Motion to Correct Disproportionality of Sentence and to Amend the Judgment of Conviction*

05/21/2018



Order Granting Motion  
Filed By: Defendant Daniels, Alan  
*Order Granting Motion to Withdraw as Counsel*

04/18/2019



NV Supreme Court Clerks Certificate/Judgment - Affirmed  
*Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Affirmed*

09/21/2020



Motion  
Filed By: Defendant Daniels, Alan  
*Request for an Order Vacating Restitution*

10/09/2020



Opposition  
*State's Opposition to Defendant's Request for an Order Vacating Restitution*

10/12/2020



Motion  
Filed By: Defendant Daniels, Alan  
*Request for Retaining Order*

10/12/2020









Memorandum of Points and Authorities  
Filed By: Defendant Daniels, Alan



# CASE SUMMARY

CASE NO. 10C262523-1

10/14/2020	 Order Denying Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Request for an Order Vacating Restitution(ALAN DEMETRIUS DANIELS)</i>
01/04/2021	Case Reassigned to Department 3 <i>Judicial Reassignment to Judge Monica Trujillo</i>
06/02/2021	 Petition Filed by: Defendant Daniels, Alan <i>Petition for Writ of Prohibition</i>
06/16/2021	 Petition for Writ of Mandamus Filed by: Defendant Daniels, Alan
06/17/2021	 Opposition <i>State's Opposition to Defendant's Petition for Writ of Prohibition</i>
07/06/2021	 Notice of Appeal (Criminal) <i>Notice of Appeal</i>
07/08/2021	 Case Appeal Statement Filed By: Defendant Daniels, Alan <i>Case Appeal Statement</i>

## **DISPOSITIONS**

03/08/2010	<b>Plea</b> (Judicial Officer: Barker, David) <ol style="list-style-type: none"> <li>1. BURGLARY WHILE IN POSSESSION OF A FIREARM                          Not Guilty                          PCN:   Sequence:</li> <li>2. CONSPIRACY TO COMMIT ROBBERY                          Not Guilty                          PCN:   Sequence:</li> <li>3. ROBBERY WITH USE OF A DEADLY WEAPON                          Not Guilty                          PCN:   Sequence:</li> <li>4. POSSESSION OF FIREARM BY EX-FELON                          Not Guilty                          PCN:   Sequence:</li> </ol>
05/10/2010	<b>Disposition</b> (Judicial Officer: Barker, David) <ol style="list-style-type: none"> <li>1. BURGLARY WHILE IN POSSESSION OF A FIREARM                          Guilty                          PCN:   Sequence:</li> <li>2. CONSPIRACY TO COMMIT ROBBERY                          Guilty                          PCN:   Sequence:</li> <li>3. ROBBERY WITH USE OF A DEADLY WEAPON                          Guilty                          PCN:   Sequence:</li> <li>4. POSSESS OF FIREARM BY EX-FELON                          Guilty</li> </ol>

# CASE SUMMARY

CASE NO. 10C262523-1

PCN: Sequence:

05/10/2010

**Adult Adjudication** (Judicial Officer: Barker, David)

1. BURGLARY WHILE IN POSSESSION OF A FIREARM

01/01/1900 (F) 205.060 (205.060)

PCN: Sequence:

Comment (05/10/10 - LARGE HABITUAL CRIMINAL STATUTE IMPOSED)

Sentenced to Nevada Dept. of Corrections

Term: Minimum:5 Years, Maximum:15 Years

05/10/2010

**Adult Adjudication** (Judicial Officer: Barker, David)

2. CONSPIRACY TO COMMIT ROBBERY

01/01/1900 (F) 200.380 (200.380)

PCN: Sequence:

Comment (05/10/10 - LARGE HABITUAL CRIMINAL STATUTE IMPOSED)

Sentenced to Nevada Dept. of Corrections

Term: Minimum:24 Months, Maximum:60 Months

05/10/2010

**Adult Adjudication** (Judicial Officer: Barker, David)

3. ROBBERY WITH USE OF A DEADLY WEAPON

01/01/1900 (F) 200.380 (200.380)

PCN: Sequence:

Comment (05/10/10 - LARGE HABITUAL CRIMINAL STATUTE IMPOSED)

Sentenced to Nevada Dept. of Corrections

Term: Life with the possibility of parole after:10 Years

Consecutive: Charge 1

05/10/2010

**Adult Adjudication** (Judicial Officer: Barker, David)

4. POSSESS OF FIREARM BY EX-FELON

01/01/1900 (F) 202.360 (202.360)

PCN: Sequence:

Sentenced to Nevada Dept. of Corrections

Term: Minimum:24 Months, Maximum:60 Months

Concurrent: Charge 2

Credit for Time Served: 0 Day

Comments: \$25.ADM, (\$150.DNAF previously imposed)

Other Fees

1. , \$3,034.50 Individual restitution

2. , \$11,948.60 - To be paid jointly and severally with co-defendant

Comment: SENTENCE TO BE CONSECUTIVE WITH CASE # C156246

## HEARINGS

03/11/2010

**Initial Arraignment** (10:30 AM)

INITIAL ARRAIGNMENT Court Clerk: Karina Kennedy/klk/Sylvia Courtney

Reporter/Recorder: Kiara Schmidt Heard By: Kevin Williams

Matter Heard; INITIAL ARRAIGNMENT Court Clerk: Karina Kennedy/klk/Sylvia Courtney

Reporter/Recorder: Kiara Schmidt Heard By: Kevin Williams

Journal Entry Details:

AS TO DEFT DANIELS: Deft present and in custody. NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. DANIELS ARRAIGNED AND PLED GUILTY TO CT-1-BURGLARY WHILE IN POSSESSION OF A FIREARM (F), CT-2-CONSPIRACY TO COMMIT ROBBERY (F), CT-3-ROBBERY WITH USE OF A DEADLY WEAPON (F) and CT-4-POSSESSION OF FIREARM BY EX-FELON (F). Court ACCEPTED plea and, ORDERED, matter referred to the Division of Parole and Probation (P&P) and set for SENTENCING. AS TO DEFT PICKETT: Deft present and in custody. NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. PICKETT ARRAIGNED AND PLED GUILTY TO CT-1-BURGLARY WHILE IN POSSESSION OF A

# CASE SUMMARY

CASE No. 10C262523-1

*FIREARM (F), CT-2-CONSPIRACY TO COMMIT ROBBERY (F), CT-3-ROBBERY WITH USE OF A DEADLY WEAPON (F) and CT-4-POSSESSION OF FIREARM BY EX-FELON (F). Court ACCEPTED plea and, ORDERED, matter referred to the Division of Parole and Probation (P&P) and set for SENTENCING. CUSTODY(BOTH) 05.10.10 8:15 A.M. SENTENCING (DEPT 18)(BOTH) ;*

05/10/2010



**Sentencing** (8:15 AM) (Judicial Officer: Barker, David)

*SENTENCING OF DEFT DANIELS*

Matter Heard; SENTENCING : DEFTS DANIELS AND PICKETT

Journal Entry Details:

*SENTENCING: DEFT DANIELS The State lodged two certified copies of Deft Daniels' prior Judgments of Convictions in support of their request for Habitual Criminal enhancement. Exhibits were marked as State's Exhibits and admitted. COURT FOUND documents to be accurate and sufficient to support and FOUND DEFT DANIELS AN HABITUAL CRIMINAL pursuant to NRS 207.012. DEFT. DANIELS ADJUDGED GUILTY of COUNT 1 - BURGLARY WHILE IN POSSESSION OF A FIREARM (F); COUNT 2 - CONSPIRACY TO COMMIT ROBBERY (F); COUNT 3 - ROBBERY WITH USE OF A DEADLY WEAPON (F); AND COUNT 4 - POSSESSION OF FIREARM BY EX-FELON (F). In addition to the \$25.00 Administrative Assessment fee, COURT ORDERED, Deft Daniels to PAY RESTITUTION in the AMOUNT of \$11,948.60 JOINTLY and SEVERALLY with co-deft, an INDIVIDUAL RESTITUTION of \$3,034.50, and SENTENCED, as follows: COUNT 1 - A MAXIMUM of ONE-HUNDRED-EIGHTY (180) MONTHS and a MINIMUM of SIXTY (60) MONTHS in the Nevada Department of Corrections (NDC); COUNT 2 - A MAXIMUM of SIXTY (60) MONTHS and a MINIMUM of TWENTY-FOUR (24) MONTHS in the Nevada Department of Corrections (NDC); COUNT 3 - A MAXIMUM term of LIFE in the NV Dept of Corrections, with the possibility of Parole when a MINIMUM of TEN (10) YEARS has been served, CONSECUTIVE TO COUNT 1; COUNT 4 - A MAXIMUM of SIXTY (60) MONTHS and a MINIMUM of TWENTY-FOUR (24) MONTHS in the Nevada Department of Corrections (NDC), CONCURRENT TO COUNT 2. COURT REITERATED that COUNTS 1 AND 3 ARE CONSECUTIVE and COUNTS 2 AND 4 ARE CONCURRENT. COURT FURTHER ORDERED, SENTENCING IN THIS CASE IS TO BE SERVED CONSECUTIVE TO THE SENTENCE IMPOSED IN CASE NO. C156246, with ZERO (0) DAYS CREDIT for time served. COURT FURTHER ORDERED, DNA fee and testing WAIVED, having been previously submitted. If bond, exonerated. CLERK'S NOTE 9/27/10: MINUTE ORDER SEPARATED FROM DEFT PICKETT'S SENTENCING MINUTE ORDER, THIS DATE./SSC ;*

12/16/2013



**Motion** (8:15 AM) (Judicial Officer: Barker, David)

*Deft's Pro Per Accused Motion For Decision On The Merits Of Invalid Laws Of The State Of Nevada Causing The District Court To Be Divested Of Subject Matter Jurisdiction Abinitio Denied;*

Journal Entry Details:

*Matter TRAILED for Mr. Castillo's presence. Matter RECALLED. Court stated defendant's motion is saying the statute is invalid. COURT ORDERED, motion DENIED as it disagrees with defendant. Court DIRECTED the State to prepare and order to include findings of fact and conclusions of law consistent with the opposition. FURTHER, Court DIRECTED the Clerk's Office to send a copy of the order and minute order to defendant. ;*

03/14/2018



**Motion to Correct Sentence** (8:30 AM) (Judicial Officer: Kephart, William D.)

*Defendant's Motion to Correct Disproportionality of Sentence and to Amend the Judgment of Conviction*

Denied;

Journal Entry Details:

*Court noted Defendant not present and in custody with the Nevada Department of Corrections. Court noted Defendant was sentenced under NRS 207.012 based on the prior convictions submitted to the Court. Court FINDS the sentencing Court considered Defendant's prior convictions before sentencing pursuant to NRS 207.012 Defendant was sentenced appropriately and COURT ORDERED, Motion Denied. NDC CLERK'S NOTE: The above minute order has been distributed to: ALAN DANIELS, #63982 S.D.C.C. PO BOX 208 INDIAN SPRINGS, NV 89070;*

05/09/2018





**Status Check** (8:30 AM) (Judicial Officer: Kephart, William D.)

*Status Check: Supreme Court Order Directing the Written Transmission of Order from 3/14/18 Motion to Disproportionality of Sentence and to Amende Judgment of Conviction*

## EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY****CASE NO. 10C262523-1**

	<p>Matter Heard;</p> <p>Journal Entry Details:</p> <p><i>Court noted Defendant not present and in custody with the Nevada Department of Corrections. Mr. Castillo advised he previously represented Defendant in 2010 at sentencing and moved to withdraw as counsel as Defendant has since filed Pro Per motions. COURT ORDERED, Oral Motion to Withdraw as Counsel GRANTED. Further, Court noted the Order Denying Defendant's Motion from 3/14/2018 has been signed. NDC;</i></p>	
10/12/2020	<p> <b>Motion</b> (10:15 AM) (Judicial Officer: Kephart, William D.)</p> <p><i>Request for an Order Vacating Restitution</i></p> <p>Denied;</p> <p>Journal Entry Details:</p> <p><i>Court noted Defendants not present and both in custody with the Nevada Department of Corrections. Court FINDS there is no authority vacate the restitution order nor have defendants provided any authority to support their request. COURT ORDERED, Motion DENIED consistent with State's opposition. NDC;</i></p>	
11/02/2020	<p> <b>Motion</b> (10:15 AM) (Judicial Officer: Kephart, William D.)</p> <p><i>Request for Retaining Order</i></p> <p>Off Calendar;</p> <p>Journal Entry Details:</p> <p><i>COURT ORDERED, Motion OFF CALENDAR as Defendant has failed to sever the Attorney General. NDC;</i></p>	
06/23/2021	<p><b>Petition</b> (8:30 AM) (Judicial Officer: Trujillo, Monica)</p> <p><i>Petition for Writ of Prohibition</i></p> <p>Denied;</p>	
07/07/2021	<p><b>Petition for Writ of Mandamus</b> (8:30 AM) (Judicial Officer: Trujillo, Monica)</p> <p>Denied;</p>	
DATE	FINANCIAL INFORMATION	

**Defendant** Daniels, Alan

Total Charges

25.00

Total Payments and Credits

0.00

**Balance Due as of 7/8/2021****25.00**

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****March 11, 2010**

10C262523-1

The State of Nevada vs Alan D Daniels

**March 11, 2010****10:30 AM****Initial Arraignment**

**INITIAL  
ARRAIGNMENT  
Court Clerk: Karina  
Kennedy/klk/Sylvia  
Courtney  
Reporter/Recorder:  
Kiara Schmidt Heard  
By: Kevin Williams**

**HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Daniels, Alan D

Defendant

Greco, Vicki

Attorney

Robinson, Lynn M.

Attorney

**JOURNAL ENTRIES**

- AS TO DEFT DANIELS: Deft present and in custody. NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. DANIELS ARRAIGNED AND PLED GUILTY TO CT-1-BURGLARY WHILE IN POSSESSION OF A FIREARM (F), CT-2-CONSPIRACY TO COMMIT ROBBERY (F), CT-3-ROBBERY WITH USE OF A DEADLY WEAPON (F) and CT-4-POSSESSION OF FIREARM BY EX-FELON (F). Court ACCEPTED plea and, ORDERED, matter referred to the Division of Parole and Probation (P&P) and set for SENTENCING.

AS TO DEFT PICKETT: Deft present and in custody. NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. PICKETT ARRAIGNED AND PLED GUILTY TO CT-1-BURGLARY WHILE IN POSSESSION OF A FIREARM (F), CT-2-CONSPIRACY TO COMMIT ROBBERY (F), CT-3-ROBBERY WITH USE OF A DEADLY WEAPON (F) and CT-4-POSSESSION OF

FIREARM BY EX-FELON (F). Court ACCEPTED plea and, ORDERED, matter referred to the Division of Parole and Probation (P&P) and set for SENTENCING.

CUSTODY(BOTH)

05.10.10 8:15 A.M. SENTENCING (DEPT 18)(BOTH)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****May 10, 2010**

10C262523-1

The State of Nevada vs Alan D Daniels

**May 10, 2010****8:15 AM****Sentencing**

**SENTENCING :  
DEFTS DANIELS  
AND PICKETT**

**HEARD BY:** Barker, David**COURTROOM:** No Location**COURT CLERK:** Sharon Chun**RECORDER:** Richard Kangas**REPORTER:****PARTIES****PRESENT:**

Castillo, Michael V.  
Daniels, Alan D  
Nelson III, Roy L.

Attorney  
Defendant  
Attorney

**JOURNAL ENTRIES**

**- SENTENCING: DEFT DANIELS**

The State lodged two certified copies of Deft Daniels' prior Judgments of Convictions in support of their request for Habitual Criminal enhancement. Exhibits were marked as State's Exhibits and admitted. COURT FOUND documents to be accurate and sufficient to support and FOUND DEFT DANIELS AN HABITUAL CRIMINAL pursuant to NRS 207.012. DEFT. DANIELS ADJUDGED GUILTY of COUNT 1 - BURGLARY WHILE IN POSSESSION OF A FIREARM (F); COUNT 2 - CONSPIRACY TO COMMIT ROBBERY (F); COUNT 3 - ROBBERY WITH USE OF A DEADLY WEAPON (F); AND COUNT 4 - POSSESSION OF FIREARM BY EX-FELON (F).

In addition to the \$25.00 Administrative Assessment fee, COURT ORDERED, Deft Daniels to PAY RESTITUTION in the AMOUNT of \$11,948.60 JOINTLY and SEVERALLY with co-deft, an INDIVIDUAL RESTITUTION of \$3,034.50, and SENTENCED, as follows:

COUNT 1 - A MAXIMUM of ONE-HUNDRED-EIGHTY (180) MONTHS and a MINIMUM of SIXTY (60) MONTHS in the Nevada Department of Corrections (NDC);

COUNT 2 - A MAXIMUM of SIXTY (60) MONTHS and a MINIMUM of TWENTY-FOUR (24)

MONTHS in the Nevada Department of Corrections (NDC);

COUNT 3 - A MAXIMUM term of LIFE in the NV Dept of Corrections, with the possibility of Parole when a MINIMUM of TEN (10) YEARS has been served, CONSECUTIVE TO COUNT 1;

COUNT 4 - A MAXIMUM of SIXTY (60) MONTHS and a MINIMUM of TWENTY-FOUR (24) MONTHS in the Nevada Department of Corrections (NDC), CONCURRENT TO COUNT 2.

COURT REITERATED that COUNTS 1 AND 3 ARE CONSECUTIVE and COUNTS 2 AND 4 ARE CONCURRENT. COURT FURTHER ORDERED, SENTENCING IN THIS CASE IS TO BE SERVED CONSECUTIVE TO THE SENTENCE IMPOSED IN CASE NO. C156246, with ZERO (0) DAYS CREDIT for time served. COURT FURTHER ORDERED, DNA fee and testing WAIVED, having been previously submitted.

If bond, exonerated.

CLERK'S NOTE 9/27/10: MINUTE ORDER SEPARATED FROM DEFT PICKETT'S SENTENCING MINUTE ORDER, THIS DATE./SSC



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****December 16, 2013**

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10C262523-1

The State of Nevada vs Alan D Daniels

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**December 16, 2013      8:15 AM      Motion****HEARD BY:** Barker, David**COURTROOM:** RJC Courtroom 11B**COURT CLERK:** Shelly Landwehr**RECORDER:** Cheryl Carpenter**REPORTER:****PARTIES****PRESENT:**Keeler, Brett O.  
State of NevadaAttorney  
Plaintiff**JOURNAL ENTRIES**

- Matter TRAILED for Mr. Castillo's presence. Matter RECALLED.

Court stated defendant's motion is saying the statute is invalid. COURT ORDERED, motion DENIED as it disagrees with defendant. Court DIRECTED the State to prepare and order to include findings of fact and conclusions of law consistent with the opposition. FURTHER, Court DIRECTED the Clerk's Office to send a copy of the order and minute order to defendant.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****March 14, 2018**

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10C262523-1

The State of Nevada vs Alan D Daniels

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**March 14, 2018****8:30 AM****Motion to Correct Sentence****HEARD BY:** Kephart, William D.**COURTROOM:** RJC Courtroom 16B**COURT CLERK:** Tia Everett**RECORDER:** Christine Erickson**REPORTER:****PARTIES****PRESENT:**Dickerson, Michael  
State of NevadaAttorney  
Plaintiff**JOURNAL ENTRIES**

- Court noted Defendant not present and in custody with the Nevada Department of Corrections. Court noted Defendant was sentenced under NRS 207.012 based on the prior convictions submitted to the Court. Court FINDS the sentencing Court considered Defendant's prior convictions before sentencing pursuant to NRS 207.012 Defendant was sentenced appropriately and COURT ORDERED, Motion Denied.

NDC

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

ALAN DANIELS, #63982

S.D.C.C.

PO BOX 208

INDIAN SPRINGS, NV 89070

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****May 09, 2018**

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10C262523-1

The State of Nevada vs Alan D Daniels

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**May 09, 2018****8:30 AM****Status Check****HEARD BY:** Kephart, William D.**COURTROOM:** RJC Courtroom 16B**COURT CLERK:** Tia Everett**RECORDER:** Christine Erickson**REPORTER:****PARTIES****PRESENT:**Castillo, Michael V.  
Holthus, Mary Kay  
State of NevadaAttorney  
Attorney  
Plaintiff**JOURNAL ENTRIES**

- Court noted Defendant not present and in custody with the Nevada Department of Corrections. Mr. Castillo advised he previously represented Defendant in 2010 at sentencing and moved to withdraw as counsel as Defendant has since filed Pro Per motions. COURT ORDERED, Oral Motion to Withdraw as Counsel GRANTED. Further, Court noted the Order Denying Defendant's Motion from 3/14/2018 has been signed.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****October 12, 2020**

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10C262523-1

The State of Nevada vs Alan D Daniels

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**October 12, 2020****10:15 AM****Motion****HEARD BY:** Kephart, William D.**COURTROOM:** RJC Courtroom 16B**COURT CLERK:** Tia Everett**RECORDER:** Christine Erickson**REPORTER:****PARTIES****PRESENT:**

State of Nevada

Plaintiff

Zadrowski, Bernard B.

Attorney

**JOURNAL ENTRIES**

- Court noted Defendants not present and both in custody with the Nevada Department of Corrections. Court FINDS there is no authority vacate the restitution order nor have defendants provided any authority to support their request. COURT ORDERED, Motion DENIED consistent with State's opposition.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**November 02, 2020**

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10C262523-1

The State of Nevada vs Alan D Daniels

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**November 02, 2020      10:15 AM      Motion**

**HEARD BY:**    Kephart, William D.

**COURTROOM:**    RJC Courtroom 16B

**COURT CLERK:**    Tia Everett

**RECORDER:**    Toshiana Pierson

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Brooks, Parker	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- COURT ORDERED, Motion OFF CALENDAR as Defendant has failed to sever the Attorney General.

NDC

TRIAL OR HEARING DATE Sentencing 5-10-10

Case No.	C 262523	Clerk:	Sharon Chun
Dept.	XVIII Judge: DAVID BARKER	Recorder:	Richard Kangas
Pltf(s):	State of Nevada	Pltf's Counsel:	Roger Nelson
	VS		
Def't(s):	Alan Daniels	Def't's Counsel:	Michael Castillo

**EXHIBIT LIST FOR:** State

[illegible]

## EXHIBIT LIST

Sentencing 5-10-10  
TRIAL OR HEARING DATE \_\_\_\_\_

Case No. <u>C 262523</u>	Clerk: Sharon Chun
Dept. <u>XVIII</u> Judge: <u>DAVID BARKER</u>	Recorder: Richard Kangas
Plt(s): <u>State of Nevada</u>	Plt's Counsel: <u>Roy Nelson</u>
vs	
Def(s): <u>Cary Gerard Pickett</u>	Def's Counsel: <u>Caesar Almase</u>

EXHIBIT LIST FOR: State -

Exhibit No.	Description	Date Offered	Obj.	Adm.	Date Admitted
1	Certified Copy - JOC C226282; 2/21/07	5-10-10	-	✓	5-10-10
2	- C 145127, 10/17/97			✓	5-10-10
3	- C 143146, 10/17/97			✓	5-10-10
4	- C 119000, 7/28/94			✓	5-10-10
5	- C 109725, 12/10/93			✓	5-10-10
6	- C 107733X, 5/9/93			✓	5-10-10
7	- C 99915X, 6/24/91			✓	5-10-10
[All in Support of Habitual Criminal Enhancement]					

T:\DEPT 18\EXHIBIT LIST FORMS-GENERIC.doc

State v. Newton

State's EXHIBITS

CASE NO. C265523

	Date Offered	Objection	Date Admitted
1. Photo	8/14/12	No	8/14/12
2. Photo			
3. Photo			
4. Photo			
5. Photo			
6. Photo			
7. Photo			
8. Photo			
9. Photo			
10. Photo			
11. Photo			
12. Photo			
13. Photo			
14. Photo			
15. Photo			
16. Photo			
17. Photo			
18. Photo-map			
19. Photo-map			
20. Photo			
21. Photo-map			
22. Photo			
23. DVD			



## EXHIBITS

CASE NO. C265523

Exhibit Sheet 5-01/jh

## EXHIBITS

CASE NO. C 265523

Exhibit Sheet 5-01/jh



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

ALAN DANIELS #63982  
P.O. BOX 208  
INDIAN SPRINGS, NV 89070

DATE: July 8, 2021  
CASE: 10C262523-1

**RE CASE:** STATE OF NEVADA vs. ALAN DANIELS aka ALAN DEMETRIUS DANIELS

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.

ALAN DANIELS  
aka ALAN DEMETRIUS DANIELS,

Defendant(s).

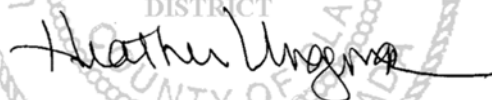
Case No: 10C262523-1

Dept No: III

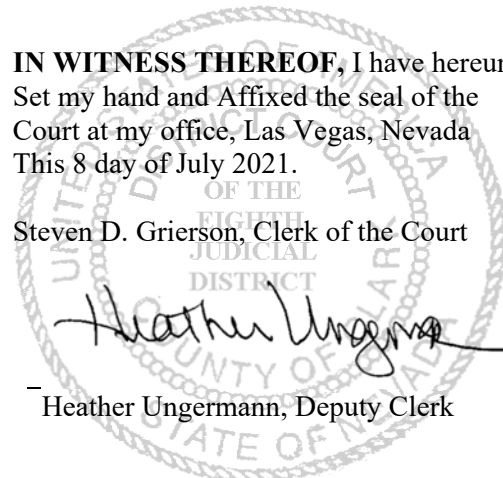
now on file and of record in this office.

**IN WITNESS THEREOF**, I have hereunto  
Set my hand and Affixed the seal of the  
Court at my office, Las Vegas, Nevada  
This 8 day of July 2021.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk





**EIGHTH JUDICIAL DISTRICT COURT  
CLERK OF THE COURT**

REGIONAL JUSTICE CENTER  
200 LEWIS AVENUE, 3<sup>rd</sup> FL.  
LAS VEGAS, NEVADA 89155-1160  
(702) 671-4554

Steven D. Grierson  
Clerk of the Court

Anntoinette Naumec-Miller  
Court Division Administrator

July 8, 2021

Elizabeth A. Brown  
Clerk of the Court  
201 South Carson Street, Suite 201  
Carson City, Nevada 89701-4702

RE: STATE OF NEVADA vs. ALAN DANIELS aka ALAN DEMETRIUS DANIELS  
D.C. CASE: 10C262523-1

Dear Ms. Brown:

Please find enclosed a Notice of Appeal packet, filed July 8, 2021. Due to extenuating circumstances minutes from the date(s) listed below have not been included:

June 23, 2021  
July 7, 2021

We do not currently have a time frame for when these minutes will be available.

If you have any questions regarding this matter, please contact me at (702) 671-0512.

Sincerely,  
STEVEN D. GRIERSON, CLERK OF THE COURT

A handwritten signature in black ink, appearing to read "Heather Ungermann".

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Heather Ungermann, Deputy Clerk