

08/24/2021

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Steven D. Grierson
CLERK OF THE COURT
Beck
Steven D. Grierson

Oscar Stanley 73085
In Propria Personam
Post Office Box 208, S.D.C.C.
Indian Springs, Nevada 89018

Electronically Filed
Aug 26 2021 10:22 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

STATE OF NEVADA
Plaintiff,
vs.
OSCAR STANLEY
Defendant.

Case No. 01C180446
Dept. No. 25
Docket _____

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN, That the Petitioner/Defendant,
OSCAR STANLEY, in and through his proper person, hereby
appeals to the Supreme Court of Nevada from the ORDER denying and/or
dismissing the
MOTION TO MODIFY AND/OR CORRECT ILLEGAL SENTENCE

ruled on the 13th day of July, 20 21.

Dated this 13th day of August, 20 21.

Respectfully Submitted,
Oscar Stanley 73085

RECEIVED

AUG 23 2021

CLERK OF THE COURT

WCC
SDCC
Indian Spring NV 89070

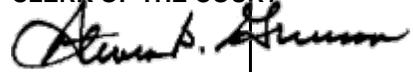
Stanley #73085
PO Box 208

B/S 2608943

To clerk of the Court
Clerk County District Court
200 Lewis Avenue 3rd Floor
Las Vegas NV.
89155 - 1160

89155-1160

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 OSCAR A. STANLEY,

14 Defendant(s),
15

Case No: 01C180446

Dept No: XXV

16
17 **CASE APPEAL STATEMENT**

18 1. Appellant(s): Oscar Stanley

19 2. Judge: Kathleen E. Delaney

20 3. Appellant(s): Oscar Stanley

21 Counsel:

22 Oscar Stanley #73085
23 P.O. Box 208
24 Indian Springs, NV 89070

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 24, 2001
- 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): 39775, 45079, 66827, 67213, 68298, 72075
- 12. Child Custody or Visitation: N/A

Dated This 25 day of August 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: Oscar Stanley

Oscar Stanley, 73085
Petitioner/In Propria Persona
Post Office Box 208, SDCC
Indian Springs, Nevada 89070-0208

Steven D. Grierson

IN THE 8th JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF Clark County

STATE OF NEVADA
Plaintiff,
vs.
OSCAR STANLEY
Defendant.

01C180446
CASE No. ~~Dont know case number~~
DEPT. No. 25
*Property was I would like from
city to SDCC*

DESIGNATION OF RECORD ON APPEAL

TO: NEVADA SUPREME COURT
OFFICE OF THE CLERK
201 S. CARSON STREET
CARSON CITY, NEVADA
89701

The above-named Plaintiff hereby designates the entire record of the above-entitled case, to include all the papers, documents, pleadings, and transcripts thereof, as and for the Record on Appeal.

DATED this 13th day of August, 2021.

RESPECTFULLY SUBMITTED BY:
Oscar Aft Stanley
Oscar Stanley # 73085
Plaintiff/In Propria Persona

CERTIFICATE OF SERVICE BY MAILING

I, Oscar Stanley, hereby certify, pursuant to NRCP 5(b), that on this
day of Aug, 2021, I mailed a true and correct copy of the foregoing, “

MOTION TO MODIFY AND/OR CORRECT JUDICIAL SENTENCE”

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 DISTRICT COURT
200 LEWIS AVENUE 3RD FL
LAS VEGAS, NEVADA
89155-1160

Steve D. Grierson
District Attorney
200 Lewis Ave
Las Vegas, NV
89155-2212

CC:FILE

DATED: this 13th day of August, 2021.

Oscar Stanley 73085
Oscar Stanley # 73085
/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 10180446

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.

 Oscar Stanley
Signature

 8-13-21
Date

 Oscar Stanley
Print Name

 Defendant in Pro Per
Title

SOCX #73085
PO BOX 208

Indian Spring NV 89070

B/S 2608943

To clerk of the Court
Clerk County District Court
200 Lewis Avenue 3rd Floor
Las Vegas NV.
89155 - 1160

89101 66300 6075

89101 66300 6075

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. 01C180446

The State of Nevada vs Oscar A Stanley

§ Location: **Department 25**
 § Judicial Officer: **Delaney, Kathleen E.**
 § Filed on: **12/24/2001**
 § Case Number History:
 § Cross-Reference Case **C180446**
 § Number:
 § Defendant's Scope ID #: **1686133**
 § Lower Court Case # Root: **01F18277**
 § Lower Court Case Number: **01F18277X**
 § Supreme Court No.: **66827**
 § **67213**
 § **68298**
 § **72075**

CASE INFORMATION

Offense	Statute	Deg	Date	Case Type:	Felony/Gross Misdemeanor
1. ROBBERY	200.380	F	01/01/1900		
2. LARCENY FROM THE PERSON	205.270	F	01/01/1900	Case Status:	12/28/2016 Closed
3. UNLAWFUL TAKING OF VEHICLE WITHOUT CONSENT OWNER	205.2715	F	01/01/1900		
4. BURGLARY.	205.060	F	01/01/1900		
5. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON	200.010	F	01/01/1900		
6. BATTERY WITH DEADLY WEAPON WITH SUBSTANTIAL BODILY HARM	200.481	F	01/01/1900		
7. MAYHEM	200.280	F	01/01/1900		
8. BURGLARY	205.060	F	01/01/1900		
9. ROBBERY	200.380	F	01/01/1900		
10. ATTEMPT ROBBERY	200.380	F	01/01/1900		
Filed As: ATTEMPT.	F		12/24/2001		
11. ATTEMPT UNLAWFUL TAKING OF VEHICLE WITHOUT CONSENT OF OWNER	205.2715	F	01/01/1900		

Statistical Closures

12/28/2016	Other Manner of Disposition - Criminal
12/08/2014	Jury Trial - Conviction - Criminal
05/10/2002	USJR Reporting Statistical Closure
03/18/2005	USJR Reporting Statistical Closure
12/16/2003	USJR Reporting Statistical Closure
06/06/2005	USJR Reporting Statistical Closure

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number: 01C180446
 Court: Department 25
 Date Assigned: 08/06/2012
 Judicial Officer: Delaney, Kathleen E.

PARTY INFORMATION

Defendant	Stanley, Oscar A	<i>Lead Attorneys</i>
		Pro Se
Plaintiff	State of Nevada	Wolfson, Steven B 702-671-2700(W)

CASE SUMMARY**CASE NO. 01C180446**

EVENTS & ORDERS OF THE COURT

DATE

INDEX

EVENTS

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12/31/2001	 Information [3]	Index #3
01/04/2002	 Motion to Set Bail [4]	Index #4
01/09/2002	 Opposition to Motion [5] <i>State's Opposition to Defendant's Motion to Set Bail</i>	Index #5
01/17/2002	 Reporters Transcript [6] <i>Transcript of Hearing Held on December 18, 2001</i>	Index #6
01/23/2002	 Motion to Dismiss Counsel [7] <i>Motion to Dismiss Counsel: Appointment of New Counsel.</i>	Index #7
01/24/2002	 Notice of Motion [8] <i>Notice of Motion and Motion to Appoint New Counsel</i>	Index #8
01/30/2002	 Notice of Expert Witnesses [9] <i>Notice of Expert Witnesses [NRS 174.234 (2)]</i>	Index #9
01/30/2002	 Motion [10] <i>Motion and Notice of Motion to Amend Information</i>	Index #10
02/05/2002	 Order [14] <i>Order to Amend Information</i>	Index #14
02/05/2002	 Amended Information [15]	Index #15
02/11/2002	 Order Denying Motion [16] <i>Order Denying Defendant's Pro Per Motion to Dismiss Counsel</i>	Index #16
02/12/2002	 List of Witnesses Filed By: Defendant Stanley, Oscar A [17] <i>Witness List (N.R.S. 174.234)</i>	Index #17
02/12/2002	 Notice of Expert Witnesses Filed By: Defendant Stanley, Oscar A [18] <i>Notice of Expert Witnesses [N.R.S. 174.234 (2)]</i>	Index #18
02/19/2002	 Notice of Motion [19] <i>Notice of Motion and Motion to Strike Duplicitous Counts</i>	Index #19
02/19/2002	 Notice of Motion [20] <i>Notice of Motion and Motion to Suppress Confession</i>	Index #20

CASE SUMMARY

CASE NO. 01C180446

02/25/2002	 Withdrawal Filed by: Defendant Stanley, Oscar A <i>[21] Withdrawal of Notice of Expert Witnesses [N.R.S. 174.234(2)]</i>	Index #21
02/25/2002	 Opposition to Motion <i>[22] State's Opposition to Defendant's Motion to Strike Duplicitous Counts</i>	Index #22
02/26/2002	 Motion to Dismiss Counsel <i>[23] Motion to Dismiss Counsel: Appointment of New Counsel.</i>	Index #23
02/26/2002	 Opposition to Motion <i>[24] State's Opposition to Defendant's Motion to Suppress Confession</i>	Index #24
03/05/2002	 Jury List <i>[26]</i>	Index #26
03/06/2002	 Order <i>[27] Order for Transcript</i>	Index #27
03/06/2002	 Reporters Transcript <i>[31] Transcript of Hearing Held on March 5, 2002</i>	Index #31
03/07/2002	 Reporters Transcript <i>[32] Transcript of Hearing Held on March 6, 2002</i>	Index #32
03/07/2002	 Reporters Transcript <i>[33] Transcript of Hearing Held on March 6, 2002</i>	Index #33
03/08/2002	 Reporters Transcript <i>[28] Transcript of Hearing Held on March 7, 2002</i>	Index #28
03/08/2002	 Order <i>[29] Order for Transcript</i>	Index #29
03/11/2002	 Reporters Transcript <i>[30] Transcript of Hearing Held on March 8, 2002</i>	Index #30
03/12/2002	 Instructions to the Jury <i>[34]</i>	Index #34
03/12/2002	 Verdict <i>[37]</i>	Index #37
03/12/2002	 Reporters Transcript <i>[38] Transcript of Hearing Held on March 11, 2002</i>	Index #38
03/13/2002	 Reporters Transcript <i>[35] Transcript of Hearing Held on March 12, 2002</i>	Index #35
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CASE SUMMARY

CASE NO. 01C180446

[39] Notice of Motion and Motion to Dismiss Counts III and XI

03/29/2002	 Notice of Motion <i>[40] Notice of Motion and Motion to Strike "Victim 65 Years of Age or Older" in Count X</i>	Index #40
04/08/2002	 Exhibits Filed By: Defendant Stanley, Oscar A <i>[41] Exhibits for Court to Consider at Sentencing</i>	Index #41
04/12/2002	 PSI <i>[100] Pre-Sentence Investigation Report (Unfiled) Confidential</i>	Index #100
04/15/2002	 Opposition to Motion <i>[42] State's Opposition to Defendant's Motion to Strike Victim 65 Years of Age or Older in Count X</i>	Index #42
04/19/2002	 Exhibits Filed By: Defendant Stanley, Oscar A <i>[43] Exhibits for Court to Consider at Sentencing</i>	Index #43
05/09/2002	 Order Granting/Denying Media Request <i>[45] Media Request to Permit Camera Access to Proceedings</i>	Index #45
06/04/2002	 Judgment of Conviction <i>[52] Judgment of Conviction (Jury Trial)</i>	Index #52
06/07/2002	 Notice of Appeal (Criminal) Party: Defendant Stanley, Oscar A <i>[53] Notice of Appeal</i>	Index #53
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CASE SUMMARY

CASE NO. 01C180446

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12/11/2002	 Certificate of Mailing <i>[64]</i>	Index #64
12/09/2003	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>[66] Nevada Supreme Court Clerk's Certificate Judgment - Affirmed in Part, Reversed in Part and Remand</i>	Index #66
01/13/2004	 Notice of Motion <i>[68] Notice of Motion Motion for Withdrawal of Attorney of Record and Transfer of Records</i>	Index #68
01/16/2004	 Amended Judgment of Conviction <i>[69] Amended Judgment of Conviction (Jury Trial)</i>	Index #69
04/19/2004	 Request Filed by: Defendant Stanley, Oscar A <i>[70] Request for Submission</i>	Index #70
04/19/2004	 Affidavit in Support Filed By: Defendant Stanley, Oscar A <i>[71] Affidavit in Support of Motion to Proceed in Forma Pauperis (Sealed)</i>	Index #71
04/19/2004	 Memorandum of Points and Authorities Filed By: Defendant Stanley, Oscar A <i>[72] Petitioner's Memorandum of Points and Authorities in Support of Petition for Writ of Habeas Corpus</i>	Index #72
04/19/2004	 Motion for Leave to Proceed in Forma Pauperis Filed By: Defendant Stanley, Oscar A <i>[73] Motion for Leave to Proceed in Forma Pauperis (Sealed)</i>	Index #73
04/19/2004	 Notice of Motion Filed By: Defendant Stanley, Oscar A <i>[74]</i>	Index #74
04/19/2004	 Petition for Writ of Habeas Corpus Filed by: Defendant Stanley, Oscar A <i>[75] Petition for Writ of Habeas Corpus Post-Conviction</i>	Index #75
05/26/2004	 Order for Petition for Writ of Habeas Corpus <i>[77] Order Re Petition for Writ of Habeas Corpus</i>	Index #77
06/19/2004	 Request Filed by: Defendant Stanley, Oscar A <i>[78] Request for Submission of Motion</i>	Index #78

CASE SUMMARY

CASE NO. 01C180446

06/25/2004	 Opposition <i>[79] State's Opposition to Defendant's Petition for Writ of Habeas Corpus (Post-Conviction)</i>	Index #79
07/08/2004	 Reply Filed by: Defendant Stanley, Oscar A <i>[80] Petitioner's Traverse and Reply</i>	Index #80
08/23/2004	 Affidavit Filed By: Defendant Stanley, Oscar A <i>[81] Affidavit in Response to Defendant's Pro Per Writ of Habeas Corpus</i>	Index #81
02/16/2005	 Order for Production of Inmate <i>[82] Order for Production of Inmate Oscar Stanley, BAC #73085</i>	Index #82
02/28/2005	 Request Filed by: Defendant Stanley, Oscar A <i>[83] Request for Submission of Motion (Second Request)</i>	Index #83
04/04/2005	 Notice of Appeal (Criminal) Party: Defendant Stanley, Oscar A <i>[84] Notice of Appeal</i>	Index #84
04/11/2005	 Case Appeal Statement <i>[85]</i>	Index #85
04/15/2005	 Notice of Appeal (Criminal) Party: Defendant Stanley, Oscar A <i>[86] Notice of Appeal</i>	Index #86
04/15/2005	 Designation of Record on Appeal Filed By: Defendant Stanley, Oscar A <i>[87]</i>	Index #87
04/18/2005	 Case Appeal Statement <i>[88]</i>	Index #88
05/10/2005	 Findings of Fact, Conclusions of Law and Order <i>[89]</i>	Index #89
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CASE SUMMARY

CASE NO. 01C180446

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01/05/2006	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>[97] Nevada Supreme Court Clerk's Certificate Judgment - Affirmed</i>	Index #97
06/12/2014	 Miscellaneous Filing Filed by: Defendant Stanley, Oscar A <i>[98] Copy for Recording of 911 of Billy Barba</i>	Index #98
06/12/2014	 Notice of Motion Filed By: Defendant Stanley, Oscar A <i>[99]</i>	Index #99
06/25/2014	 Opposition to Motion Filed By: Plaintiff State of Nevada <i>[101] State's Opposition to Defendant's Motion for Free Court Documents</i>	Index #101
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07/29/2014	 Petition for Writ of Habeas Corpus <i>[103] Petition for Writ of Habeas Corpus (PostConviction)</i>	Index #103
08/28/2014	 Motion Filed By: Defendant Stanley, Oscar A <i>[104] Motion for Extension of Time</i>	Index #104
08/28/2014	 Notice of Motion Filed By: Defendant Stanley, Oscar A <i>[105]</i>	Index #105
08/29/2014	 Response Filed by: Plaintiff State of Nevada <i>[106] State's Response and Motion to Dismiss to Defendant's Petition for Writ of Habeas Corpus (Post-Conviction)</i>	Index #106
09/26/2014	 Opposition to Motion Filed By: Plaintiff State of Nevada <i>[107] State's Opposition to Defendant's Motion for Extension of Time</i>	Index #107
09/26/2014	 Reply Filed by: Defendant Stanley, Oscar A <i>[108] Reply to State's Response and Motion to Dismiss Defendant's Petition for Writ of Habeas Corpus (Post-Conviction)</i>	Index #108
11/03/2014	 Notice of Appeal (Criminal) Party: Plaintiff State of Nevada <i>[109] Notice of Appeal</i>	Index #109

CASE SUMMARY

CASE NO. 01C180446

11/04/2014	 Case Appeal Statement Filed By: Defendant Stanley, Oscar A <i>[110]</i>	Index #110
11/13/2014	 Motion to Modify Sentence Filed By: Defendant Stanley, Oscar A <i>[111] Motion to Modify Sentence; Evidentiary Hearing Requested</i>	Index #111
11/13/2014	 Notice of Motion Filed By: Defendant Stanley, Oscar A <i>[112]</i>	Index #112
11/17/2014	 Findings of Fact, Conclusions of Law and Order Filed By: Plaintiff State of Nevada <i>[113]</i>	Index #113
11/21/2014	 Notice of Entry Filed By: Plaintiff State of Nevada <i>[114] Notice of Entry of Findings of Fact, Conclusions of Law and Order</i>	Index #114
12/01/2014	 Opposition to Motion Filed By: Plaintiff State of Nevada <i>[115] State's Opposition to Defendant's Motion to Modify Sentence</i>	Index #115
12/08/2014	 Criminal Order to Statistically Close Case <i>[116]</i>	Index #116
12/24/2014	 Order Denying Motion Filed By: Plaintiff State of Nevada <i>[117] Order Denying Defendant's Motion to Modify Sentence</i>	Index #117
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05/12/2015	 Motion to Correct Sentence Filed by: Defendant Stanley, Oscar A <i>[120] Motion to Correct Illegal Sentence</i>	Index #120
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05/18/2015	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>[122] Nevada Supreme Court Clerk's Certificate Judgment - Affirmed</i>	Index #122
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CASE SUMMARY

CASE NO. 01C180446

05/20/2015	 Opposition to Motion Filed By: Plaintiff State of Nevada <i>[124] State's Opposition to Defendant's Motion to Modify and/or Correct Illegal Sentence</i>	Index #124
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06/22/2015	 Notice of Appeal (Criminal) Party: Defendant Stanley, Oscar A <i>[126] Notice of Appeal</i>	Index #126
06/23/2015	 Case Appeal Statement Filed By: Defendant Stanley, Oscar A <i>[127]</i>	Index #127
01/21/2016	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>[128] Nevada Supreme Court Clerk's Certificate Judgment - Affirmed</i>	Index #128
11/23/2016	 Motion for Appointment of Attorney Filed By: Defendant Stanley, Oscar A <i>[129] Motion to Appoint Counsel</i>	Index #129
11/23/2016	 Motion to Modify Sentence Filed By: Defendant Stanley, Oscar A <i>[130]</i>	Index #130
11/23/2016	 Motion to Modify Sentence Filed By: Defendant Stanley, Oscar A <i>[131]</i>	Index #131
12/07/2016	 Response Filed by: Plaintiff State of Nevada <i>[132] State's Response to Defendant's Motion to Appoint Counsel and Motion to Modify Sentence</i>	Index #132
12/27/2016	 Notice of Appeal (Criminal) Party: Defendant Stanley, Oscar A <i>[133] Notice of Appeal</i>	Index #133
12/27/2016	 Designation of Record on Appeal Filed By: Defendant Stanley, Oscar A <i>[134]</i>	Index #134
12/28/2016	 Criminal Order to Statistically Close Case <i>[135]</i>	Index #135
12/29/2016	 Case Appeal Statement <i>[136]</i>	Index #136
01/04/2017	 Order Denying Motion Filed By: Plaintiff State of Nevada	Index #137

CASE SUMMARY

CASE NO. 01C180446

	<i>[137] Order Denying Defendant's Motion to Modify Sentence</i>	
03/08/2018	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>[138] Nevada Supreme Court Clerk's Certificate Judgment - Affirmed; Rehearing Denied</i>	<i>Index #138</i>
09/04/2018	 Motion Filed By: Defendant Stanley, Oscar A <i>[139] Motion for 911 Tape of Billy Bar Ba</i>	<i>Index #139</i>
09/17/2018	 Motion Filed By: Defendant Stanley, Oscar A <i>[140] Motion for Booking Sheet</i>	<i>Index #140</i>
10/12/2018	 Order Denying Filed By: Plaintiff State of Nevada <i>[141] Order Denying Defendant's Pro Per MOTion for 911 Tapes of Billy Barba and Defendant's Pro Per Motino for Booking Sheet</i>	<i>Index #141</i>
10/17/2018	 Motion Filed By: Defendant Stanley, Oscar A <i>[142] Motiin for Copy of 911 Tape of Billy Barba</i>	<i>Index #142</i>
11/19/2018	 Order Denying Filed By: Plaintiff State of Nevada <i>[143] Order Denying Defendant's Pro Per MOTion for Copy of 911 Tape of Billy Barba</i>	<i>Index #143</i>
05/13/2021	 Motion Filed By: Defendant Stanley, Oscar A <i>[144] Motion to Stop Restitution</i>	<i>Index #144</i>
05/25/2021	 Opposition to Motion <i>[145] State's Opposition to Defendant's Motion to Stop Restitution</i>	<i>Index #145</i>
05/25/2021	 Motion for Appointment of Attorney Filed By: Defendant Stanley, Oscar A <i>[146] Motion to Appoint Counsel</i>	<i>Index #146</i>
05/25/2021	 Notice of Motion Filed By: Defendant Stanley, Oscar A <i>[147]</i>	<i>Index #147</i>
05/25/2021	 Notice of Motion Filed By: Defendant Stanley, Oscar A <i>[148]</i>	<i>Index #148</i>
06/07/2021	 Opposition to Motion <i>[149] State's Opposition to Defendant's Motion to Appoint Counsel and Motion to Modify and/or Correct Illegal Sentence</i>	<i>Index #149</i>
06/28/2021	 Motion to Modify Sentence Filed By: Defendant Stanley, Oscar A <i>[150]</i>	<i>Index #150</i>
06/28/2021	 Notice of Motion	<i>Index #151</i>

CASE SUMMARY

CASE NO. 01C180446

Filed By: Defendant Stanley, Oscar A
[151]

06/30/2021

 Reply to Opposition
Filed by: Defendant Stanley, Oscar A
[152] Reply to DA's Dismiss Motion to Stop Restitution

Index #152

08/24/2021

 Notice of Appeal (Criminal)
[153] Notice of Appeal

Index #153

08/24/2021

 Designation of Record on Appeal
[154] Designation of Record on Appeal

Index #154

08/25/2021

 Case Appeal Statement
Filed By: Defendant Stanley, Oscar A
Case Appeal Statement

Index #155

DISPOSITIONS

01/01/1900

Plea (Judicial Officer: User, Conversion)
1. ROBBERY
Not Guilty
PCN: Sequence:

01/01/1900

Plea (Judicial Officer: User, Conversion)
2. LARCENY FROM THE PERSON
Not Guilty
PCN: Sequence:

01/01/1900

Plea (Judicial Officer: User, Conversion)
3. GRAND LARCENY AUTO
Not Guilty
PCN: Sequence:

01/01/1900

Plea (Judicial Officer: User, Conversion)
4. BURGLARY.
Not Guilty
PCN: Sequence:

01/01/1900

Plea (Judicial Officer: User, Conversion)
5. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON
Not Guilty
PCN: Sequence:

01/01/1900

Plea (Judicial Officer: User, Conversion)
6. BATTERY WITH DEADLY WEAPON WITH SUBSTANTIAL BODILY HARM
Not Guilty
PCN: Sequence:

01/01/1900

Plea (Judicial Officer: User, Conversion)
7. MAYHEM
Not Guilty
PCN: Sequence:

CASE SUMMARY

CASE NO. 01C180446

01/01/1900	Plea (Judicial Officer: User, Conversion) 8. BURGLARY Not Guilty PCN: Sequence:
01/01/1900	Plea (Judicial Officer: User, Conversion) 9. ROBBERY Not Guilty PCN: Sequence:
01/01/1900	Plea (Judicial Officer: User, Conversion) 10. ATTEMPT ROBBERY, VICTIM 65 YEARS OF AGE OR OLDER Not Guilty PCN: Sequence:
01/01/1900	Plea (Judicial Officer: User, Conversion) 11. ATTEMPT GRAND LARCENY AUTO Not Guilty PCN: Sequence:
03/12/2002	Disposition (Judicial Officer: User, Conversion) 3. UNLAWFUL TAKING OF VEHICLE WITHOUT CONSENT OWNER Guilty PCN: Sequence:
03/12/2002	Disposition (Judicial Officer: User, Conversion) 4. BURGLARY. Not Guilty PCN: Sequence:
03/12/2002	Disposition (Judicial Officer: User, Conversion) 5. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON Not Guilty PCN: Sequence:
03/12/2002	Disposition (Judicial Officer: User, Conversion) 8. BURGLARY Not Guilty PCN: Sequence:
05/03/2002	Disposition (Judicial Officer: User, Conversion) 10. ATTEMPT ROBBERY, VICTIM 65 YEARS OF AGE OR OLDER Guilty PCN: Sequence:
05/03/2002	Disposition (Judicial Officer: User, Conversion) 11. ATTEMPT UNLAWFUL TAKING OF VEHICLE WITHOUT CONSENT OF OWNER Guilty PCN: Sequence:

CASE SUMMARY

CASE NO. 01C180446

05/03/2002	Disposition (Judicial Officer: Delaney, Kathleen E.) 6. BATTERY WITH DEADLY WEAPON WITH SUBSTANTIAL BODILY HARM Stricken PCN: Sequence:
05/03/2002	Amended Disposition (Judicial Officer: User, Conversion) Reason: Amended 3. UNLAWFUL TAKING OF VEHICLE WITHOUT CONSENT OWNER Dismissed PCN: Sequence:
05/03/2002	Amended Disposition (Judicial Officer: User, Conversion) Reason: Amended 11. ATTEMPT UNLAWFUL TAKING OF VEHICLE WITHOUT CONSENT OF OWNER Dismissed PCN: Sequence:
05/03/2002	Amended Disposition (Judicial Officer: User, Conversion) Reason: Amended 10. ATTEMPT ROBBERY Guilty PCN: Sequence:
05/10/2002	Disposition (Judicial Officer: User, Conversion) 1. ROBBERY Guilty PCN: Sequence:
05/10/2002	Disposition (Judicial Officer: User, Conversion)
05/10/2002	Disposition (Judicial Officer: User, Conversion) 2. LARCENY FROM THE PERSON Guilty PCN: Sequence:
05/10/2002	Disposition (Judicial Officer: User, Conversion)
05/10/2002	Disposition (Judicial Officer: User, Conversion) 7. MAYHEM Guilty PCN: Sequence:
05/10/2002	Disposition (Judicial Officer: User, Conversion)
05/10/2002	Disposition (Judicial Officer: User, Conversion) 9. ROBBERY Guilty PCN: Sequence:
05/10/2002	Disposition (Judicial Officer: User, Conversion)
05/10/2002	Disposition (Judicial Officer: User, Conversion)
05/10/2002	Adult Adjudication (Judicial Officer: User, Conversion) 1. ROBBERY 01/01/1900 (F) 200.380 (200.380)

CASE SUMMARY

CASE No. 01C180446

PCN: Sequence:

Converted Disposition:
Sentence# 0001: LIFE WITHOUT POSSIBILITY OF PAROLE
Converted Disposition:
Sentence# 0002: CREDIT FOR TIME SERVED
Minimum 197 Days to Maximum 197 Days
Converted Disposition:
Sentence# 0003: ADMINISTRATION FEE
Amount: \$25.00

05/10/2002 **Adult Adjudication** (Judicial Officer: User, Conversion)
2. LARCENY FROM THE PERSON
01/01/1900 (F) 205.270 (205.270)
PCN: Sequence:

Converted Disposition:
Sentence# 0001:
Minimum 12 Months to Maximum 48 Months
Placement: NSP
Cons/Conc: Consecutive
w/Charge Item: 0001
and Sentence#: 0001
Converted Disposition:
Sentence# 0002: RESTITUTION
Amount: \$500.00

05/10/2002 **Adult Adjudication** (Judicial Officer: User, Conversion)
7. MAYHEM
01/01/1900 (F) 200.280 (200.280)
PCN: Sequence:

Converted Disposition:
Sentence# 0001:
Minimum 48 Months to Maximum 120 Months
Placement: NSP
Cons/Conc: Consecutive
w/Charge Item: 0009
and Sentence#: 0001

05/10/2002 **Adult Adjudication** (Judicial Officer: User, Conversion)
9. ROBBERY
01/01/1900 (F) 200.380 (200.380)
PCN: Sequence:

Converted Disposition:
Sentence# 0001: LIFE WITHOUT POSSIBILITY OF PAROLE
Cons/Conc: Consecutive
w/Charge Item: 0010
and Sentence#: 0001

05/10/2002 **Adult Adjudication** (Judicial Officer: User, Conversion)
10. ATTEMPT ROBBERY
01/01/1900 (F) 200.380 (DC50144)
PCN: Sequence:

Converted Disposition:
Sentence# 0001:
Minimum 48 Months to Maximum 120 Months
Placement: NSP
Cons/Conc: Consecutive
w/Charge Item: 0012
and Sentence#: 0001
Converted Disposition:

CASE SUMMARY

CASE NO. 01C180446

Sentence# 0002: RESTITUTION
Amount: \$4000.00

12/16/2003 **Disposition** (Judicial Officer: User, Conversion)

HEARINGS

01/03/2002 **Initial Arraignment** (9:00 AM)

INITIAL ARRAIGNMENT Court Clerk: Linda Skinner Relief Clerk: Barbara Blankenship/bb Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley
Matter Heard; INITIAL ARRAIGNMENT Court Clerk: Linda Skinner Relief Clerk: Barbara Blankenship/bb Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley
Journal Entry Details:
DEFT. STANLEY ARRAIGNED, PLED NOT GUILTY and INVOKED THE 60-DAY RULE. COURT ORDERED, matter set for trial. Court was informed that Defendant's TRUE NAME is Oscar A. Stanley, and ORDERED FURTHER records be changed. CUSTODY 2/26/02 9:30 AM CALENDAR CALL 3/4/02 1:00 PM JURY TRIAL ;

01/09/2002 **Motion** (9:00 AM)

Events: 01/04/2002 Motion to Set Bail
DEFT'S MTN TO SET BAIL/04 Relief Clerk: Connie Kalski Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley
Granted; DEFT'S MTN TO SET BAIL/04 Relief Clerk: Connie Kalski Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley
Journal Entry Details:
State's Opposition to Defendant's Motion for Bail FILED IN OPEN COURT. Discussion between Court and counsel regarding the current bail setting as to the charges. Argument by Ms. Diefenbach requesting a standard bail setting on each of the counts and noted that Defendant is homeless and would most likely be unable to make that bail. Argument by Ms. Pandukht advising Defendant was very bold in his actions against the victims in this case, has past felonies, and that he is a substantial danger to the victims if released. Ms. Pandukht further stated Count V qualifies Defendant as a violent criminal and requested a One Million dollar bail setting on Count V alone. Further arguments by counsel. COURT ORDERED, Bail set in the amount of \$75,000 PER COUNT. Calendar call and trial dates STAND. CUSTODY ;

02/04/2002 **Motion to Dismiss** (9:00 AM)

Events: 01/23/2002 Motion to Dismiss Counsel
DEFT'S PRO PER MTN TO DISMISS COUNSEL APPOINTMENT OF NEW COUNSEL/05 Heard By: Donald Mosley

02/04/2002 **Motion for Appointment** (9:00 AM)

Events: 01/24/2002 Notice of Motion
DEFT'S MTN TO APPOINT NEW COUNSEL/06 Heard By: Donald Mosley

02/04/2002 **All Pending Motions** (9:00 AM)

ALL PENDING MOTIONS (2/4/02) Relief Clerk: Connie Kalski Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley
Matter Heard; ALL PENDING MOTIONS (2/4/02) Relief Clerk: Connie Kalski Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley
Journal Entry Details:
DEFT'S MOTION TO APPOINT NEW COUNSEL...DEFT'S PRO PER MOTION TO DISMISS COUNSEL AND APPOINTMENT OF NEW COUNSEL Ms. Pandukht present before court convened. Ms. Kollins present when the matter was called. Mr. Avants advised this is Ms. Diefenbach's case and that she had requested a one-day continuance. COURT SO ORDERED. Matter RECALLED at Defendant's request. Defendant advised the Court that he had letters he had written to the Court and a letter Ms. Diefenbach had written to him stating she had intercepted said letters and allegedly instructed Defendant not to communicate with the Court directly. Court advised Defendant it would be improper for this Court to obtain communication which would possibly violate Defendant's confidentiality rights between himself and his attorney. Defendant argued these were letters advising the Court of why he was requesting new counsel. Court requested Defendant remove the letter from Ms. Diefenbach and the Court accepted Defendant's letters to the Court. Defendant attempted to make a statement regarding being diagnosed as bi-polar. Mr. Avants stopped Defendant and advised him to make no further statements. COURT ORDERED, matter CONTINUED for the presence of Ms.

CASE SUMMARY

CASE No. 01C180446

Diefenbach. CUSTODY 2/5/02 9:00 AM DEFENDANT'S PRO PER MOTION & STATE'S MOTION TO FILE AN AMENDED INFORMATION ;

- 02/05/2002 **Motion to Dismiss** (9:00 AM)
*DEFT'S PRO PER MTN TO DISMISS COUNSEL APPOINTMENT OF NEW COUNSEL/05
Heard By: Donald Mosley*

- 02/05/2002 **Motion for Appointment** (9:00 AM)
DEFT'S MTN TO APPOINT NEW COUNSEL/06 Heard By: Donald Mosley

- 02/05/2002 **Motion** (9:00 AM)
STATE'S MOTION TO AMEND INFORMATION Heard By: Donald Mosley

- 02/05/2002 **All Pending Motions** (9:00 AM)
ALL PENDING MOTIONS (2/5/02) Relief Clerk: Connie Kalski Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley
Matter Heard; ALL PENDING MOTIONS (2/5/02) Relief Clerk: Connie Kalski Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley
Journal Entry Details:
DEFT'S MOTION TO APPOINT NEW COUNSEL...DEFT'S PRO PER MOTION TO DISMISS COUNSEL AND APPOINTMENT OF NEW COUNSEL...STATE'S MOTION TO AMEND INFORMATION There being no opposition, COURT ORDERED, Order to Amend Information and Amended Information FILED IN OPEN COURT. Statements by Defendant regarding why he feels Ms. Diefenbach should be dismissed as counsel of record, 1) Ms. Diefenbach intercepted letters Defendant wrote to the judge; and 2) Ms. Diefenbach has not done the things the defendant has requested she do. Upon Court's inquiry, Defendant WAIVED the attorney/client privilege in an effort to proceed. COURT ORDERED, upon Ms. Diefenbach's specific questions to the Court, that this would be a LIMITED WAIVER. Upon Court's further inquiry, Ms. Diefenbach advised she has investigated and intends to file more motions that are relevant to the case. Court noted there is still time to file motions. Defendant objected stating he had been diagnosed as bi-polar and has not been given any medication. Court advised Defendant it is not the function of defense counsel to see that Defendant is medicated. Further discussion between Court and counsel. COURT ORDERED, Defendant Motions DENIED; calendar call and trial dates STAND. CUSTODY ;

- 02/20/2002 **Calendar Call** (9:30 AM)
CALENDAR CALL Relief Clerk: Connie Kalski Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley
Matter Heard; CALENDAR CALL Relief Clerk: Connie Kalski Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley
Journal Entry Details:
Ms. Diefenbach announced ready for trial with the trial lasting five to six days; approximately twenty witnesses with two being out of state. Ms. Pandukht advised they would request this matter not go to overflow. COURT ORDERED, all pending motions to be heard on 3/1/02. This matter will hold secondary priority for this Court to hear if the first priority case does not go forward. Trial date STANDS at this point. CUSTODY ;

- 02/22/2002 **Calendar Call** (9:30 AM)
CALENDAR CALL Relief Clerk: Connie Kalski Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley

- 02/26/2002 **Calendar Call** (9:30 AM)
CALENDAR CALL Heard By: Donald Mosley

- 02/28/2002 **Motion** (9:00 AM)
Events: 02/19/2002 Notice of Motion
DEFT'S MTN TO STRIKE DUPLICITOUS COUNTS/10 Heard By: Donald Mosley

- 02/28/2002 **Motion** (9:00 AM)
Events: 02/19/2002 Notice of Motion
DEFT'S MTN TO SUPPRESS CONFESSION/11 Heard By: Donald Mosley

- 03/01/2002 **Motion** (9:00 AM)

CASE SUMMARY

CASE NO. 01C180446

DEFT'S MTN TO STRIKE DUPLICITOUS COUNTS/10 Heard By: Donald Mosley

03/01/2002

Motion (9:00 AM)

DEFT'S MTN TO SUPPRESS CONFESSION/11 Heard By: Donald Mosley

03/01/2002

All Pending Motions (1:30 PM)

ALL PENDING MOTIONS 3/1/02 Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley

Matter Heard; ALL PENDING MOTIONS 3/1/02 Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley

Journal Entry Details:

DEFT'S MOTION TO SUPPRESS CONFESSION...DEFT'S MOTION TO STRIKE DUPLICITOUS COUNTS Upon Court's inquiry, Ms. Pandukht and Ms. Diefenbach announced ready for trial. DEFT'S MOTION TO SUPPRESS CONFESSION: Ms. Diefenbach argued that the Miranda warning was given to Defendant prior to the tape player being turned on and she feels an Evidentiary Hearing is needed. Ms. Pandukht argued there was a full and complete Preliminary Hearing; that the officer was questioned regarding Miranda, but she did not have him recite the whole thing and neither did Ms. Diefenbach. Court noted it feels there is insufficient reasons to warrant a suppression, the fact that Defendant was tired by the end of the interview does not mean he is incompetent and the confession should be suppressed, therefore COURT ORDERED, Motion DENIED. DEFT'S MOTION TO STRIKE DUPLICITOUS COUNTS: Court noted this involved Counts V and VI and X and XI. Ms. Pandukht concurred stating she did charge the lesser includeds and will put on the Jury form that they can only find one or the other. Ms. Diefenbach stated she feels it looks better to the Jury if the Defendant is facing 9 counts instead of 11. COURT ORDERED, Motion DENIED. DEFT'S PRO PER MOTION TO DISMISS COUNSEL AND APPOINTMENT OF NEW COUNSEL: Court noted this motion was set after trial and inquired if Defendant was desirous of going forward at this time. Defendant stated he would like new counsel. Court pointed out that if Defendant wanted to hire new counsel, the trial would be set in January, 2003. Mr. Avants advised that Defendant gave them 5 names, however, they will not be calling any of these as witnesses. Ms. Diefenbach stated they contacted most of the people he listed, however, have chosen not to use them; and she has copies of the records he wanted. COURT ORDERED, Motion DENIED. Upon Court's inquiry, Ms. Pandukht advised the trial should last 5 days with 17 witnesses and 2 being out-of-State. COURT ORDERED, Jury selection would begin at 1:30 PM on Monday, March 4, 2002. CUSTODY ;

03/04/2002

Jury Trial (1:00 PM)

TRIAL BY JURY Relief Clerk: Connie Kalski Reporter/Recorder: Joe D'Amato Heard By: Mosley, Donald M.

Matter Continued; TRIAL BY JURY Relief Clerk: Connie Kalski Reporter/Recorder: Joe D'Amato Heard By: Mosley, Donald M.

Journal Entry Details:

2:08 PM - Prior to the potential jurors being brought into the courtroom, court convened. The court, after being given information regarding Defendant becoming uncooperative, this Court questioned Defendant and inquired if there would be any further problems. The Court advised Defendant of the possible methods of dealing with him if there were to be any further incidents. Defendant stated there would be no further incidents. Court so noted. Potential jury panel present and SWORN. Overall and individual voir dire commenced. ;

03/05/2002

Jury Trial (1:30 PM)

TRIAL BY JURY Court Clerk: Georgette Byrd Relief Clerk: Barbara Blankenship/bb Reporter/Recorder: Pauline May/Joe D'Amato Heard By: Mosley, Donald M.

Matter Continued; TRIAL BY JURY Court Clerk: Georgette Byrd Relief Clerk: Barbara Blankenship/bb Reporter/Recorder: Pauline May/Joe D'Amato Heard By: Mosley, Donald M.

Journal Entry Details:

Potential jurors present. Voir Dire continued. Jury and alternates sworn. Opening statements by counsel. Testimony and exhibits presented. (See worksheets.) Court admonished jury and recessed for the evening. CUSTODY ;

03/06/2002

Jury Trial (1:30 PM)

TRIAL BY JURY Court Clerk: Connie Kalski Relief Clerk: Barbara Blankenship/bb Reporter/Recorder: Joe D'Amato Heard By: Mosley, Donald M.

Matter Continued; TRIAL BY JURY Court Clerk: Connie Kalski Relief Clerk: Barbara Blankenship/bb Reporter/Recorder: Joe D'Amato Heard By: Mosley, Donald M.

CASE SUMMARY**CASE NO. 01C180446**

Journal Entry Details:

Jury Present. Testimony and exhibits continued. (See worksheets.) Court admonished jury and recessed for the evening. CUSTODY ;

03/07/2002

Jury Trial (9:00 AM)

TRIAL BY JURY Relief Clerk: Connie Kalski Reporter/Recorder: Joe D'Amato Heard By: Mosley, Donald M.

Matter Continued; TRIAL BY JURY Relief Clerk: Connie Kalski Reporter/Recorder: Joe D'Amato Heard By: Mosley, Donald M.

Journal Entry Details:

Jury present. Testimony and exhibits continued (see worksheets). COURT ORDERED, evening recess with instructions to return tomorrow. CUSTODY ;

03/08/2002

Jury Trial (1:30 PM)

TRIAL BY JURY Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Mosley, Donald M.

Matter Continued; TRIAL BY JURY Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Mosley, Donald M.

Journal Entry Details:

1:36 PM OUTSIDE PRESENCE OF JURY: Defendant advised of his right not to testify. IN PRESENCE OF JURY: Testimony and exhibits presented (see worksheets). 3:03 PM STATE RESETS. DEFENSE RESTS. OUTSIDE PRESENCE OF JURY: Jury excused for the day. Ms. Diefenbach objected to pictures of the victim in the hospital being shown to the jury. Ms. Kollins argued that they had 10 pictures and only used 4 to show her injuries. Court concurred that the State paired the pictures down and that the 4 that were chosen would be received into evidence. Ms. Diefenbach objected to prospective Juror Ms. Hymes being excused with no real reason and she was a minority. Ms. Pandukht stated this juror was late, she missed opening remarks and the witness list. Court stated she was a minority, not sure if she was African American, but substantial questions had already been put to the jurors; this Court felt rather than to start over, she was excused. Ms. Diefenbach put forth a Batson challenge as to juror Washington being preempted by the State. Ms. Kollins argued that the 1st reason was because she was a paralegal. The 2nd reason, she voiced what terrible treatment her brother received and the State did not feel she could be fair. Court stated the reasons for her dismissal were apparent and there is no Batson challenge. Mr. Avants stated the Defense had prepared voir dire questions that the Court decided not to use. Ms. Kollins stated that actually there were some questions that were incorporated into the Court's voir dire. Court read the proposed questions and explained why they were not used. Ms. Kollins advised she received a call from the Defense re the transcript. They have prepared a redacted one and it will be used as opposed to the other one. The other one will be put in a sealed envelope. Additionally, there was a Justice Referral slip in Defendant's wallet that will be taken out and put in the envelope and that will not go to the Jury. Ms. Kollins stated the original micro tape has been marked as a Court's exhibit. Court so noted and advised it would be admitted. Jury instructions settled on the record. EVENING RECESS. ;

03/11/2002

Jury Trial (9:00 AM)

TRIAL BY JURY Court Clerk: Linda Skinner Relief Clerk: Barbara Blankenship/bb Reporter/Recorder: Maureen Schorn Heard By: Mosley, Donald M.

Matter Continued; TRIAL BY JURY Court Clerk: Linda Skinner Relief Clerk: Barbara Blankenship/bb Reporter/Recorder: Maureen Schorn Heard By: Mosley, Donald M.

Journal Entry Details:

Testimony and exhibits presented. (See worksheets.) Court Instructed the jury. Closing arguments. At the hour of 4:52 PM, the jury retired to deliberate. Court thanked and excused the alternates. CUSTODY ;

03/12/2002

Jury Trial (9:00 AM)

TRIAL BY JURY Court Clerk: Linda Skinner Relief Clerk: Barbara Blankenship/bb Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley

Matter Heard; TRIAL BY JURY Court Clerk: Linda Skinner Relief Clerk: Barbara Blankenship/bb Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley

Journal Entry Details:

OUTSIDE THE PRESENCE OF THE JURY: Mr. Avants requested clarification, and the Court's reply, as to the jury's question regarding Count II - Larceny From The Person. At the hour of 3:25 PM, the jury returned with a verdict of... GUILTY OF COUNT I-ROBBERY(F), GUILTY OF COUNT II-LARCENY FROM THE PERSON(F), GUILTY O COUNT III-UNLAWFUL TAKING OF VEHICLE WITHOUT CONSENT OWNER(GM), GUILTY OF

CASE SUMMARY

CASE No. 01C180446

COUNT VI-BATTERY WITH DEADLY WEAPON WITH SUBSTANTIAL BODILY HARM(F), GUILTY COUNT VII-MAYHEM(F), GUILTY OF COUNT IX-ROBBERY(F), GUILTY OF COUNT X-ATTEMPT ROBBERY, VICTIM 65 YEARS OF AGE OR OLDER(F), GUILTY OF COUNT XI-ATTEMPT UNLAWFUL TAKING OF VEHICLE WITHOUT CONSENT OF OWNER(GM), and NOT GUILTY OF COUNTS IV, V, and VIII. Jury polled. DEFENDANT REMANDED INTO CUSTODY. Court referred matter to the Division of Parole and Probation for a Pre-sentence Report and ORDERED, set for sentencing. Court thanked and excused the jury. CUSTODY 4/26/02 9:00 AM SENTENCING ;

- 03/13/2002 **CANCELED Motion to Dismiss (9:00 AM)**
 Events: 02/26/2002 Motion to Dismiss Counsel
Vacated

- 04/26/2002 **Sentencing (9:00 AM)**
SENTENCING Heard By: Donald Mosley

MINUTES
 Matter Continued; SENTENCING Heard By: Donald Mosley

- 04/26/2002 **Motion to Dismiss (9:00 AM)**
 Events: 03/29/2002 Notice of Motion
DEFT'S MTN TO DISMISS COUNTS III & XI/15 Heard By: Donald Mosley

- 04/26/2002 **Motion (9:00 AM)**
 Events: 03/29/2002 Notice of Motion
DEFT'S MTN TO STRIKE VICTIM 65 YEARS OF AGE OR OLDER IN COUNT X/16 Heard By: Donald Mosley

- 05/03/2002 **Sentencing (9:00 AM)**
SENTENCING Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley

- 05/03/2002 **Motion to Dismiss (9:00 AM)**
DEFT'S MTN TO DISMISS COUNTS III & XI/15 Heard By: Donald Mosley

- 05/03/2002 **Motion (9:00 AM)**
DEFT'S MTN TO STRIKE VICTIM 65 YEARS OF AGE OR OLDER IN COUNT X/16 Heard By: Donald Mosley

- 05/03/2002 **All Pending Motions (9:00 AM)**
ALL PENDING MOTIONS (5/3/02) Court Clerk: Connie Kalski/ck Relief Clerk: Judy McFadden Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley

MINUTES
 Matter Heard; ALL PENDING MOTIONS (5/3/02) Court Clerk: Connie Kalski/ck Relief Clerk: Judy McFadden Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley
 Journal Entry Details:
DEFT'S MOTION TO STRIKE "VICTIM 65 YEARS OF AGE OR OLDER" IN COUNT X...DEFT'S MOTION TO DISMISS COUNTS III AND XI...SENTENCING Officer Kristy Henderson of the Division of Parole and Probation present. Court noted the Court did not prepare this matter for sentencing as two Defendant's Motions were submitted. Court admonished counsel regarding submitting last-minute motions to the Court. Discussion between Court and counsel regarding counts III & XI. COURT ORDERED, these counts are duplicitous and will therefore be DISMISSED; Deft's Motion GRANTED. Discussion between Court and counsel regarding the enhancement on Count X. COURT ORDERED, the enhancement on Count X WILL BE DISMISSED; Deft's Motion GRANTED. COURT ORDERED, sentencing CONTINUED. CUSTODY 5/10/02 9:00 AM SENTENCING ;

- 05/10/2002 **Sentencing (9:00 AM)**
SENTENCING Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley
 Matter Continued; SENTENCING Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley
 Journal Entry Details:

CASE SUMMARY

CASE No. 01C180446

Lisa Lewis from the Division of Parole and Probation present. DEFENDANT STANLEY ADJUDGED GUILTY of COUNT I-ROBBERY (F); COUNT II-LARCENY FROM THE PERSON (F); COUNT VI-BATTERY WITH DEADLY WEAPON WITH SUBSTANTIAL BODILY HARM (F); COUNT VII-MAYHEM (F); COUNT IX-ROBBERY (F) and COUNT X-ATTEMPT ROBBERY (F). Speakers Diane Baptist, Manuel Baptist, Warren Baptist, Jojina Ball and Carl Williams sworn and testified. Ms. Pandukht provided documents to Court to prove the habitual criminal enhancement. Statements by Ms. Pandukht, Defendant, Ms. Diefenbach and Mr. Avants. COURT ORDERED, DEFENDANT SENTENCED as a habitual criminal to the Nevada Department of Corrections as to: COUNT I - LIFE without the possibility of parole; COUNT II - a MAXIMUM term of FORTY-EIGHT (48) MONTHS with a MINIMUM parole eligibility of TWELVE (12) MONTHS and PAY \$500 RESTITUTION; COUNT VI - a MAXIMUM term of ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of SEVENTY-TWO (72) MONTHS and PAY \$600,000 RESTITUTION; COUNT VII - a MAXIMUM term of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM parole eligibility of FORTY-EIGHT (48) MONTHS; COUNT IX - LIFE without the possibility of parole and PAY \$522 RESTITUTION; COUNT X - a MAXIMUM term of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM parole eligibility of FORTY-EIGHT (48) MONTHS and PAY \$4,000 RESTITUTION. All counts to run CONSECUTIVE to each other. Credit for time served is 197 days. CLERK'S NOTE: Pursuant to statute and Pre-sentence Report, a \$25 Administrative Assessment fee and \$150 DNA testing fee is imposed. BOND, if any, EXONERATED. ;

12/10/2003

Request of Court (9:00 AM)

AT REQUEST OF THE SUPREME COURT: RE-SENTENCING Heard By: Donald Mosley

12/16/2003

Request of Court (9:00 AM)

AT REQUEST OF THE SUPREME COURT: RE-SENTENCING Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley

Matter Heard; AT REQUEST OF THE SUPREME COURT: RE-SENTENCING Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley

Journal Entry Details:

Court noted the Supreme Court has indicated that Count VI is duplicitous of Count VII and should be stricken. Counsel concurred. COURT ORDERED, COUNT VI IS STRICKEN. Ms. Saragosa advised she would prepare an Amended Judgment of Conviction. Ms. Diefenbach requested to withdraw as counsel. There being no objection, COURT ORDERED, request GRANTED, the Public Defender's Office is WITHDRAWN. NDC ;

01/27/2004

Motion to Withdraw as Counsel (9:00 AM)

Events: 01/13/2004 Notice of Motion

DEFT'S PRO PER MTN FOR WITHDRAWAL OF ATTY OF RECORD & TRANSFER OF RECORD/19 Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley

MINUTES

 Notice of Motion

[68] Notice of Motion Motion for Withdrawal of Attorney of Record and Transfer of Records

Off Calendar; DEFT'S PRO PER MTN FOR WITHDRAWAL OF ATTY OF RECORD & TRANSFER OF RECORD/19 Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley

Journal Entry Details:

Court noted Ms. Diefenbach withdrew on 5/16/03. Mr. Ericsson concurred and stated the file should have been sent to Defendant, however, he will check into it. COURT ORDERED, matter OFF CALENDAR. NDC ;

08/09/2004

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

DEFT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION) Heard By: Donald Mosley

08/31/2004

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

DEFT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION) Heard By: Donald Mosley

12/10/2004

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

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CASE SUMMARY

CASE NO. 01C180446

DEFT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION)

Heard By: Donald Mosley

02/04/2005

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

DEFT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION)

Relief Clerk: Melissa Swinn Reporter/Recorder: Maureen Schorn Heard By: Mosley, Donald M.

Matter Continued; DEFT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION) Relief Clerk: Melissa Swinn Reporter/Recorder: Maureen Schorn Heard By: Mosley, Donald M.

Journal Entry Details:

Defendant not present. Ms. Diefenbach present. Defendant not transported from prison for today's hearing. COURT ORDERED, matter CONTINUED and State to prepare a Transport Order. NDC ;

03/18/2005

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

DEFT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION)

Relief Clerk: Melissa Swinn Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley

Denied; DEFT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION) Relief Clerk: Melissa Swinn Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley

Journal Entry Details:

Defendant requested counsel for today's hearing, COURT ORDERED, request DENIED. Ms. Diefenbach sworn and testified. (Exhibits per worksheet.) Court addressed each issue as follows: Issue 1 & 3: Habitual criminal statute application; Issue 2: Ineffective assistance of counsel; Issue 4: Ineffective assistance of counsel regarding Judgment of Convictions; Issue 5: Ineffective assistance of counsel regarding psychological defense; Issue 6: Ineffective assistance of counsel regarding defense's case in chief; Issue 7: Ineffective assistance of counsel regarding as to remaining as counsel for defendant; Issue 8: Cumulative error; and Issue 9: Ineffective appellate counsel. Closing arguments. COURT FINDS the Writ is WITHOUT MERIT and therefore, ORDERED, Writ DENIED. NDC ;

06/06/2005

Motion (9:00 AM)

Events: 05/24/2005 Motion

DEFT'S PRO PER MTN FOR REQUEST OF ORDER OF THE CLERK TO PROVIDE DEFT PHOTO/21 Court Clerk: Melissa Swinn Relief Clerk: Georgette Byrd/gb Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley

Denied; DEFT'S PRO PER MTN FOR REQUEST OF ORDER OF THE CLERK TO PROVIDE DEFT PHOTO/21 Court Clerk: Melissa Swinn Relief Clerk: Georgette Byrd/gb Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley

Journal Entry Details:

Court noted this is post conviction, the writ was previously denied and now the defendant wants an appeal based on the Court refusing to appoint counsel, this is untimely. The defendant says he should have been canvassed Ferretta however this is post conviction and that does not apply. COURT ORDERED, Deft's Pro Per Motion for Request of Order of The Clerk to Provide Deft Photo's Copy of Record on Appeal Without Cost is DENIED. NDC ;

07/07/2014



Motion (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

Defendant's Pro Per Copy for Recording of 911 Tape of Billy Barba

Denied;

Journal Entry Details:

Court stated that the deft. did not provide a background on what he is intending to file, what the deft. needs it for and why he needs it; further, the request is untimely, therefore, ORDERED, Motion DENIED for all the reasons argued by the State. State to prepare the Order. NDC ;

10/01/2014



Motion for Order Extending Time (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

Defendant's Pro Per Motion for Extention of Time

Moot;

Journal Entry Details:

COURT ORDERED, Motion is MOOT as the State has already filed an opposition and the deft. has filed a reply and as such, FURTHER ORDERED, Deft's Petition will be set for a hearing. NDC 10/22/14 9:00 AM DEFT'S PRO PER PETITION FOR WRIT OF HABEAS

CASE SUMMARY

CASE NO. 01C180446

CORPUS ;

10/22/2014

 **Petition for Writ of Habeas Corpus** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
 Events: 07/29/2014 Petition for Writ of Habeas Corpus
Defendant's Pro Per Petition for Writ of Habeas Corpus
 Denied;
 Journal Entry Details:
Kenneth N. Portz, Deputy District Attorney, present for the State of Nevada Court NOTED it was not entertaining additional argument as the Deft. was not transported for today's proceedings from his Nevada Department of Correction (NDOC) location. The Court further NOTED its review of the briefings. COURT STATED ITS FINDINGS and ORDERED, Petition DENIED on the arguments and the grounds stated by the State in their Response. State to prepare the Order. NDC CLERK S NOTE: A copy of this Minute Order was mailed to the Deft.: Oscar A. Stanley, BAC#73085 HDSP Post Office Box 650 Indian Springs, NV 89070 mk 10/23/2014 ;

12/08/2014

 **Motion to Modify Sentence** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Defendant's Pro Per Motion to Modify Sentence
 Denied;
 Journal Entry Details:
Court stated that it is not taking any oral argument today. Court stated that this motion is time barred, successive and is belied by the record, therefore, ORDERED, Motion DENIED. State to prepare the Order. NDC ;

06/03/2015

 **Motion to Correct Sentence** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Motion to Correct Illegal Sentence
 Denied;
 Journal Entry Details:
Defendant not present, incarcerated in the Nevada Department of Corrections (NDC). Hearing no additional oral argument, COURT NOTED, Defendant brought forth this motion in December 2014, and it was denied by the Nevada Supreme Court (NSC); FURTHER NOTED, there is no procedural reason or reason to revisit the motion, nor any basis to believe Defendant was sentenced with any mistake or detriment of due process. COURT ORDERED, motion DENIED, based on the ground argued by the State. NDC CLERK'S NOTE: A copy of this Minute Order has been mailed to Defendant at the following address: Mr. Oscar Stanley, #73085 PO Box 650 Indian Springs, NV 89018 /db 6.4.2015 ;

12/14/2016

Motion for Appointment of Attorney (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
12/14/2016, 12/19/2016, 12/21/2016, 12/28/2016
DEFENDANT S PRO PER MOTION TO APPOINT COUNSEL
 Matter Continued;
 Matter Continued;
 Moot;
 Matter Continued;
 Matter Continued;
 Moot;
 Matter Continued;
 Matter Continued;
 Moot;

12/14/2016

Motion to Produce (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
12/14/2016, 12/19/2016, 12/21/2016, 12/28/2016
Defendant's Pro Per Motion to Modify Sentence
 Matter Continued;
 Matter Continued;
 Motion Denied;
 Matter Continued;
 Matter Continued;
 Motion Denied;
 Matter Continued;
 Matter Continued;

CASE SUMMARY

CASE NO. 01C180446

Motion Denied;

12/14/2016

 **All Pending Motions** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

Matter Heard;

Journal Entry Details:

Due to the Court's schedule, COURT ORDERED, matter CONTINUED. NDC 12/19/16 9:00 AM DEFT'S PRO PER MOTION TO MODIFY SENTENCE...DEFT'S PRO PER MOTION TO APPOINT COUNSEL;

12/19/2016

 **All Pending Motions** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

Matter Heard;

Journal Entry Details:

DEFT'S. PRO PER MOTION TO MODIFY SENTENCE...DEFT'S PRO PER MOTION TO APPOINT COUNSEL Deft. not present, Nevada Department of Corrections. COURT ORDERED, matters CONTINUED. NDC CONTINUED TO: 12/21/16 9:00 A.M. (BOTH);

12/21/2016

 **All Pending Motions** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

Matter Continued;

Journal Entry Details:

DEFT NOT PRESENT. COURT ORDERED, MATTER CONTINUED. NDC 12-28-16 9:00 AM DEFT'S PRO PER MOTION (DEPT. XXV);

12/28/2016

 **All Pending Motions** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

Matter Heard;

Journal Entry Details:

DEFENDANT'S PRO PER MOTION TO APPOINT COUNSEL...DEFENDANT'S PRO PER MOTION TO MODIFY SENTENCE Deft. not present, Nevada Department of Corrections. COURT NOTED, there will be no further oral argument as Deft. is not present. COURT STATED ITS FINDINGS, and ORDERED, Deft's. Pro Per Motion to Modify Sentence DENIED, Deft's. Pro Per Motion to Appoint Counsel MOOT, as the Motion to Modify Sentence is DENIED. The State is to prepare the Order. CLERK'S NOTE: A copy of this minute order was provided to: Oscar Stanley 73085, Southern Desert Correctional Center, PO BOX 208, Indian Springs, NV 89070. / sb 12/29/16 ;

10/01/2018

Motion (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

Defendant's Pro Per Motion for 911 Tape of Billy Barba

Denied Without Prejudice;

10/01/2018

Motion (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

Defendant's Pro Per Motion for Booking Sheet

Denied Without Prejudice;

10/01/2018

 **All Pending Motions** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

Matter Heard;

Journal Entry Details:

DEFT'S. PRO PER MOTION FOR 911 TAPES OF BILLY BARBA...DEFT'S PRO PER MOTION FOR BOOKING SHEET. Deft. not present, Nevada Department of Corrections (NDC). COURT ORDERED, Deft's. Pro Per Motion for Booking Sheet SET 10/08/18 RESET, and to be HEARD today. COURT ADVISED, Deft. needs to help the Court understand on what basis Deft. believes he would need these items; what post-conviction relief Deft. is seeking. It does not appear Deft. appealed his decision. COURT ORDERED, BOTH Deft's. Pro Per Motions DENIED WITHOUT PREJUDICE. The State is to prepare the Order. The Court is open to rehearing Deft's. request via Motion, the Court needs to understand the basis for Deft's. request. NDC CLERK'S NOTE: A copy of this minute order was mailed to Deft. (Oscar Stanley 73085, 5CC 1250 E Arica Rd, Eloy, AZ 85131). /sb 10/03/18;

11/07/2018

 **Motion** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

Defendant's Pro Per Motion for Copy of 911 Tape of Billy Barba

Motion Denied;

Journal Entry Details:

CASE SUMMARY

CASE No. 01C180446

Def. not present, Nevada Department of Corrections (NDC). COURT NOTED it has previously DENIED WITHOUT PREJUDICE related Pro Per Motions from Def. Def's. Motion is hand-written, Court needs to understand a basis for Def's. Motion. There is no argument regarding ineffective assistance of counsel. Court is not sure Def. can overcome time bar issues. No argument will be taken today. COURT ORDERED, Motion DENIED. Def. needs to help the Court understand what relief he is seeking and the basis for that request to overcome any procedural bars. State to prepare the Order. NDC CLERK'S NOTE: A copy of this minute order was mailed to Def. (Oscar Stanley 73085, SCC, 1250 E. Arica Rd, Eloy, AZ, 85231). /sb 11/07/18;

06/07/2021

 **Motion** (1:30 PM) (Judicial Officer: Delaney, Kathleen E.)

06/07/2021, 06/09/2021, 06/30/2021

Motion to Stop Restitution

Matter Continued; Motion to Stop Restitution

Matter Continued;

Motion Denied;

Matter Continued; Motion to Stop Restitution

Matter Continued;

Motion Denied;

Matter Continued; Motion to Stop Restitution

Matter Continued;

Motion Denied;

Journal Entry Details:

COURT ORDERED, motion CONTINUED. As to Motion to Appoint Counsel, this matter did not make it on calendar today and ORDERED, Motion to Appoint Counsel advanced to June 9, 2021. NDC CONTINUED TO: 6/9/2021 1:30 PM CLERK'S NOTE: The above minute order has been distributed to: Oscar A. Stanley, NDC #73085, Ely State Prison, P.O. Box 1989, Ely, NV 89031. aw;

06/09/2021

Motion for Appointment of Attorney (1:30 PM) (Judicial Officer: Delaney, Kathleen E.)

06/09/2021, 06/30/2021

Motion to Appoint Counsel

Matter Continued;

Motion Denied;

Matter Continued;

Motion Denied;

06/09/2021

 **All Pending Motions** (1:30 PM) (Judicial Officer: Delaney, Kathleen E.)

Matter Heard;

Journal Entry Details:

MOTION TO APPOINT COUNSEL...MOTION TO STOP RESTITUTION Due to time constraints, COURT ORDERED, matters CONTINUED. NDC CONTINUED TO: 6/30/2021 CLERK'S NOTE: The above minute order has been distributed to: Oscar A. Stanley, NDC #73085, Ely State Prison, P.O. Box 1989, Ely, NV 89031. aw;

06/30/2021

Motion to Modify Sentence (1:30 PM) (Judicial Officer: Delaney, Kathleen E.)

Motion to Modify Sentence

Motion Denied;

06/30/2021

 **All Pending Motions** (1:30 PM) (Judicial Officer: Delaney, Kathleen E.)

Matter Heard;

Journal Entry Details:

MOTION TO APPOINT COUNSEL...MOTION TO STOP RESTITUTION...MOTION TO MODIFY SENTENCE Court noted Motion to Appoint Counsel also is inclusive what appears to be a Motion for Modification of Sentence. Further, the Court is not taking any argument today as the Court did not request Def. to be transported and is able to assess the case from the briefs alone. There is also a Motion to Modify Sentence placed on calendar for July 19, 2021, and the Court does not have any reason to believe that is any different argument that has been set forth in the Motion to Appoint Counsel. COURT ORDERED, motion set for July 19, 2021, ADVANCED to today. As to Motion to Stop Restitution, the Court is persuaded by the State's argument, primarily in the circumstances that he is not really entitled simply because two of the victims have passed away, to consider himself absolved of his restitution

CASE SUMMARY

CASE NO. 01C180446

requirement and in the end, whether or not anyone has passed away, there is still possibility of their heirs being able to continue to receive and benefit from restitution. Further, from the State's argument there are still other victim's that need to be paid, no legal basis to support the arguments, Deft. did not provide any evidentiary basis for the claim the individuals have passed away and ORDERED, motion DENIED and restitution STANDS. Even if Deft. were to provide evidence two of the victims have passed away that would still not be a basis upon which to stop the order of restitution and the money is still legally able to be claimed and entitled to be paid to the heirs of the individuals. As to Motion to Appoint Counsel, COURT ORDERED, motion DENIED for the reasons primarily stated in the State's opposition. Further, the reasoning for appointing counsel is not provided by the Deft., as we know there has not been a Habeas Corpus Petition filed, there does not appear to be a legal basis upon which he would need appointment of counsel, do understand he filed Motion for Modification of Sentence but again, we do not see any legal basis to allow that to proceed, there are procedural bars that he has been unable to overcome, does not see where appointment of counsel would change facts or circumstances. As to Motion to Modify Sentence which is also encompassed in the matter set on a future date, there is a procedural bar by the law of the case as well as Red Judicata, motion is also untimely, as the State has pointed out there is no conflict between the Amended Judgment of Conviction and the Habitual Criminal Notice contained in the Amended Information. Further, the arguments for modification of sentence are belied by the record, procedurally barred and ORDERED, motion DENIED. State to prepare order. NDC CLERK'S NOTE: The above minute order has been distributed to: Oscar A. Stanley #73085, Ely State Prison, P.O. Box 1989, Ely, NV 89031. aw;

DATE

FINANCIAL INFORMATION

Defendant Stanley, Oscar A	
Total Charges	752.00
Total Payments and Credits	717.72
Balance Due as of 8/25/2021	34.28

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

January 03, 2002

01C180446

The State of Nevada vs Oscar A Stanley

January 03, 2002

9:00 AM

Initial Arraignment

INITIAL
ARRAIGNMENT
Court Clerk: Linda
Skinner Relief Clerk:
Barbara
Blankenship/bb
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:	Barker, David B.	Attorney
	Diefenbach, Lauren R.	Attorney
	Public Defender	Attorney
	Stanley, Oscar A	Defendant

JOURNAL ENTRIES

- DEFT. STANLEY ARRAIGNED, PLED NOT GUILTY and INVOKED THE 60-DAY RULE. COURT ORDERED, matter set for trial. Court was informed that Defendant's TRUE NAME is Oscar A. Stanley, and ORDERED FURTHER records be changed.
CUSTODY
2/26/02 9:30 AM CALENDAR CALL
3/4/02 1:00 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 09, 2002

01C180446

The State of Nevada vs Oscar A Stanley

January 09, 2002

9:00 AM

Motion

**DEFT'S MTN TO
SET BAIL/04 Relief
Clerk: Connie Kalski
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley**

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Diefenbach, Lauren R.

Attorney

Pandukht, Taleen R.

Attorney

Public Defender

Attorney

JOURNAL ENTRIES

- State's Opposition to Defendant's Motion for Bail FILED IN OPEN COURT. Discussion between Court and counsel regarding the current bail setting as to the charges. Argument by Ms. Diefenbach requesting a standard bail setting on each of the counts and noted that Defendant is homeless and would most likely be unable to make that bail. Argument by Ms. Pandukht advising Defendant was very bold in his actions against the victims in this case, has past felonies, and that he is a substantial danger to the victims if released. Ms. Pandukht further stated Count V qualifies Defendant as a violent criminal and requested a One Million dollar bail setting on Count V alone. Further arguments by counsel. COURT ORDERED, Bail set in the amount of \$75,000 PER COUNT. Calendar call and trial dates STAND.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 04, 2002

01C180446

The State of Nevada vs Oscar A Stanley

February 04, 2002

9:00 AM

All Pending Motions

**ALL PENDING
MOTIONS (2/4/02)
Relief Clerk: Connie
Kalski
Reporter/Recorder:
Joe D'Amato Heard
By: Donald Mosley**

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Avants, Lynn	Attorney
Kollins, Stacy L.	Attorney
Pandukht, Taleen R.	Attorney
Public Defender	Attorney
Stanley, Oscar A	Defendant

JOURNAL ENTRIES

- DEFT'S MOTION TO APPOINT NEW COUNSEL...DEFT'S PRO PER MOTION TO DISMISS COUNSEL AND APPOINTMENT OF NEW COUNSEL

Ms. Pandukht present before court convened. Ms. Kollins present when the matter was called. Mr. Avants advised this is Ms. Diefenbach's case and that she had requested a one-day continuance. COURT SO ORDERED.

Matter RECALLED at Defendant's request. Defendant advised the Court that he had letters he had written to the Court and a letter Ms. Diefenbach had written to him stating she had intercepted said letters and allegedly instructed Defendant not to communicate with the Court directly. Court advised Defendant it would be improper for this Court to obtain communication which would possibly violate Defendant's confidentiality rights between himself and his attorney. Defendant argued these

01C180446

were letters advising the Court of why he was requesting new counsel. Court requested Defendant remove the letter from Ms. Diefenbach and the Court accepted Defendant's letters to the Court. Defendant attempted to make a statement regarding being diagnosed as bi-polar. Mr. Avants stopped Defendant and advised him to make no further statements. COURT ORDERED, matter CONTINUED for the presence of Ms. Diefenbach.

CUSTODY

2/5/02 9:00 AM DEFENDANT'S PRO PER MOTION & STATE'S MOTION TO FILE AN AMENDED INFORMATION

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 05, 2002

01C180446

The State of Nevada vs Oscar A Stanley

February 05, 2002

9:00 AM

All Pending Motions

**ALL PENDING
MOTIONS (2/5/02)
Relief Clerk: Connie
Kalski
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley**

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:	Diefenbach, Lauren R.	Attorney
	Pandukht, Taleen R.	Attorney
	Public Defender	Attorney
	Stanley, Oscar A	Defendant

JOURNAL ENTRIES

- DEFT'S MOTION TO APPOINT NEW COUNSEL...DEFT'S PRO PER MOTION TO DISMISS COUNSEL AND APPOINTMENT OF NEW COUNSEL...STATE'S MOTION TO AMEND INFORMATION

There being no opposition, COURT ORDERED, Order to Amend Information and Amended Information FILED IN OPEN COURT. Statements by Defendant regarding why he feels Ms. Diefenbach should be dismissed as counsel of record, 1) Ms. Diefenbach intercepted letters Defendant wrote to the judge; and 2) Ms. Diefenbach has not done the things the defendant has requested she do.

Upon Court's inquiry, Defendant WAIVED the attorney/client privilege in an effort to proceed. COURT ORDERED, upon Ms. Diefenbach's specific questions to the Court, that this would be a

LIMITED WAIVER.

Upon Court's further inquiry, Ms. Diefenbach advised she has investigated and intends to file more motions that are relevant to the case. Court noted there is still time to file motions.

Defendant objected stating he had been diagnosed as bi-polar and has not been given any medication. Court advised Defendant it is not the function of defense counsel to see that Defendant is medicated. Further discussion between Court and counsel. COURT ORDERED, Defendant Motions DENIED; calendar call and trial dates STAND.

CUSTODY

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

February 20, 2002

01C180446

The State of Nevada vs Oscar A Stanley

February 20, 2002

9:30 AM

Calendar Call

CALENDAR CALL
Relief Clerk: Connie
Kalski
Reporter/Recorder:
Joe D'Amato Heard
By: Donald Mosley

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Diefenbach, Lauren R.	Attorney
Pandukht, Taleen R.	Attorney
Public Defender	Attorney
Stanley, Oscar A	Defendant

JOURNAL ENTRIES

- Ms. Diefenbach announced ready for trial with the trial lasting five to six days; approximately twenty witnesses with two being out of state. Ms. Pandukht advised they would request this matter not go to overflow. COURT ORDERED, all pending motions to be heard on 3/1/02. This matter will hold secondary priority for this Court to hear if the first priority case does not go forward. Trial date STANDS at this point.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 01, 2002

01C180446

The State of Nevada vs Oscar A Stanley

March 01, 2002

1:30 PM

All Pending Motions

**ALL PENDING
MOTIONS 3/1/02
Court Clerk: Linda
Skinner
Reporter/Recorder:
Joe D'Amato Heard
By: Donald Mosley**

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Avants, Lynn	Attorney
Diefenbach, Lauren R.	Attorney
Pandukht, Taleen R.	Attorney
Public Defender	Attorney
Stanley, Oscar A	Defendant

JOURNAL ENTRIES

- DEFT'S MOTION TO SUPPRESS CONFESSION...DEFT'S MOTION TO STRIKE DUPLICITOUS COUNTS

Upon Court's inquiry, Ms. Pandukht and Ms. Diefenbach announced ready for trial.

DEFT'S MOTION TO SUPPRESS CONFESSION: Ms. Diefenbach argued that the Miranda warning was given to Defendant prior to the tape player being turned on and she feels an Evidentiary Hearing is needed. Ms. Pandukht argued there was a full and complete Preliminary Hearing; that the officer was questioned regarding Miranda, but she did not have him recite the whole thing and neither did Ms. Diefenbach. Court noted it feels there is insufficient reasons to warrant a suppression, the fact that Defendant was tired by the end of the interview does not mean he is incompetent and the confession should be suppressed, therefore COURT ORDERED, Motion DENIED.

DEFT'S MOTION TO STRIKE DUPLICITOUS COUNTS: Court noted this involved Counts V and VI and X and XI. Ms. Pandukht concurred stating she did charge the lesser includeds and will put on the Jury form that they can only find one or the other. Ms. Diefenbach stated she feels it looks better to the Jury if the Defendant is facing 9 counts instead of 11. COURT ORDERED, Motion DENIED.

DEFT'S PRO PER MOTION TO DISMISS COUNSEL AND APPOINTMENT OF NEW COUNSEL: Court noted this motion was set after trial and inquired if Defendant was desirous of going forward at this time. Defendant stated he would like new counsel. Court pointed out that if Defendant wanted to hire new counsel, the trial would be set in January, 2003. Mr. Avants advised that Defendant gave them 5 names, however, they will not be calling any of these as witnesses. Ms. Diefenbach stated they contacted most of the people he listed, however, have chosen not to use them; and she has copies of the records he wanted. COURT ORDERED, Motion DENIED.

Upon Court's inquiry, Ms. Pandukht advised the trial should last 5 days with 17 witnesses and 2 being out-of-State. COURT ORDERED, Jury selection would begin at 1:30 PM on Monday, March 4, 2002.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 04, 2002

01C180446

The State of Nevada vs Oscar A Stanley

March 04, 2002

1:00 PM

Jury Trial

TRIAL BY JURY

**Relief Clerk: Connie
Kalski**

**Reporter/Recorder:
Joe D'Amato Heard**

**By: Mosley, Donald
M.**

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Avants, Lynn	Attorney
Diefenbach, Lauren R.	Attorney
Kollins, Stacy L.	Attorney
Pandukht, Taleen R.	Attorney
Public Defender	Attorney
Stanley, Oscar A	Defendant

JOURNAL ENTRIES

- 2:08 PM - Prior to the potential jurors being brought into the courtroom, court convened. The court, after being given information regarding Defendant becoming uncooperative, this Court questioned Defendant and inquired if there would be any further problems. The Court advised Defendant of the possible methods of dealing with him if there were to be any further incidents. Defendant stated there would be no further incidents. Court so noted.

Potential jury panel present and SWORN. Overall and individual voir dire commenced.

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

March 05, 2002

01C180446

The State of Nevada vs Oscar A Stanley

March 05, 2002

1:30 PM

Jury Trial

TRIAL BY JURY

Court Clerk:

Georgette Byrd

Relief Clerk: Barbara

Blankenship/bb

Reporter/Recorder:

Pauline May/Joe

D'Amato Heard By:

Mosley, Donald M.

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Avants, Lynn	Attorney
Diefenbach, Lauren R.	Attorney
Kollins, Stacy L.	Attorney
Pandukht, Taleen R.	Attorney
Public Defender	Attorney
Stanley, Oscar A	Defendant

JOURNAL ENTRIES

- Potential jurors present. Voir Dire continued. Jury and alternates sworn. Opening statements by counsel. Testimony and exhibits presented. (See worksheets.) Court admonished jury and recessed for the evening.

CUSTODY

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

March 06, 2002

01C180446

The State of Nevada vs Oscar A Stanley

March 06, 2002

1:30 PM

Jury Trial

TRIAL BY JURY

Court Clerk: Connie

Kalski Relief Clerk:

Barbara

Blankenship/bb

Reporter/Recorder:

Joe D'Amato Heard

By: Mosley, Donald

M.

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Avants, Lynn

Attorney

Diefenbach, Lauren R.

Attorney

Kollins, Stacy L.

Attorney

Pandukht, Taleen R.

Attorney

Public Defender

Attorney

Stanley, Oscar A

Defendant

JOURNAL ENTRIES

- Jury Present. Testimony and exhibits continued. (See worksheets.) Court admonished jury and recessed for the evening.

CUSTODY

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

March 07, 2002

01C180446

The State of Nevada vs Oscar A Stanley

March 07, 2002

9:00 AM

Jury Trial

TRIAL BY JURY

Relief Clerk: Connie
Kalski

Reporter/Recorder:
Joe D'Amato Heard

By: Mosley, Donald
M.

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Avants, Lynn	Attorney
Diefenbach, Lauren R.	Attorney
Kollins, Stacy L.	Attorney
Pandukht, Taleen R.	Attorney
Public Defender	Attorney
Stanley, Oscar A	Defendant

JOURNAL ENTRIES

- Jury present. Testimony and exhibits continued (see worksheets). COURT ORDERED, evening recess with instructions to return tomorrow.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 08, 2002

01C180446

The State of Nevada vs Oscar A Stanley

March 08, 2002

1:30 PM

Jury Trial

TRIAL BY JURY

**Court Clerk: Linda
Skinner**

Reporter/Recorder:

Maureen Schorn

Heard By: Mosley,

Donald M.

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Avants, Lynn	Attorney
Diefenbach, Lauren R.	Attorney
Kollins, Stacy L.	Attorney
Pandukht, Taleen R.	Attorney
Public Defender	Attorney
Stanley, Oscar A	Defendant

JOURNAL ENTRIES

- 1:36 PM OUTSIDE PRESENCE OF JURY: Defendant advised of his right not to testify. IN PRESENCE OF JURY: Testimony and exhibits presented (see worksheets). 3:03 PM STATE RESETS. DEFENSE RESTS. OUTSIDE PRESENCE OF JURY: Jury excused for the day. Ms. Diefenbach objected to pictures of the victim in the hospital being shown to the jury. Ms. Kollins argued that they had 10 pictures and only used 4 to show her injuries. Court concurred that the State paired the pictures down and that the 4 that were chosen would be received into evidence. Ms. Diefenbach objected to prospective Juror Ms. Hymes being excused with no real reason and she was a minority. Ms. Pandukht stated this juror was late, she missed opening remarks and the witness list. Court stated she was a minority, not sure if she was African American, but substantial questions had

already been put to the jurors; this Court felt rather than to start over, she was excused. Ms. Diefenbach put forth a Batson challenge as to juror Washington being preempted by the State. Ms. Kollins argued that the 1st reason was because she was a paralegal. The 2nd reason, she voiced what terrible treatment her brother received and the State did not feel she could be fair. Court stated the reasons for her dismissal were apparent and there is no Batson challenge. Mr. Avants stated the Defense had prepared voir dire questions that the Court decided not to use. Ms. Kollins stated that actually there were some questions that were incorporated into the Court's voir dire. Court read the proposed questions and explained why they were not used. Ms. Kollins advised she received a call from the Defense re the transcript. They have prepared a redacted one and it will be used as opposed to the other one. The other one will be put in a sealed envelope. Additionally, there was a Justice Referral slip in Defendant's wallet that will be taken out and put in the envelope and that will not go to the Jury. Ms. Kollins stated the original micro tape has been marked as a Court's exhibit. Court so noted and advised it would be admitted. Jury instructions settled on the record. EVENING RECESS.

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

March 11, 2002

01C180446

The State of Nevada vs Oscar A Stanley

March 11, 2002

9:00 AM

Jury Trial

TRIAL BY JURY
Court Clerk: Linda
Skinner Relief Clerk:
Barbara
Blankenship/bb
Reporter/Recorder:
Maureen Schorn
Heard By: Mosley,
Donald M.

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Avants, Lynn	Attorney
Diefenbach, Lauren R.	Attorney
Kollins, Stacy L.	Attorney
Pandukht, Taleen R.	Attorney
Public Defender	Attorney
Stanley, Oscar A	Defendant

JOURNAL ENTRIES

- Testimony and exhibits presented. (See worksheets.) Court Instructed the jury. Closing arguments. At the hour of 4:52 PM, the jury retired to deliberate. Court thanked and excused the alternates.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 12, 2002

01C180446

The State of Nevada vs Oscar A Stanley

March 12, 2002

9:00 AM

Jury Trial

TRIAL BY JURY**Court Clerk: Linda****Skinner Relief Clerk:****Barbara****Blankenship/bb****Reporter/Recorder:****Maureen Schorn****Heard By: Donald****Mosley****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Avants, Lynn	Attorney
Diefenbach, Lauren R.	Attorney
Kollins, Stacy L.	Attorney
Pandukht, Taleen R.	Attorney
Public Defender	Attorney
Stanley, Oscar A	Defendant

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY: Mr. Avants requested clarification, and the Court's reply, as to the jury's question regarding Count II - Larceny From The Person.

At the hour of 3:25 PM, the jury returned with a verdict of... GUILTY OF COUNT I-ROBBERY(F), GUILTY OF COUNT II-LARCENY FROM THE PERSON(F), GUILTY O COUNT III-UNLAWFUL TAKING OF VEHICLE WITHOUT CONSENT OWNER(GM), GUILTY OF COUNT VI-BATTERY WITH DEADLY WEAPON WITH SUBSTANTIAL BODILY HARM(F), GUILTY COUNT VII-MAYHEM(F), GUILTY OF COUNT IX-ROBBERY(F), GUILTY OF COUNT X-ATTEMPT ROBBERY,

01C180446

VICTIM 65 YEARS OF AGE OR OLDER(F), GUILTY OF COUNT XI-ATTEMPT UNLAWFUL TAKING OF VEHICLE WITHOUT CONSENT OF OWNER(GM), and NOT GUILTY OF COUNTS IV, V, and VIII.

Jury polled. DEFENDANT REMANDED INTO CUSTODY. Court referred matter to the Division of Parole and Probation for a Pre-sentence Report and ORDERED, set for sentencing. Court thanked and excused the jury.

CUSTODY

4/26/02 9:00 AM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 03, 2002

01C180446

The State of Nevada vs Oscar A Stanley

May 03, 2002

9:00 AM

All Pending Motions

**ALL PENDING
MOTIONS (5/3/02)
Court Clerk: Connie
Kalski/ck Relief
Clerk: Judy
McFadden
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley**

HEARD BY:

COURTROOM: No Location

COURT CLERK: Linda Skinner

RECORDER:

REPORTER: Maureen Schorn

PARTIES

PRESENT:	Avants, Lynn	Attorney
	Diefenbach, Lauren R.	Attorney
	Pandukht, Taleen R.	Attorney
	Public Defender	Attorney
	Stanley, Oscar A	Defendant

JOURNAL ENTRIES

- DEFT'S MOTION TO STRIKE "VICTIM 65 YEARS OF AGE OR OLDER" IN COUNT X...DEFT'S MOTION TO DISMISS COUNTS III AND XI...SENTENCING
Officer Kristy Henderson of the Division of Parole and Probation present. Court noted the Court did not prepare this matter for sentencing as two Defendant's Motions were submitted. Court admonished counsel regarding submitting last-minute motions to the Court. Discussion between Court and counsel regarding counts III & XI. COURT ORDERED, these counts are duplicitous and will therefore be DISMISSED; Deft's Motion GRANTED.

01C180446

Discussion between Court and counsel regarding the enhancement on Count X. COURT ORDERED, the enhancement on Count X WILL BE DISMISSED; Deft's Motion GRANTED.
COURT ORDERED, sentencing CONTINUED.
CUSTODY
5/10/02 9:00 AM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 10, 2002

01C180446

The State of Nevada vs Oscar A Stanley

May 10, 2002

9:00 AM

Sentencing

SENTENCING

**Court Clerk: Linda
Skinner**

Reporter/Recorder:

Joe D'Amato Heard

By: Donald Mosley

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Avants, Lynn

Attorney

Diefenbach, Lauren R.

Attorney

Pandukht, Taleen R.

Attorney

Public Defender

Attorney

Stanley, Oscar A

Defendant

JOURNAL ENTRIES

- Lisa Lewis from the Division of Parole and Probation present. DEFENDANT STANLEY ADJUDGED GUILTY of COUNT I-ROBBERY (F); COUNT II-LARCENY FROM THE PERSON (F); COUNT VI-BATTERY WITH DEADLY WEAPON WITH SUBSTANTIAL BODILY HARM (F); COUNT VII-MAYHEM (F); COUNT IX-ROBBERY (F) and COUNT X-ATTEMPT ROBBERY (F). Speakers Diane Baptist, Manuel Baptist, Warren Baptist, Jojina Ball and Carl Williams sworn and testified. Ms. Pandukht provided documents to Court to prove the habitual criminal enhancement. Statements by Ms. Pandukht, Defendant, Ms. Diefenbach and Mr. Avants. COURT ORDERED, DEFENDANT SENTENCED as a habitual criminal to the Nevada Department of Corrections as to: COUNT I - LIFE without the possibility of parole; COUNT II - a MAXIMUM term of FORTY-EIGHT (48) MONTHS with a MINIMUM parole eligibility of TWELVE (12) MONTHS and PAY \$500 RESTITUTION; COUNT VI - a MAXIMUM term of ONE HUNDRED EIGHTY (180) MONTHS with a

MINIMUM parole eligibility of SEVENTY-TWO (72) MONTHS and PAY \$600,000 RESTITUTION; COUNT VII - a MAXIMUM term of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM parole eligibility of FORTY-EIGHT (48) MONTHS; COUNT IX - LIFE without the possibility of parole and PAY \$522 RESTITUTION; COUNT X - a MAXIMUM term of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM parole eligibility of FORTY-EIGHT (48) MONTHS and PAY \$4,000 RESTITUTION.

All counts to run CONSECUTIVE to each other. Credit for time served is 197 days.

CLERK'S NOTE: Pursuant to statute and Pre-sentence Report, a \$25 Administrative Assessment fee and \$150 DNA testing fee is imposed. BOND, if any, EXONERATED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 16, 2003

01C180446

The State of Nevada vs Oscar A Stanley

December 16, 2003

9:00 AM

Request of Court

**AT REQUEST OF
THE SUPREME
COURT: RE-
SENTENCING
Court Clerk: Linda
Skinner
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley**

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

PRESENT:	Diefenbach, Lauren R.	Attorney
	Public Defender	Attorney
	Saragosa, Melissa A.	Attorney

JOURNAL ENTRIES

- Court noted the Supreme Court has indicated that Count VI is duplicitous of Count VII and should be stricken. Counsel concurred. COURT ORDERED, COUNT VI IS STRICKEN. Ms. Saragosa advised she would prepare an Amended Judgment of Conviction. Ms. Diefenbach requested to withdraw as counsel. There being no objection, COURT ORDERED, request GRANTED, the Public Defender's Office is WITHDRAWN.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 27, 2004

01C180446

The State of Nevada vs Oscar A Stanley

January 27, 2004

9:00 AM

**Motion to Withdraw as
Counsel**

**DEFT'S PRO PER
MTN FOR
WITHDRAWAL OF
ATTY OF RECORD
& TRANSFER OF
RECORD/19 Court
Clerk: Linda Skinner
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley**

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Ericsson, Thomas A.
Hart, Marty
Public Defender

Attorney
Attorney
Attorney

JOURNAL ENTRIES

- Court noted Ms. Diefenbach withdrew on 5/16/03. Mr. Ericsson concurred and stated the file should have been sent to Defendant, however, he will check into it. COURT ORDERED, matter OFF CALENDAR.

NDC

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

February 04, 2005

01C180446

The State of Nevada vs Oscar A Stanley

February 04, 2005

9:00 AM

Petition for Writ of Habeas
Corpus

DEFT'S PRO PER
PETITION FOR
WRIT OF HABEAS
CORPUS (POST-
CONVICTION)
Relief Clerk: Melissa
Swinn
Reporter/Recorder:
Maureen Schorn
Heard By: Mosley,
Donald M.

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Ponticello, Frank M.

Attorney

JOURNAL ENTRIES

- Defendant not present. Ms. Diefenbach present. Defendant not transported from prison for today's hearing. COURT ORDERED, matter CONTINUED and State to prepare a Transport Order.
NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 18, 2005

01C180446

The State of Nevada vs Oscar A Stanley

March 18, 2005

9:00 AM

Petition for Writ of Habeas
Corpus

**DEFT'S PRO PER
PETITION FOR
WRIT OF HABEAS
CORPUS (POST-
CONVICTION)
Relief Clerk: Melissa
Swinn
Reporter/Recorder:
Joe D'Amato Heard
By: Donald Mosley**

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

Pandukht, Taleen R.
Stanley, Oscar A

Attorney
Defendant

JOURNAL ENTRIES

- Defendant requested counsel for today's hearing, COURT ORDERED, request DENIED. Ms. Diefenbach sworn and testified. (Exhibits per worksheet.) Court addressed each issue as follows: Issue 1 & 3: Habitual criminal statute application; Issue 2: Ineffective assistance of counsel; Issue 4: Ineffective assistance of counsel regarding Judgment of Convictions; Issue 5: Ineffective assistance of counsel regarding psychological defense; Issue 6: Ineffective assistance of counsel regarding defense's case in chief; Issue 7: Ineffective assistance of counsel regarding as to remaining as counsel for defendant; Issue 8: Cumulative error; and Issue 9: Ineffective appellate counsel.

Closing arguments. COURT FINDS the Writ is WITHOUT MERIT and therefore, ORDERED, Writ DENIED.

NDC

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

June 06, 2005

01C180446

The State of Nevada vs Oscar A Stanley

June 06, 2005

9:00 AM

Motion

DEFT'S PRO PER
MTN FOR REQUEST
OF ORDER OF THE
CLERK TO
PROVIDE DEFT
PHOTO/21 Court
Clerk: Melissa Swinn
Relief Clerk:
Georgette Byrd/gb
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Nelson III, Roy L.

Attorney

JOURNAL ENTRIES

- Court noted this is post conviction, the writ was previously denied and now the defendant wants an appeal based on the Court refusing to appoint counsel, this is untimely. The defendant says he should have been canvassed Ferretta however this is post conviction and that does not apply. COURT ORDERED, Deft's Pro Per Motion for Request of Order of The Clerk to Provide Deft Photo's Copy of Record on Appeal Without Cost is DENIED.
NDC

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

July 07, 2014

01C180446

The State of Nevada vs Oscar A Stanley

July 07, 2014

9:00 AM

Motion

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Kristen Brown

RECORDER:

REPORTER: Brenda Schroeder

PARTIES

PRESENT:

Albritton, Alicia A.
State of Nevada

Attorney
Plaintiff

JOURNAL ENTRIES

- Court stated that the deft. did not provide a background on what he is intending to file, what the deft. needs it for and why he needs it; further, the request is untimely, therefore, ORDERED, Motion DENIED for all the reasons argued by the State. State to prepare the Order.

NDC

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

October 01, 2014

01C180446

The State of Nevada vs Oscar A Stanley

October 01, 2014

9:00 AM

Motion for Order
Extending Time

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Kristen Brown

RECORDER:

REPORTER: Brenda Schroeder

PARTIES

PRESENT: Albritton, Alicia A.
State of Nevada

Attorney
Plaintiff

JOURNAL ENTRIES

- COURT ORDERED, Motion is MOOT as the State has already filed an opposition and the deft. has filed a reply and as such, FURTHER ORDERED, Deft's Petition will be set for a hearing.

NDC

10/22/14 9:00 AM DEFT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

October 22, 2014

01C180446

The State of Nevada vs Oscar A Stanley

October 22, 2014

9:00 AM

Petition for Writ of Habeas
Corpus

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Marwanda Knight

RECORDER:

REPORTER: Brenda Schroeder

PARTIES

PRESENT:

JOURNAL ENTRIES

- Kenneth N. Portz, Deputy District Attorney, present for the State of Nevada

Court NOTED it was not entertaining additional argument as the Deft. was not transported for today's proceedings from his Nevada Department of Correction (NDOC) location. The Court further NOTED its review of the briefings. COURT STATED ITS FINDINGS and ORDERED, Petition DENIED on the arguments and the grounds stated by the State in their Response.

State to prepare the Order.

NDC

CLERK S NOTE: A copy of this Minute Order was mailed to the Deft.:

Oscar A. Stanley, BAC#73085
HDSP
Post Office Box 650
Indian Springs, NV 89070

01C180446

mk 10/23/2014

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 08, 2014

01C180446

The State of Nevada vs Oscar A Stanley

December 08, 2014 9:00 AM Motion to Modify Sentence

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Kristen Brown

RECORDER:

REPORTER: Leah Armendariz

PARTIES

PRESENT:	Jones, Jr., John T. State of Nevada	Attorney Plaintiff
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JOURNAL ENTRIES

- Court stated that it is not taking any oral argument today. Court stated that this motion is time barred, successive and is belied by the record, therefore, ORDERED, Motion DENIED. State to prepare the Order.

NDC

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

June 03, 2015

01C180446

The State of Nevada vs Oscar A Stanley

June 03, 2015

9:00 AM

Motion to Correct Sentence

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Dania Batiste

RECORDER:

REPORTER: Brenda Schroeder

PARTIES

PRESENT:

Cooper, Jonathan
State of Nevada

Attorney
Plaintiff

JOURNAL ENTRIES

- Defendant not present, incarcerated in the Nevada Department of Corrections (NDC).

Hearing no additional oral argument, COURT NOTED, Defendant brought forth this motion in December 2014, and it was denied by the Nevada Supreme Court (NSC); FURTHER NOTED, there is no procedural reason or reason to revisit the motion, nor any basis to believe Defendant was sentenced with any mistake or detriment of due process. COURT ORDERED, motion DENIED, based on the ground argued by the State.

NDC

CLERK'S NOTE: A copy of this Minute Order has been mailed to Defendant at the following address:
Mr. Oscar Stanley, #73085
PO Box 650
Indian Springs, NV 89018
/db 6.4.2015

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 14, 2016

01C180446

The State of Nevada vs Oscar A Stanley

December 14, 2016 9:00 AM All Pending Motions

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Louisa Garcia

RECORDER:

REPORTER: Sharon Howard

PARTIES

PRESENT:	Jones, Jr., John T.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Due to the Court's schedule, COURT ORDERED, matter CONTINUED.

NDC

12/19/16 9:00 AM DEFT'S PRO PER MOTION TO MODIFY SENTENCE...DEFT'S PRO PER MOTION TO APPOINT COUNSEL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 19, 2016

01C180446

The State of Nevada vs Oscar A Stanley

December 19, 2016 9:00 AM All Pending Motions

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Shelley Boyle

RECORDER:

REPORTER: Renee Silvaggio

PARTIES

PRESENT:	Overly, Sarah State of Nevada	Attorney Plaintiff
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JOURNAL ENTRIES

- DEFT'S. PRE PER MOTION TO MODIFY SENTENCE...DEFT'S PRO PER MOTION TO APPOINT COUNSEL

Deft. not present, Nevada Department of Corrections.

COURT ORDERED, matters CONTINUED.

NDC

CONTINUED TO: 12/21/16 9:00 A.M. (BOTH)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 21, 2016

01C180446

The State of Nevada vs Oscar A Stanley

December 21, 2016 9:00 AM All Pending Motions

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Phyllis Irby

RECORDER:

REPORTER: Renee Silvaggio

PARTIES

PRESENT:	State of Nevada	Plaintiff
	Wong, Hetty O.	Attorney

JOURNAL ENTRIES

- DEFT NOT PRESENT. COURT ORDERED, MATTER CONTINUED.

NDC

12-28-16 9:00 AM DEFT'S PRO PER MOTION (DEPT. XXV)

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

December 28, 2016

01C180446

The State of Nevada vs Oscar A Stanley

December 28, 2016 9:00 AM All Pending Motions

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Shelley Boyle

RECORDER:

REPORTER: Sharon Howard

PARTIES

PRESENT:

Albritton, Alicia A.
State of Nevada

Attorney
Plaintiff

JOURNAL ENTRIES

- DEFENDANT'S PRO PER MOTION TO APPOINT COUNSEL...DEFENDANT'S PRO PER MOTION TO MODIFY SENTENCE

Deft. not present, Nevada Department of Corrections.

COURT NOTED, there will be no further oral argument as Deft. is not present. COURT STATED ITS FINDINGS, and ORDERED, Deft's. Pro Per Motion to Modify Sentence DENIED, Deft's. Pro Per Motion to Appoint Counsel MOOT, as the Motion to Modify Sentence is DENIED. The State is to prepare the Order.

CLERK'S NOTE: A copy of this minute order was provided to: Oscar Stanley 73085, Southern Desert Correctional Center, PO BOX 208, Indian Springs, NV 89070. / sb 12/29/16

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

October 01, 2018

01C180446

The State of Nevada vs Oscar A Stanley

October 01, 2018

9:00 AM

All Pending Motions

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 03F

COURT CLERK: Shelley Boyle

RECORDER:

REPORTER: Jennifer Daly

PARTIES

PRESENT:

Jones, Jr., John T.
State of Nevada

Attorney
Plaintiff

JOURNAL ENTRIES

- DEFT'S. PRO PER MOTION FOR 911 TAPES OF BILLY BARBA...DEFT'S PRO PER MOTION FOR BOOKING SHEET.

Deft. not present, Nevada Department of Corrections (NDC). COURT ORDERED, Deft's. Pro Per Motion for Booking Sheet SET 10/08/18 RESET, and to be HEARD today. COURT ADVISED, Deft. needs to help the Court understand on what basis Deft. believes he would need these items; what post-conviction relief Deft. is seeking. It does not appear Deft. appealed his decision. COURT ORDERED, BOTH Deft's. Pro Per Motions DENIED WITHOUT PREJUDICE. The State is to prepare the Order. The Court is open to rehearing Deft's. request via Motion, the Court needs to understand the basis for Deft's. request.

NDC

CLERK'S NOTE: A copy of this minute order was mailed to Deft. (Oscar Stanley 73085, 5CC 1250 E Arica Rd, Eloy, AZ 85131). /sb 10/03/18

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

November 07, 2018

01C180446

The State of Nevada vs Oscar A Stanley

November 07, 2018 9:00 AM Motion

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 03F

COURT CLERK: Shelley Boyle

RECORDER:

REPORTER: Dana J. Tavaglione

PARTIES

PRESENT:	State of Nevada	Plaintiff
	Wong, Hetty O.	Attorney

JOURNAL ENTRIES

- Deft. not present, Nevada Department of Corrections (NDC).

COURT NOTED it has previously DENIED WITHOUT PREJUDICE related Pro Per Motions from Deft. Deft's. Motion is hand-written, Court needs to understand a basis for Deft's. Motion. There is no argument regarding ineffective assistance of counsel. Court is not sure Deft. can overcome time bar issues. No argument will be taken today. COURT ORDERED, Motion DENIED. Deft. needs to help the Court understand what relief he is seeking and the basis for that request to overcome any procedural bars. State to prepare the Order.

NDC

CLERK'S NOTE: A copy of this minute order was mailed to Deft. (Oscar Stanley 73085, SCC, 1250 E. Arica Rd, Eloy, AZ, 85231). /sb 11/07/18

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

June 07, 2021

01C180446

The State of Nevada vs Oscar A Stanley

June 07, 2021

1:30 PM

Motion

Motion to Stop
Restitution

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15B

COURT CLERK: April Watkins

RECORDER:

REPORTER: Bill Nelson

PARTIES

PRESENT:

Merback, William J.
State of Nevada

Attorney
Plaintiff

JOURNAL ENTRIES

- COURT ORDERED, motion CONTINUED. As to Motion to Appoint Counsel, this matter did not make it on calendar today and ORDERED, Motion to Appoint Counsel advanced to June 9, 2021.

NDC

CONTINUED TO: 6/9/2021 1:30 PM

CLERK'S NOTE: The above minute order has been distributed to: Oscar A. Stanley, NDC #73085, Ely State Prison, P.O. Box 1989, Ely, NV 89031. aw

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

June 09, 2021

01C180446

The State of Nevada vs Oscar A Stanley

June 09, 2021

1:30 PM

All Pending Motions

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15B

COURT CLERK: April Watkins

RECORDER:

REPORTER: Dana J. Tavaglione

PARTIES

PRESENT:

State of Nevada

Plaintiff

Wong, Hetty O.

Attorney

JOURNAL ENTRIES

- MOTION TO APPOINT COUNSEL...MOTION TO STOP RESTITUTION

Due to time constraints, COURT ORDERED, matters CONTINUED.

NDC

CONTINUED TO: 6/30/2021

CLERK'S NOTE: The above minute order has been distributed to: Oscar A. Stanley, NDC #73085, Ely State Prison, P.O. Box 1989, Ely, NV 89031. aw

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 30, 2021

01C180446

The State of Nevada vs Oscar A Stanley

June 30, 2021

1:30 PM

All Pending Motions

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15B

COURT CLERK: April Watkins

RECORDER:

REPORTER: Dana J. Tavaglione

PARTIES

PRESENT:

Jones, Jr., John T.
State of Nevada

Attorney
Plaintiff

JOURNAL ENTRIES

- MOTION TO APPOINT COUNSEL...MOTION TO STOP RESTITUTION...MOTION TO MODIFY SENTENCE

Court noted Motion to Appoint Counsel also is inclusive what appears to be a Motion for Modification of Sentence. Further, the Court is not taking any argument today as the Court did not request Deft. to be transported and is able to assess the case from the briefs alone. There is also a Motion to Modify Sentence placed on calendar for July 19, 2021, and the Court does not have any reason to believe that is any different argument that has been set forth in the Motion to Appoint Counsel. COURT ORDERED, motion set for July 19, 2021, ADVANCED to today.

As to Motion to Stop Restitution, the Court is persuaded by the State's argument, primarily in the circumstances that he is not really entitled simply because two of the victims have passed away, to consider himself absolved of his restitution requirement and in the end, whether or not anyone has passed away, there is still possibility of their heirs being able to continue to receive and benefit from restitution. Further, from the State's argument there are still other victim's that need to be paid, no legal basis to support the arguments, Deft. did not provide any evidentiary basis for the claim the individuals have passed away and ORDERED, motion DENIED and restitution STANDS. Even if Deft. were to provide evidence two of the victims have passed away that would still not be a basis upon which to stop the order of restitution and the money is still legally able to be claimed and

entitled to be paid to the heirs of the individuals.

As to Motion to Appoint Counsel, COURT ORDERED, motion DENIED for the reasons primarily stated in the State's opposition. Further, the reasoning for appointing counsel is not provided by the Def., as we know there has not been a Habeas Corpus Petition filed, there does not appear to be a legal basis upon which he would need appointment of counsel, do understand he filed Motion for Modification of Sentence but again, we do not see any legal basis to allow that to proceed, there are procedural bars that he has been unable to overcome, does not see where appointment of counsel would change facts or circumstances.

As to Motion to Modify Sentence which is also encompassed in the matter set on a future date, there is a procedural bar by the law of the case as well as Red Judicata, motion is also untimely, as the State has pointed out there is no conflict between the Amended Judgment of Conviction and the Habitual Criminal Notice contained in the Amended Information. Further, the arguments for modification of sentence are belied by the record, procedurally barred and ORDERED, motion DENIED.

State to prepare order.

NDC

CLERK'S NOTE: The above minute order has been distributed to: Oscar A. Stanley #73085, Ely State Prison, P.O. Box 1989, Ely, NV 89031. aw

STATE'S EXHIBITS

CASE NO: C180446

OSCAR STANLEY

OFFERED

ADMITTED

	OFFERED	NO OBJ	ADMITTED	
1. LARGE (AERIAL) CHART	3/6/02	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	3/6/02
2. CASSETTE TAPE CASE	3/6/02	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	3/6/02
2(A) CASSETTE TAPE - (BILLY BARBA)	3/6/02	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	3/6/02
2(B) AFFIDAVIT (CUSTODIAN OF RECORDS) - 911 LOG (BARBA)	3/6/02	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	3/6/02
3. CASSETTE TAPE CASE	3/6/02	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	3/6/02
3(A) CASSETTE TAPE - (MANUEL BAPTIST)	3/6/02	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3/6/02
3(B) AFFIDAVIT (CUSTODIAN OF RECORDS) - 911 LOG (BAPTIST)	3/6/02	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	3/6/02
4. CASSETTE TAPE CASE	3/7/02	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	3/7/02
4(A) CASSETTE TAPE - (JOJINA BALL - #1)	"	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	"
4(B) AFFIDAVIT (CUSTODIAN OF RECORDS) - 911 LOG (BALL #1)	"	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	"
5. CASSETTE TAPE CASE	"	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	"
5(A) CASSETTE TAPE - (JOJINA BALL - #2)	"	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	"
5(B) AFFIDAVIT (CUSTODIAN OF RECORDS) - 911 LOG (BALL #2)	"	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	"
6. MEDIUM BROWN BAG + CONTENTS	"	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	"
6(A) Water Bottle (in plastic bag)	"	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	"
6(B) Paper Bag (in plastic bag)	"	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	"
MEDIUM EVIDENCE ENVELOPE (Not Opened) + Contents	3/7/02	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	3/7/02
7 (A)		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
MEDIUM EVIDENCE ENVELOPE	3/7/02	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	3/7/02
8(A) Wallet	"	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	"
8(B) Phone Book (Red)	"	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	"
8(C) License 8(D) Business Card (see below)	"	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	"
9. METAL - ONE GALLON CAN & CONTENTS		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
10. METAL - ONE GALLON CAN & CONTENTS		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
11. METAL - ONE GALLON CAN & CONTENTS		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
(D) Business Card	3/7/02	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	3/7/02

STATE'S EXHIBITS

CASE NO: C180446

OSCAR STANLEY

	OFFERED	ADMITTED
12 ✓ METAL - ONE GALLON CAN & CONTENTS	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
13 ✓ METAL - ONE GALLON CAN & CONTENTS	3/7/02 <input checked="" type="checkbox"/> NO OBJ	<input checked="" type="checkbox"/> 3/7/02
14 ✓ METAL - ONE GALLON CAN & CONTENTS	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
15 ✓ METAL - ONE QUART CAN & CONTENTS	3/7/02 <input checked="" type="checkbox"/> NO OBJ	<input checked="" type="checkbox"/> 3/7/02
16 ✓ METAL - ONE QUART CAN & CONTENTS	" <input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
17 ✓ EVIDENCE ENVELOPE (& CONTENTS)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
18 ✓ LARGE GOLD ENVELOPE CONTAINING FOOTPRINT EVIDENCE	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
19 ✓ LVMPD VOLUNTARY STATEMENT OF (OSCAR STANLEY)	NOT TO GO TO JURY	
20 ✓ LATENT PRINT ENVELOPE & CONTENTS	3/7/02 <input checked="" type="checkbox"/> NO OBJ	<input checked="" type="checkbox"/> 3/7/02
21 ✓ PRINT CARD	" <input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
22 ✓ " "	" <input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
23 ✓ " "	" <input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
24 ✓ " "	" <input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
25 ✓ " "	" <input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
26 ✓ " "	" <input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
27 ✓ PRINT PHOTOS	" <input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
28 ✓ " "	" <input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
29 ✓ " "	" <input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
30 ✓ " "	" <input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
31 ✓ LATENT PRINT ENVELOPE	3/8/02 <input checked="" type="checkbox"/> NO OBJ	<input checked="" type="checkbox"/> 3/8/02
32 ✓ PRINT PHOTOS & CARDS	" <input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
33 ✓ " "	" <input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
34 ✓ " "	" <input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "

OSCAR STANLEY

21 CONT

					OFFERED	ADMITTED
21	✓	PRINT PHOTOS & CARDS			3/8/02	NO OBJ ✓ 3/8/06
22	✓	"	"	"	"	✓ " "
23	✓	"	"	"	"	✓ " "
24	✓	"	"	"	"	✓ " "
25	✓	"	"	"	"	✓ " "
26	✓	"	"	"	"	✓ " "
27	✓	KNOWN PRINTS OF OSCAR STANLEY			3/8/02	NO OBJ ✓ 3/8/02
28	✓	8 X 10 PHOTOS (BURN PHOTOS)			3/5/02	✓ " 3/5/02
29	✓	"	"		3/5/02	✓ " 3/5/02
30	✓	"	"		3/5/02	✓ " 3/5/02
31	✓	"	"		3/5/02	✓ " 3/5/02
32	✓	HIGH HAT MOTEL PHOTOS			3/6/02	NO OBJ ✓ 3/6/02
33	✓	"	"	"	"	✓ " "
34	✓	"	"	"	"	✓ " "
35	✓	"	"	"	"	✓ " "
36	✓	"	"	"	"	✓ " "
37	✓	"	"	"	"	✓ " "
38	✓	"	"	"	"	✓ " "
39	✓	"	"	"	"	✓ " "

State's

EXHIBITS

CASE NO. C180446

						OFFERED	ADMITTED			
						DATE	OBJ			DATE
40.	✓	HIGH HAT MOTEL PHOTOS CONT				3/4/02	✓	NO OBJ	✓	3/6/02
41.	✓	"	"	"	"	"	✓	"	✓	"
42.	✓	"	"	"	"	"	✓	"	✓	"
43.	✓	"	"	"	"	"	✓	"	✓	"
44.	✓	"	"	"	"	"	✓	"	✓	"
45.	✓	"	"	"	"	"	✓	"	✓	"
46.	✓	"	"	"	"	"	✓	"	✓	"
47.	✓	"	"	"	"	"	✓	"	✓	"
48.	✓	"	"	"	"	"	✓	"	✓	"
49.	✓	"	"	"	"	"	✓	"	✓	"
50.	✓	"	"	"	"	"	✓	"	✓	"
51.	✓	"	"	"	"	"	✓	"	✓	"
52.	✓	"	"	"	"	"	✓	"	✓	"
53.	✓	"	"	"	"	"	✓	"	✓	"
54.	✓	"	"	"	"	"	✓	"	✓	"
55.	✓	BILLY BARBA PHOTOS				3/6/02	✓	NO OBJ.	✓	3/6/02
56.	✓	"	"	"	"	3/6/02	✓	NO OBJ.	✓	3/6/02
57.	✓	NOJINA BALL PHOTOS				3/7/02	✓	NO OBJ	✓	3/7/02
58.	✓	"	"	"	"	"	✓	"	✓	"
59.	✓	"	"	"	"	"	✓	"	✓	"
60.	✓	"	"	"	"	"	✓	"	✓	"
61.	✓	"	"	"	"	"	✓	"	✓	"



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

OSCAR STANLEY #73085
P.O. BOX 208
INDIAN SPRINGS, NV 89070

DATE: August 25, 2021
CASE: 01C180446

RE CASE: STATE OF NEVADA vs. OSCAR A. STANLEY

NOTICE OF APPEAL FILED: August 24, 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

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; DESIGNATION OF RECORD ON APPEAL; DISTRICT COURT DOCKET ENTRIES; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

STATE OF NEVADA,

Plaintiff(s),

vs.

OSCAR A. STANLEY,

Defendant(s).

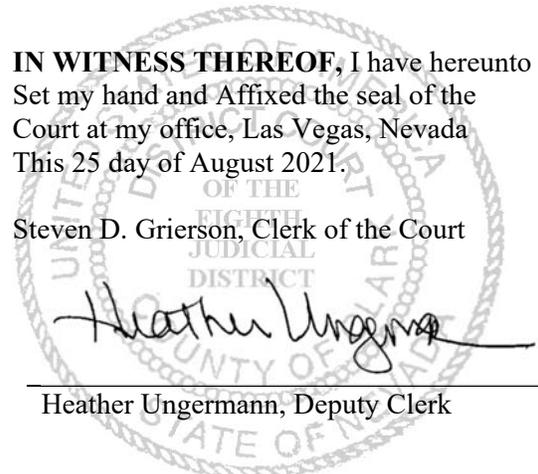
Case No: 01C180446

Dept No: XXV

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 25 day of August 2021.

Steven D. Grierson, Clerk of the Court



Heather Ungermann

Heather Ungermann, Deputy Clerk