

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHRISTOPHER LEROY ROACH,
Appellant(s),

vs.

THE STATE OF NEVADA,
Respondent(s),

Electronically Filed
Aug 24 2021 07:27 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

Case No: C-14-300979-1
Related Case A-21-829045-W
Docket No: 83305

RECORD ON APPEAL VOLUME 3

ATTORNEY FOR APPELLANT
CHRISTOPHER ROACH # 1076731,
PROPER PERSON
P.O. BOX 208
INDIAN SPRINGS, NV 89070

ATTORNEY FOR RESPONDENT
STEVEN B. WOLFSON,
DISTRICT ATTORNEY
200 LEWIS AVE.
LAS VEGAS, NV 89155-2212

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C-14-300979-1

State of Nevada
vs
Christopher Roach

I N D E X

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1 Edwards v. State, 112 Nev. 704, 707, 918 P.2d 321, 324 (1996); NRS 176.555; see also
2 Passanisi, 108 Nev. at 322, 831 P.2d at 1373. Not every mistake or error during sentencing
3 gives rise to a due process violation. State v. Dist. Ct. (Husney), 100 Nev. 90, 97, 677 P.2d
4 1044, 1048 (1984). The Nevada Supreme Court has emphasized that a “motion to modify a
5 sentence is limited in scope to sentences based on mistaken assumptions about a defendant’s
6 criminal record which work to the extreme detriment of the defendant.” Edwards, 112 Nev. at
7 708, 918 P.2d at 325.

8 NRS 176.555 states that “[t]he court may correct an illegal sentence at any time.” See
9 also Passanisi v. State, 108 Nev. 318, 321, 831 P.2d 1371, 1372 (1992). However, the grounds
10 to correct an illegal sentence are interpreted narrowly under a limited scope. See Edwards v.
11 State, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996); see also Haney v. State, 124 Nev. 408,
12 411, 185 P.3d 350, 352 (2008). “A motion to correct an illegal sentence is an appropriate
13 vehicle for raising the claim that a sentence is facially illegal at any time; such a motion cannot
14 be used as a vehicle for challenging the validity of a judgment of conviction or sentence based
15 on alleged errors occurring at trial or sentencing.” Edwards, 112 Nev. at 708, 918 P.2d at 324.

16 “Motions to correct illegal sentences address only the facial legality of a sentence.” Id.
17 Motions to correct illegal sentences evaluate whether the sentence imposed on the defendant
18 is “at variance with the controlling statute, or illegal in the sense that the court goes beyond
19 its authority by acting without jurisdiction or imposing a sentence in excess of the statutory
20 maximum provided.” Id. (quoting Allen v. United States, 495 A.2d 1145, 1149 (D.C. 1985)).
21 Other claims attacking the conviction or sentence must be raised by a timely filed direct appeal
22 or a timely filed Petition for a Post-Conviction Writ of Habeas Corpus per NRS 34.720-34.830,
23 or other appropriate motion. See Id.

24 In the instant case, Defendant fails to show his sentence is facially illegal or based on a
25 materially untrue assumption or mistake of fact. Instead, Defendant claims that he should not
26 have been sentenced to an equal consecutive term of sixty (60) to one hundred eighty (180)
27 months for his deadly weapon enhancement pursuant to NRS 193.165. Motion at 1.
28 Defendant’s interpretation of the statute is incorrect.

1 Defendant was convicted of Robbery With Use of a Deadly Weapon (Category B
2 Felony – NRS 200.380, 193.165). Robbery carries a minimum two (2) year and a maximum
3 fifteen (15) year sentence. Additionally, the deadly weapon enhancement carries a consecutive
4 sentence between one (1) and twenty (20) years. NRS 193.165. Pursuant to statute, the
5 sentence for the deadly weapon enhancement must run consecutive to the primary sentence,
6 and it must not exceed the primary sentence. NRS 193.65(2).

7 For Defendant's primary crime of robbery, he was sentenced to a minimum of five (5)
8 years and a maximum of fifteen (15) years. Therefore, Defendant's deadly weapon
9 enhancement could not exceed fifteen (15) years, and the court complied with this condition.
10 For the deadly weapon enhancement, Defendant was sentenced to an equal and consecutive
11 term of a minimum of five (5) years and a maximum of fifteen (15) years. This is permissible,
12 as there is no language in NRS 193.165 prohibiting an equal and consecutive sentence for the
13 deadly weapon enhancement.

14 As such, Defendant's sentence is facially valid Therefore, this Court should find that
15 Defendant is not entitled to a correction of his sentence and deny Defendant's Motion to
16 Correct Illegal Sentence.

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1 CONCLUSION

2 Based on the foregoing reasons, Defendant's Motion to Correct Illegal Sentence should
3 be DENIED.

4 DATED this 16th day of August, 2019.

5 Respectfully submitted,

6 STEVEN B. WOLFSON
7 Clark County District Attorney
8 Nevada Bar #001565

9 BY

10 CHARLES W. THOMAN
11 Chief Deputy District Attorney
12 Nevada Bar #12649

13 CERTIFICATE OF MAILING

14 I hereby certify that service of the above and foregoing was made this 16th day of
15 August, 2019, by depositing a copy in the U.S. Mail, postage pre-paid, addressed to:
16

17 CHRISTOPHER ROACH #1076731
18 High Desert State Prison
19 P.O. BOX 650
20 Indian Springs, NV, 89070

21 BY

22 C. Jimenez
23 Secretary for the District Attorney's Office

24
25
26
27 CT/cmj/L3
28

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1 **ORDR**
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
5 MADILYN COLE
6 Deputy District Attorney
7 Nevada Bar #14693
8 200 Lewis Avenue
9 Las Vegas, NV 89155-2212
10 (702) 671-2500
11 Attorney for Plaintiff

8 DISTRICT COURT
9 CLARK COUNTY, NEVADA

10 THE STATE OF NEVADA,
11 Plaintiff,

12 -vs-

13 CHRISTOPHER LEROY ROACH, aka,
14 Christopher Roach, #2757657
15 Defendant.

CASE NO: C-14-300979-1

DEPT NO: XXIII

16 **ORDER DENYING DEFENDANT'S MOTION TO CORRECT ILLEGAL**
17 **SENTENCE**

18 DATE OF HEARING: August 21, 2019
19 TIME OF HEARING: 9:30 A.M.

20 THIS MATTER having come on for hearing before the above entitled Court on the
21 21st day of August, 2019, the Defendant not being present, represented by In Proper Person,
22 the Plaintiff being represented by STEVEN B. WOLFSON, District Attorney, through
23 MADILYN COLE, Deputy District Attorney, and the Court without argument, based on the
24 pleadings and good cause appearing therefor,

25 ///

26 ///

27 ///


28 ///

W:\2014\2014F\104\76\14F10476-ORDR-(ROACH_CHRISTOPHER)-002.DOCX

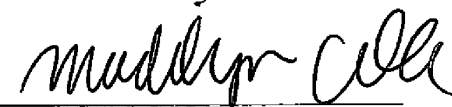
1 IT IS HEREBY ORDERED that the Defendant's Motion to Correct Illegal Sentence,
2 shall be, and it is DENIED; Deft. claims deadly weapon enhancement should have been less,
3 Court FINDS there to be no merit and noted sentence was not illegal.

4 DATED this 12th day of September, 2019.

5
6
7 STEVEN B. WOLFSON
8 Clark County District Attorney
Nevada Bar #001565


DISTRICT JUDGE
JUDGE STEFANY A. MILEY

9
10 BY


MADILYN COLE
Deputy District Attorney
Nevada Bar #14693

11
12
13
14
15 CERTIFICATE OF MAILING

16 I hereby certify that service of the above and foregoing was made this 16th day of
17 September, 2019, by depositing a copy in the U.S. Mail, postage pre-paid, addressed to:

18
19 CHRISTOPHER ROACH #1076731
20 High Desert State Prison
P.O. BOX 650
Indian Springs, NV, 89070

21
22 BY


C. Jimenez
Secretary for the District Attorney's Office

23
24
25
26
27
28 cmj/L3

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NUMBERED PAGE(S)
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Steven D. Grierson

1 Christopher Roach #1076731
2 Defendant/ In Propria Person
3 Post Office Box 258
4 Indian Springs, Nevada 89070

5 IN THE 3th JUDICIAL DISTRICT COURT OF THE STATE
6 OF NEVADA IN AND FOR THE COUNTY OF Clark

7
8 The State of Nevada,
9 Plaintiff,

10 VS

11 Christopher Roach,
12 Defendant,

Case No. C-14-300979-1

Dept NO. XXIII

13 1076731

6/17/20

3:30 PM

15 MOTION TO MODIFY AND/OR CORRECT
16 ILLEGAL SENTENCE

17 Date of hearing :

18 Time of hearing :

19
20 COMES NOW, DEFENDENT, Christopher Roach, proceeding
21 in proper person, hereby motion this Honorable Court
22 pursuant to N.R.S 176.555 and Edwards v. state.

23 This motion is made in based upon all papers and pleadings
24 on file, the points and authorities and exhibits attached
25 here to.

26
27 Dated; this _____ day of March, 2020.

28 Christopher Roach
#1076731
DEFENDENT/

POINTS AND AUTHORITIES

"Motion to modify sentence" is limited in scope to sentences based on mistaken assumptions about defendant's criminal record which work to defendant's extreme detriment, while "Motion to correct illegal sentence" addresses only facial legality of sentence. State v. District Court, 100 Nev. 90, 97, 677 p.2d 1044 1048 (1984), and Edwards v. State, 918 p.2d 321 (Nev. 1996).

Further N.R.S 176.555 Motion to Modify and/or Correct a sentence, may be filed at any time.

Defendant herein alleges that his sentence should be modified and/or corrected pursuant to the following facts.

Petitioner Christopher Roach signed a plea deal for Robbery with Use of a Deadly weapon. In which case he received a sentence of 5 years to 15 years with a Consecutive Sentence for the Deadly Weapon Enhancement also a 5 years to 15 years. Christopher Roach also has a Conspiracy to Commit Robbery Charge for which he was sentenced to 13 months to 60 months.
In Case number C-14-300979-1. The plea date was entered on March 11, 2015.
Under Petitioner's Knowledge Count 1 Robbery with Use of A Deadly Weapon was to run Concurrent to the Count 2 Conspiracy to Commit Robbery and the Deadly Weapon Enhancement was to run Consecutive to the robbery and Conspiracy Charges. As this Honorable

1 Court knows any Errors or mistaken assumptions
2 can be corrected at anytime. Because the
3 Conspiracy Should only run Consecutively to the
4 Deadly Weapon Enhancement and not the Robbery
5 itself. Having the petitioner to do additional years
6 are cruel and unusual punishment for the crime the
7 petitioner has committed. I ask the Honorable
8 Court to review and/or modify or correct the Illegal
9 Sentence structure that the petitioner was sentenced
10 to. Furthermore I ask the Honorable Court to modify
11 it's Judgement of conviction to where the Conspiracy
12 runs concurrent to the Robbery and consecutive to
13 the Deadly weapon Enhancement
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Defendant/ In _____

Theraby, pursuant to the facts and the law stated herein,
Defendant, request that his sentence be modified/corrected as
follows: Ask's this Honorable Court to run Count 2
Conspiracy to Commit Robbery with Count 1 Robbery
with Use of A Deadly Weapon Concurrently

Dated; this _____ DAY OF March, 20 20.

Christopher Roach
1076731
Defendant/propria person

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CERTIFICATE OF SERVICE BY MAILING

I, Christopher Roach, hereby certify, pursuant to NRCP 5(b), that on this ____
day of March, 2020 I mailed a true and correct copy of the foregoing, "Motion
to Modify and /or Correct Illegal Sentence"
by placing document in a sealed pre-postage paid envelope and deposited said envelope in the
United State Mail addressed to the following:

Christopher Roach #1076731
SDCC
P.O. Box 203
Indian Springs NV 89070

CC:FILE

DATED: this ____ day of March, 2020

Christopher Roach 1076731
#

/In Propria Personam
Post Office Box 208, S.D.C.C.
Indian Springs, Nevada 89018
IN FORMA PAUPERIS:

AFFIRMATION
Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding Motion
to Modify and/or Correct Illegal Sentence
(Title of Document)

filed in District Court Case number C-14-360979-1

☒ Does not contain the social security number of any person.

-OR-


☐ Contains the social security number of a person as required by:

A. A specific state or federal law, to wit:

(State specific law)

-or-

B. For the administration of a public program or for an application
for a federal or state grant.


Signature

3/ /2020
Date

Christopher Roach
Print Name

Petitioner
Title

SDCC

1 Christopher Roach #1076731
2 In Propria Personam
3 Post Office Box 208 S.D.C.C.
4 Indian Springs, Nevada 89018

5 DISTRICT COURT
6 CLARK COUNTY, NEVADA

8 Christopher Roach
9 Plaintiff,

10 vs.

11 The State of NEVADA
12 Defendant.

Case No. C-14-300979-1

Dept. No. XXIII

FINANCIAL CERTIFICATE

(On Motion for Leave to
Proceed in Forma Pauperis)

14 I, hereby certify that the Christopher Roach named herein above has the sum of \$.44 on
15 account to his credit at the facility where said Christopher Roach is confined.

16 I further certify that the Christopher Roach likewise has the following securities to his credit
17 according to the records of said facility:

18 Savings has a balance of \$ 147.35,
19 not accessible to him

21 DATED: this 23 day of March, 2020

22
23 

24 NEVADA DEPARTMENT OF CORRECTIONS
25 Inmate Services Accountant

RECEIVED

APR 13 2020

CLERK OF THE COURT

Christopher Koch #1076731
SDCC
P.O. Box 268
Indian Springs NV 89076

STEVEN D GRIERSON
Clerk of Court
200 Lewis Avenue 3rd Floor
Las Vegas NV 89155

Las Vegas PMDC 89199
THU 09 APR 2020 PM

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1 **ORDR**
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
5 DAVID STANTON
6 Chief Deputy District Attorney
7 Nevada Bar #003202
8 200 Lewis Avenue
9 Las Vegas, NV 89155-2212
10 (702) 671-2500
11 Attorney for Plaintiff

8 DISTRICT COURT
9 CLARK COUNTY, NEVADA

10 THE STATE OF NEVADA,
11 Plaintiff,

12 -vs-

13 CHRISTOPHER LEROY ROACH, aka,
14 Christopher Roach, #2757657

15 Defendant.

CASE NO: C-14-300979-1

DEPT NO: XXIII

16 **ORDER DENYING DEFENDANT'S MOTION TO MODIFY AND/OR CORRECT**
17 **ILLEGAL SENTENCE**

18 DATE OF HEARING: June 17, 2020
19 TIME OF HEARING: 3:30 P.M.

20 THIS MATTER having come on for hearing before the above entitled Court on the
21 17th day of June, 2020, the Defendant not being present, Represented by In Proper Person,
22 the Plaintiff being represented by STEVEN B. WOLFSON, District Attorney, through
23 DAVID STANTON, Chief Deputy District Attorney, and the Court without argument, based
24 on the pleadings and good cause appearing therefor,

25 ///

26 ///

27 ///

28 ///

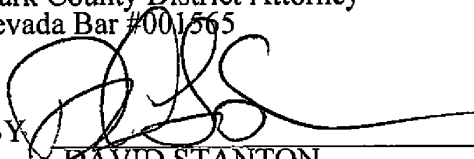
\\CLARKCOUNTYDA.NET\CRM\CASE2\2014\346\62\201434662C-ORDR-(ROACH, CHRISTOPHER)-001.DOCX

1 IT IS HEREBY ORDERED that the Defendant's Motion to Modify and/or Correct
2 Illegal Sentence, shall be, and it is DENIED; Court pointed out the same motion was denied
3 August of 2019 and there being no new evidence.

4 DATED this 8th day of June, 2020.

5 
6 DISTRICT JUDGE Stefany Miley 

7 STEVEN B. WOLFSON
8 Clark County District Attorney
9 Nevada Bar #001565

10 BY 
11 DAVID STANTON
12 Chief Deputy District Attorney
13 Nevada Bar #003202
14

15 CERTIFICATE OF MAILING

16 I hereby certify that service of the above and foregoing was made this _____ day of
17 June, 2020, by depositing a copy in the U.S. Mail, postage pre-paid, addressed to:

18 CHRISTOPHER LEROY ROACH #1076731
19 S.D.C.C.
20 P.O. BOX 208
Indian Springs, NV, 89070

21 BY _____
22 C. Jimenez
23 Secretary for the District Attorney's Office
24
25
26
27

28 cmj/L3

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 23, 2014

C-14-300979-1 State of Nevada
vs
Christopher Roach

September 23, 2014 1:00 PM Initial Arraignment

HEARD BY: De La Garza, Melisa **COURTROOM:** RJC Lower Level Arraignment

COURT CLERK: Roshonda Mayfield

RECORDER: Kiara Schmidt

REPORTER:

PARTIES

PRESENT:	Almase, Caesar V.	Attorney
	DiGiacomo, Sandra	Attorney
	Roach, Christopher Leroy	Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- DEFT. ROACH ARRAIGNED, PLED NOT GUILTY, and WAIVED the 60-DAY RULE. COURT ORDERED, matter set for trial. COURT FURTHER ORDERED, counsel has 21 days from the filing of the preliminary transcript to file any writs.

CUSTODY

3/11/15 9:30 A.M. CALENDAR CALL (DEPT. 23)

3/16/15 1:00 P.M. JURY TRIAL (DEPT. 23)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 19, 2014

C-14-300979-1 State of Nevada
 vs
 Christopher Roach

**November 19, 2014 11:00 AM Petition for Writ of Habeas
Corpus**

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Katherine Streuber

RECORDER: Maria Garibay

REPORTER:

PARTIES

PRESENT:	Almase, Caesar V.	Attorney
	Bateman, Caroline	Attorney
	Roach, Christopher Leroy	Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Argument by counsel noting Ms. Robinson's testimony given at Preliminary Hearing stating she could not say individual was Deft. Roach and further argued Ms. Robinson did not circle any of the Defts. in photo line-ups. Colloquy regarding location of property. Counsel pointed out there being no evidence Deft. knew property was in the vehicle and requested counts 5 and 6 be dismissed. Argument by the State noting testimony of other victims, advised Judge Kephart had concerns with Ms. Robinson not identifying Defts., however, other victims did identify all three Defts. Further argument by counsel. Court finds slight or marginal evidence, noted all three Defts. were identified, pointed out items were located in the vehicle and ORDERED, petition DENIED. Trial date STANDS.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 11, 2015

C-14-300979-1 State of Nevada
 vs
 Christopher Roach

March 11, 2015 9:30 AM Calendar Call

HEARD BY: Miley, Stefany **COURTROOM:** RJC Courtroom 12C

COURT CLERK: Katherine Streuber

RECORDER: Maria Garibay

REPORTER:

PARTIES

PRESENT:	Almase, Caesar V.	Attorney
	Roach, Christopher Leroy	Defendant
	State of Nevada	Plaintiff
	Sudano, Michelle L.	Attorney

JOURNAL ENTRIES

- Amended Information FILED IN OPEN COURT. NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. ROACH ARRAIGNED AND PLED GUILTY to COUNT 1 - ROBBERY WITH USE OF A DEADLY WEAPON (F) and COUNT 2 - CONSPIRACY TO COMMIT ROBBERY (F). Court ACCEPTED plea and ORDERED, matter referred to the Division of Parole and Probation (P & P) and set for sentencing. Trial date VACATED.

CUSTODY

05-06-15 9:30 AM SENTENCING COUNTS 1 & 2

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 06, 2015**

C-14-300979-1

State of Nevada

vs

Christopher Roach

May 06, 2015**9:30 AM****Sentencing****Sentencing Counts 1
& 2****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Katherine Streuber**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:**

Almase, Caesar V.

Attorney

Cannizzaro, Nicole J.

Attorney

Roach, Christopher Leroy

Defendant

State of Nevada

Plaintiff

JOURNAL ENTRIES

- Argument by the State. Argument by counsel. Statement by Deft. DEFT. ROACH ADJUDGED GUILTY of COUNT 1 - ROBBERY WITH USE OF A DEADLY WEAPON (F) and COUNT 2 - CONSPIRACY TO COMMIT ROBBERY (F). COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$3.00 DNA Collection fee and \$880.00 Restitution to be paid Jointly and Severally, Deft. SENTENCED as to COUNT 1 - to a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS and MINIMUM of SIXTY (60) MONTHS in the Nevada Department of Corrections (NDC) plus a CONSECUTIVE sentence of MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS and a MINIMUM of SIXTY (60) MONTHS for the use of Deadly Weapon and COUNT 2 - to a MAXIMUM of SIXTY (60) MONTHS and MINIMUM of THIRTEEN (13) MONTHS in the Nevada Department of Correction (NDC) to run CONSECUTIVE to COUNT 1, with THREE HUNDRED NINE (309) DAYS credit for time served. The AGGREGATE TOTAL sentence is FOUR HUNDRED TWENTY (420) MONTHS MAXIMUM with a MINIMUM of ONE HUNDRED THIRTY-THREE (133)

PRINT DATE: 08/23/2021

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Minutes Date: September 23, 2014

MONTHS. FURTHER, \$150.00 DNA fee and testing are WAIVED. BOND, if any, EXONERATED.

NDC

CLERK'S NOTE: The above minute order has been amended to reflect the aggregate sentence.
05/07/15 kls

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 04, 2016**

C-14-300979-1 State of Nevada
vs
Christopher Roach

May 04, 2016**9:30 AM****Status Check**

**STATUS CHECK:
NDOC
CLARIFICATION**

HEARD BY: Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Katherine Streuber**RECORDER:** Maria Garibay**REPORTER:****PARTIES**

PRESENT: Cannizzaro, Nicole J. Attorney
State of Nevada Plaintiff

JOURNAL ENTRIES

- Pursuant to Letter of Discrepancy from Nevada Department of Corrections noting case did not meet aggregate standards, COURT ORDERED, aggregate sentence REMOVED. FURTHER, previously imposed sentence STANDS. Clerk's Office to prepare Amended Judgment of Conviction.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 12, 2016

C-14-300979-1 State of Nevada
 vs
 Christopher Roach

October 12, 2016	9:30 AM	All Pending Motions	Defendant's Motion for Production of Documents, Papers, Pleadings and Tangible Property of Defendant; Defendant's Motion to Withdraw Counsel; Defendant's Pro Per Motion to Obtain a Copy of a Sealed Record
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HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Katherine Streuber

RECORDER: Maria Garibay

REPORTER:

PARTIES

PRESENT:	Almase, Caesar V.	Attorney
	State of Nevada	Plaintiff
	Zadrowski, Bernard B.	Attorney

JOURNAL ENTRIES

- Deft. not transported as no oral argument was needed. COURT ORDERED, motion GRANTED, Court Clerk to send presentence report. FURTHER, Deft's Motion for Production of Documents is GRANTED and Deft's motion Withdraw Counsel is GRANTED.

PRINT DATE: 08/23/2021

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Minutes Date: September 23, 2014

NDC

CLERK'S NOTE: The above minute order has been distributed to: Christopher L. Roach #1076731
c/o High Desert State Prison, P.O. Box 650, Indian Springs, NV 89018. 10/20/16 kls

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 10, 2018

C-14-300979-1 State of Nevada
 vs
 Christopher Roach

January 10, 2018	11:00 AM	Petition for Writ of Habeas Corpus	Defendant's Pro Per Petition for Writ of Habeas Corpus (Post Conviction)
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HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Katherine Streuber

RECORDER: Maria Garibay

REPORTER:

PARTIES

PRESENT:	LoGrippo, Frank R. State of Nevada	Attorney Plaintiff
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JOURNAL ENTRIES

- Court noted Deft. was not transported as no oral argument was needed. COURT ORDERED, petition DENIED. Court FINDS petition to be procedurally time-barred as Supreme Court Remittur was received January 14, 2016 which would make Deft's deadline to file petition January 14, 2017 and pointed out petition had not been filed until October 31, 2017. Court FURTHER FINDS there to be no showing of prejudice to overcome the procedural bars. State to prepare the Order.

NDC

CLERK'S NOTE: The above minute order has been distributed to: Christopher Roach #1076731 c/o High Desert State Prison, P.O. Box 650, Indian Springs, NV 89070. 01/19/18 kls

PRINT DATE: 08/23/2021

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Minutes Date: September 23, 2014

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 27, 2018

C-14-300979-1 State of Nevada
 vs
 Christopher Roach

June 27, 2018	11:00 AM	Petition for Writ of Habeas Corpus	Defendant's Pro Per Petition for Writ of Habeas Corpus (Post Conviction)
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HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Katherine Streuber

RECORDER: Maria Garibay

REPORTER:

PARTIES

PRESENT:	State of Nevada	Plaintiff
	Turner, Robert B.	Attorney

JOURNAL ENTRIES

- Court noted Deft. was not transported as no oral argument was needed. Court FINDS the writ is time-barred as Supreme Court Remittitur was filed January 14, 2016 and there being no showing of good or prejudice, ORDERED, writ DENIED. State to prepare the Order.

NDC

CLERK'S NOTE: The above minute order has been distributed to: Christopher Roach #1076731 c/o High Desert State Prison, P.O. Box 650, Indian Springs, NV 89070. 07/06/18 kls

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 21, 2019

C-14-300979-1 State of Nevada
 vs
 Christopher Roach

**August 21, 2019 9:30 AM Motion to Correct Sentence Defendant's Pro Per
Motion to Correct an
Illegal Sentence**

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Katherine Streuber

RECORDER: Maria Garibay

REPORTER:

PARTIES

PRESENT: Cole, Madilyn M. Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Court noted Deft. was not transported as no oral argument was needed. Court stated Deft. claims deadly weapon enhancement should have been less, FINDS there to be no merit and noted sentence was not illegal. COURT ORDERED, motion DENIED. State to prepare an Order.

NDC

CLERK'S NOTE: The above minute order has been distributed to: Christopher L. Roach #1076731 c/o High Desert State Prison, P.O. Box 650, Indian Springs, NV 89070. 09/03/19 kls

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 17, 2020

C-14-300979-1 State of Nevada
 vs
 Christopher Roach

June 17, 2020

3:30 PM

Motion to Modify Sentence

**Motion to Modify
and/or Correct Illegal
Sentence**

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Katherine Streuber

RECORDER: Maria Garibay

REPORTER:

PARTIES

PRESENT: Stanton, David L. Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Court noted Deft. was not transported as no oral argument was needed. Court pointed out the same motion was denied August of 2019 and there being no new evidence, COURT ORDERED, motion DENIED. State to prepare the order.

NDC

CLERK'S NOTE: The above minute order has been distributed to: Christopher Roach #1076731 c/o Southern Desert Correctional Center, P.O. Box 208, Indian Springs, NV 89070. 06/22/20 kls

Certification of Copy and Transmittal of Record

State of Nevada }
County of Clark } SS:

Pursuant to the Supreme Court order dated August 11, 2021, I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, do hereby certify that the foregoing is a true, full and correct copy of the complete trial court record for the case referenced below. The record comprises three volumes with pages numbered 1 through 519.

STATE OF NEVADA,

Plaintiff(s),

vs.

CHRISTOPHER ROACH
aka CHRISTOPHER LEROY ROACH,

Defendant(s),

Case No: C-14-300979-1

Related Case A-21-829045-W

Dept. No: XXIV

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 23 day of August 2021.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk