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8 **ATTORNEY FOR OSCAR GOMEZ**

Electronically Filed
Feb 04 2022 01:17 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

9 **EIGHTH JUDICIAL DISTRICT COURT**

10 **CLARK COUNTY, NEVADA**

11 THE STATE OF NEVADA,
12 Plaintiff,

Case No.: A-20-815035-W
(C-16-316959-1)

13 vs.

Department IX

14 OSCAR GOMEZ,
15 Defendant

CASE APPEAL STATEMENT

- 16 1. Name of appellant: **Oscar Gomez**
17 2. Judge issuing order appealed from: **The Honorable Cristina Silva**
18 3. Appellant and counsel for appellant: **Oscar Gomez; Jim Hoffman, PO Box**
19 **231246, Las Vegas, NV 89105**
20 4. Respondents and counsel for respondents: **Warden/State of Nevada; Clark**
21 **County District Attorney, 200 Lewis Ave., Las Vegas, NV 89101; Attorney**
22 **General of Nevada, 555 E. Washington Ave., #3900, Las Vegas, NV 89101.**
23 5. Identify any lawyers not licensed in Nevada: **N/A**
24 6. How was appellant represented in prior proceedings: **Appellant filed the PCR**
25 **petition pro se and was unrepresented through the disposition of most of**
26 **the issues; counsel was then appointed to represent appellant at the**
27 **evidentiary hearing on the remaining issue.**
7. How is appellant represented on appeal: **Appellant is represented by**
appointed counsel.
8. Was appellant granted leave to proceed in forma pauperis: **No**
9. Date proceedings commenced in district court: **Appellant's first PCR petition**
was filed May 24, 2020.

CASE APPEAL STATEMENT - 1

1 10. Brief description of the proceedings below: **Appellant was previously**
2 **convicted and filed a direct appeal. After that appeal's disposition, he**
3 **timely filed a pro se PCR petition with the district court along with two**
4 **other petitions. Counsel was then appointed and an evidentiary hearing**
5 **was conducted, after which the court denied all claims.**

6 11. Has the case previously been before the court: **Yes, via direct appeal (Docket**
7 **76487).**

8 12. Does the appeal involve child custody: **No**

9 13. Does the case involve a possibility of civil settlement: **No**

10 DATED: November 3, 2021

11 /s/ Jim Hoffman

12 _____
13 JIM HOFFMAN, ESQ.

14 CERTIFICATE OF SERVICE

15 The undersigned certifies that a copy of this NOTICE OF APPEAL
16 was served on the Clark County District Attorney's Office on November 3, 2021,
17 via e-service to PDMotions@ClarkCountyDA.com.

18 DATED: November 3, 2021

19 /s/ Jim Hoffman

20 _____
21 JIM HOFFMAN, ESQ.