

IN THE SUPREME COURT OF THE STATE OF NEVADA

INDICATE FULL CAPTION:

VANESHIA OLIVER,
Appellant,

vs,

STATE OF NEVADA,
Respondent.

No. 83276

**DOCKETING STATEMENT
CRIMINAL APPEALS**

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

Electronically Filed
Aug 12 2021 04:21 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

GENERAL INFORMATION

Appellants must complete this docketing statement in compliance with NRAP 14(a). The purpose of the docketing statement is to assist the Supreme Court in screening jurisdiction, identifying issues on appeal, assessing presumptive assignment to the Court of Appeals under NRAP 17, scheduling cases for oral argument, classifying cases for expedited treatment and assignment to the Court of Appeals, and compiling statistical information.

WARNING

This statement must be completed fully, accurately and on time. NRAP 14(c). The Supreme Court may impose sanctions on counsel or appellant if it appears that the information provided is incomplete or inaccurate. *Id.* Failure to fill out the statement completely or to file it in a timely manner constitutes grounds for the imposition of sanctions.

1. Judicial District Eighth County Clark

Judge Michael Villani District Ct. Case No. C-20-351676-1

2. If the defendant was given a sentence,

(a) what is the sentence?

COUNT 3 - a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS; COUNT 4 - a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM Parole Eligibility of TWENTYFOUR (24) MONTHS, CONCURRENT with COUNT 3; COUNT 5 - a MAXIMUM of FORTY-EIGHT (48) MONTHS with a MINIMUM Parole Eligibility of ☒

(b) has the sentence been stayed pending appeal?

No

(c) was defendant admitted to bail pending appeal?

No

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

4. **Attorney filling this docketing statement:**

Attorney Martin W. Hart, Esq. Telephone (702) 380-4278

Firm Law Offices of Martin Hart, LLC

Address: 526 South 7th Street
Las Vegas, NV 89101

Client(s) Vaneshia Oliver

5. Is appellate counsel appointed ☒ or retained ☐ ?

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

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

Attorney Steve Wolfson Telephone (702) 671-2500

Firm Clark County District Attorney

Address: 200 Lewis
Las Vegas, NV 89101

Client(s) State of Nevada

Attorney _____ Telephone _____

Firm _____

Address: _____

Client(s) _____

(List additional counsel on separate sheet if necessary)

7. Nature of disposition below:

- | | |
|---|--|
| ☐ Judgment after bench trial | ☐ Grant of pretrial habeas |
| ☒ Judgment after jury verdict | ☐ Grant of motion to suppress evidence |
| ☐ Judgment upon guilty plea | ☐ Post-conviction habeas (NRS ch. 34) |
| ☐ Grant of pretrial motion to dismiss | ☐ grant ☐ denial |
| ☐ Parole/probation revocation | ☐ Other disposition (specify): |
| ☐ Motion for new trial | |
| ☐ grant ☐ denial | |
| ☐ Motion to withdraw guilty plea | |
| ☐ grant ☐ denial | |

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

- | | |
|---|---|
| ☐ death sentence | ☐ juvenile offender |
| ☐ life sentence | ☐ pretrial proceedings |

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

- ☐ Yes ☒ No

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

Clark v State 83303

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

NA

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

Appellant was charged by way of Indictment with counts of CONSPIRACY TO COMMIT LARCENY, CONSPIRACY TO COMMIT BURGLARY, RESIDENTIAL BURGLARY, INVASION OF THE HOME, BURGLARY OF A BUSINESS, FRAUDULENT USE OF CREDIT OR DEBIT CARD, ATTEMPT FRAUDULENT USE OF CREDIT OR DEBIT CARD, THEFT, ROBBERY, COERCION, POSSESSION OF CREDIT OR DEBIT CARD WITHOUT CARDHOLDER'S CONSENT and POSSESSION OF BURGLARY TOOLS from incidents involving thefts from rooms at Paris Hotel and Harrah's Hotel and the subsequent use and attempted use of credit cards and possession of stolen property. At jury trial, Appellant was found guilty of all charges.

13. Issues on appeal. State specifically all issues in this appeal (attach separate sheets as necessary):

Whether appellant was denied a fair trial when the trial court denied a motion to sever, errors in admission of evidence and sufficiency of the evidence.

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

☒ N/A

☐ Yes

☐ No

If not, explain:

TIMELINESS OF NOTICE OF APPEAL

19. Date district court announced decision, sentence or order appealed from 06/24/2021

20. Date of entry of written judgment or order appealed from 06/28/2021

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

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

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

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

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

Arrest judgment _____ Date filed _____

New trial (newly
discovered evidence) _____ Date filed _____

New trial (other grounds) _____ Date filed _____

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

23. Date notice of appeal filed 07/21/2021

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

NRAP 4(b)

SUBSTANTIVE APPEALABILITY

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

NRS 177.015(1)(b) _____	NRS 34.560 _____
NRS 177.015(1)(c) _____	NRS 34.575(1) _____
NRS 177.015(2) _____	NRS 34.560(2) _____
NRS 177.015(3) X _____	Other (specify) _____
NRS 177.055 _____	

VERIFICATION

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

Vaneshia Oliver

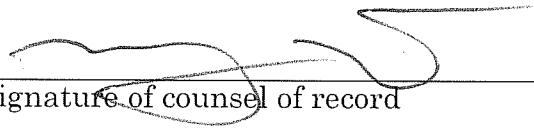
Name of appellant

Martin W. Hart, Esq.

Name of counsel of record

8/12/2021

Date



Signature of counsel of record

CERTIFICATE OF SERVICE

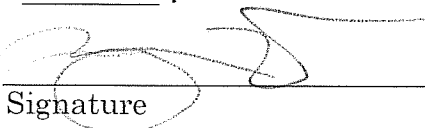
I certify that on the 8-12 day of 20 21, I served a copy of this completed docketing statement upon all counsel of record:

☐ By personally serving it upon him/her; or

☒ By mailing it by first class mail with sufficient postage prepaid to the following address(es):

Electronic Service on: Aaron Ford, Nevada Attorney General
Steve Wolfson, Clark County District Attorney
Martin Hart, Counsel for Appellant

Dated this 12th day of August, 20 21.



Signature