

1 Gary Chambers #76089
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FILED

AUG 31 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *D. Richards*
DEPUTY CLERK

5
6 SUPREME COURT OF NEVADA
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10 GARY CHAMBERS
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12 Petitioner,

13 vs.

14 William Gilbre
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16 Warden; State of Nevada,

17 Respondents.
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CASE NUMBER: 83247

EX PARTE MOTION FOR
APPOINTMENT OF COUNSEL AND
REQUEST FOR EVIDENTIARY
HEARING

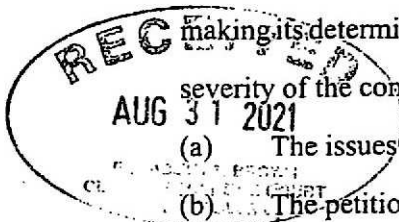
19 COMES NOW, Chambers the Petitioner, in proper person, and moves this Court
20 for its order allowing the appointment of counsel for Petitioner and for an evidentiary hearing. This
21 motion is made and based in the interest of justice.

22 Pursuant to NRS 34:750(1):

23 A petition may allege that the petitioner is unable to pay the costs of the
24 proceedings or to employ counsel. If the court is satisfied that the
25 allegation of indigency is true and the petitioner is not dismissed
26 summarily, the court may appoint counsel to represent the petitioner. In
27 making its determination, the court may consider, among other things, the
28 severity of the consequences facing the petitioner and whether:

(a) The issues presented are difficult;

(b) The petitioner is unable to comprehend the proceedings, or



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(c) Counsel is necessary to proceed with discovery.

Petitioner is presently incarcerated at N.O.C, is indigent and unable to retain private counsel to represent him.

Petitioner is unlearned and unfamiliar with the complexities of Nevada state law, particularly state post-conviction proceedings. Further, Petitioner alleges that the issues in this case are complex and require an evidentiary hearing. Petitioner is unable to factually develop and adequately present the claims without the assistance of counsel. Counsel is unable to adequately present the claims without an evidentiary hearing.

Dated this 11th day of August, 2021

Gary Chambers # 76089

In Proper Person

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he is a person of such age and discretion as to be competent to serve papers.

That on August 11, 2021, he served a copy of the foregoing Ex Parte Motion for Appointment of Counsel and Request for Evidentiary Hearing by personally mailing said copy to:

District Attorney's Office
Address:

Warden
Address:

GARY CHAMBERS #76089
Petitioner

GARY CHAMBERS #76089

AFFIRMATION
Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding _____

Writ of HABEAS CORPUS (POST CONVICTION)
(Title of Document)

filed in District Court Case number AG 1669, C292987

☒ 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.

GARY CHAMBERS
Signature

8/11/21
Date

GARY CHAMBERS
Print Name

Title

ESP 61346

Case No. 83247
Dept. No. _____

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NEVADA SUPREME COURT

FINANCIAL CERTIFICATE

IN THE MATTER OF,

On a Motion to Proceed
In Forma Pauperis

GARY Chambers
Name

76089
Prison Number

GARY Chambers
Signature

76089
Prison Number

I hereby certify that the Petitioner/Applicant herein has the sum of
\$ 49.58 on account to his credit at the institution of (Ely State Prison)
where he is confined. I further certify that the Petitioner/Applicant likewise has the following
securities to his credit according to the records of said institution (Ely State Prison):
Saving has a balance of \$550.00

Dated this 11 day of August, 2021.

RECEIVED
AUG 31 2021
CL-
L. PROCTOR
CLERK

ESP LAW LIBRARY
JUL 29 2021

By: [Signature]
Nevada Department of Corrections
Inmate Services Account
Authorized Officer of Institution