

BRENDAN DUNCKLEY

(Name)

1023236

(I.D. No.)

Northern Nevada Correctional Center

Post Office Box 7000

Carson City, Nevada 89702

FILED

2021 NOV 29 PM 1:28

ALICIA L. LIND
CLERK OF THE COURT
BY Elizabeth A. Brown
Electronically Filed
Dec 06 2021 03:36 p.m.
Clerk of Supreme Court

IN THE 2nd JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF Washoe

STATE of NEVADA

Petitioner/Plaintiff,

vs.

BRENDAN DUNCKLEY

Respondent/Defendant

Case No.: CR07-1728

Dept. No. 4

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that I, BRENDAN DUNCKLEY appeal the
Judgment / Order entered on the 5th day of NOVEMBER, 2021 by this
court.

Dated this 19th day of November, 2021.

Brendan Dunckley

(Signature)

CERTIFICATE OF SERVICE BY MAIL

Pursuant to NRCP Rule 5(b), I hereby certify that I am the Defendant named herein and that on this 19th day of November, 2021, I mailed a true and correct copy of the foregoing NOTICE OF APPEAL to the following:

WASHOE County District Attorney

ONE SOUTH SIERRA STREET

RENO, NEVADA 89501

SECOND JUDICIAL DISTRICT COURT
75 COURT STREET

RENO, NEVADA 89501

Brenda J. Sunkles

(Signature)

AFFIRMATION PURSUANT TO NRS 239B.030

** I certify that the foregoing document DOES NOT contain the social security number of any persons.

11/19/21

(Date)

Brenda J. Sunkles

(Signature)

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IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

THE STATE OF NEVADA,

Plaintiff,

Case No. CR07-1728

vs.

Dept. No. 4

BRENDAN DUNCKLEY,

Defendant.

CASE APPEAL STATEMENT

This case appeal statement is filed pursuant to NRAP 3(f).

1. Appellant is Brendan Dunckley.
2. This appeal is from an order entered by the Honorable Judge Connie Steinheimer.
3. Appellant is representing himself in Proper Person on appeal. The Appellant's address is:
Brendan Dunckley #1023236
NNCC
P.O. Box 7000
Carson City, NV 89702
4. Respondent is the State of Nevada. Respondent is represented by the Washoe County District Attorney's Office:
Jennifer P. Noble, Esq., SBN: 9446
P.O. Box 11130
Reno, Nevada 89520
5. Respondent's attorney is not licensed to practice law in Nevada: N/A

6. Appellant is not represented by appointed counsel in District Court.
7. Appellant is not represented by appointed counsel on appeal.
8. Appellant was not granted leave to proceed in forma pauperis in the District Court
9. Proceeding commenced by the filing of an Information on July 12th , 2021.
10. This is a criminal proceeding and the Appellant is appealing the ORDER DENYING
MOTION TO CORRECT AN ILLEGAL SENTENCE on November 5th 2021.
11. The case has been the subject of a previous appeal to the Supreme Court.
Supreme Court No.: 52383, 55545, 59957, 59958 73095
12. This case does not involve child custody or visitation.
13. This is not a civil case involving the possibility of a settlement.

Dated this 30th day of November, 2021.

Alicia L. Lerud
Clerk of the Court
By: /s/ azamora
Amanda Zamora
Deputy Clerk

**SECOND JUDICIAL DISTRICT COURT
COUNTY OF WASHOE**

Case History - CR07-1728

DEPT. D4

HON. CONNIE J. STEINHEIMER

Report Date & Time

11/30/2021

3:19:51PM

Case Description: STATE VS. BRENDAN DUNCKLEY (D4)

Case ID: CR07-1728

Case Type: CRIMINAL

Initial Filing Date: 7/3/2007

Parties

PNP	Div. of Parole & Probation - DPNP
APPE	BRENDAN DUNCKLEY - @102844
RESP	STATE OF NEVADA - STATE
PLTF	STATE OF NEVADA - STATE
DA	Kevin P. Naughton, Esq. - 12834
DA	Jennifer P. Noble, Esq. - 9446
DEFT	BRENDAN DUNCKLEY - @102844

Charges

<i>Charge No.</i>	<i>Charge Code</i>	<i>Charge Date</i>	<i>Charge Description</i>
1	F650	2/28/2008	AI LEWDNESS WITH A CHILD UNDER THE AGE OF FOURTEEN YEARS
2	F60	2/28/2008	AI ATTEMPTED SEXUAL ASSAULT

Plea Information

<i>Charge No.</i>	<i>Plea Code</i>	<i>Plea Date</i>	<i>Plea Description</i>
2	F60	3/6/2008	PLED GUILTY
1	F650	3/6/2008	PLED GUILTY
3	NC01		
4	NC01		

Sentences

<i>Date</i>	<i>Charge No.</i>	<i>Charge Desc</i>	<i>Time Served</i>	<i>Sentence Text</i>
8/5/2008	1	Life With Poss of Parole	NSP - LIFE MAX; 10 YEARS MIN; LIFETIME SUPERVISION; FEES; DNA TESTING	
8/5/2008	2	Nevada State Prison	NSP - 120 MOS MAX; 24 MOS MIN; TO BE SERVED CONCURRENTLY WITH CT 1; LIFETIME SUPERVISION	

Release Information

Custody Status

3/6/2008	BAIL - BOND	ALCOHOL OR CONTROLLED SUBSTANCES
3/6/2008	BAIL - BOND	WITH COURT SERVICES SUPERVISION S.C. 1. CHECK-INS AT LEAST 1XPER WEEK; 2. NO

Hearings

<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>	<i>Disposed Date</i>
1 D4	ARRAIGNMENT	7/17/2007 09:00:00	7/17/2007

Event Extra Text:

Disposition:
D725 7/17/2007
INFORMATION

Case Description: STATE VS. BRENDAN DUNCKLEY (D4)					
Case ID:	CR07-1728	Case Type:	CRIMINAL	Initial Filing Date:	7/3/2007
	<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
2	D4	PRE-TRIAL MOTIONS	10/19/2007	09:00:00	10/19/2007
	Event Extra Text:		<i>Disposition:</i> D870 10/19/2007		
	<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
3	D4	MOTION TO CONFIRM TRIAL	3/4/2008	09:00:00	3/3/2008
	Event Extra Text:		<i>Disposition:</i> D844 3/3/2008		
	<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
4	D4	MOTION TO CONFIRM TRIAL	3/6/2008	09:00:00	3/6/2008
	Event Extra Text:		<i>Disposition:</i> D655 3/6/2008 COUNTS I AND II OF THE AMENDED INFORMATION TRIAL DATE VACATED CT ORDERED CT SERVICES SUPERVISION TO DEFENDANT'S BAIL RELEASE S.C. 1. CHECK-INS AT LEAST 1XPER WEEK; 2. NO ALCOHOL OR CONTROLLED SUBSTANCES		
	<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
5	D4	MOTION TO CONFIRM TRIAL	3/13/2008	09:00:00	9/26/2007
	Event Extra Text:		<i>Disposition:</i> D844 9/26/2007 RESET FOR 3/18/07		
	<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
6	D4	MOTION TO CONFIRM TRIAL	3/18/2008	09:00:00	10/8/2007
	Event Extra Text:		<i>Disposition:</i> D844 10/8/2007 RESET TO 3/4/07		
	<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
7	D4	TRIAL - JURY	3/24/2008	10:00:00	3/6/2008
	Event Extra Text: (5 DAYS)		<i>Disposition:</i> D845 3/6/2008		
	<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
8	D4	SENTENCING	8/5/2008	09:00:00	8/5/2008
	Event Extra Text:		<i>Disposition:</i> D765 8/5/2008		
	<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
9	D4	Request for Submission	10/5/2009	16:44:00	10/23/2009
	Event Extra Text: MOTION FOR WITHDRAWAL OF ATTORNEY OF RECORD AND TRANSFER OF RECORDS		<i>Disposition:</i> S200 10/23/2009		

Case Description: STATE VS. BRENDAN DUNCKLEY (D4)					
Case ID:	CR07-1728	Case Type:	CRIMINAL	Initial Filing Date:	7/3/2007
Department		Event Description		Sched. Date & Time	
10	D4	Request for Submission		11/25/2009	11:25:00
		Event Extra Text: DEFENDANT'S MOTION FOR MODIFICATION OF SENTENCE		Disposition: S200 2/10/2010	
Department		Event Description		Sched. Date & Time	
11	D4	Tickle Start Code		11/25/2009	07:00:00
		Event Extra Text: HAS MOTION FOR MODIFICATION OF SENTENCE BEEN SUBMITTED		Disposition: T200 11/25/2009	
Department		Event Description		Sched. Date & Time	
12	D4	Request for Submission		2/23/2010	10:50:00
		Event Extra Text: MOTION FOR MODIFICATION OF SENTENCE		Disposition: S200 4/12/2010	
Department		Event Description		Sched. Date & Time	
13	D4	Request for Submission		3/24/2010	09:00:00
		Event Extra Text: MOTION		Disposition: S200 4/23/2010	
Department		Event Description		Sched. Date & Time	
14	D4	Request for Submission		6/17/2010	13:46:00
		Event Extra Text: MOTION FOR WITHDRAWAL OF GUILTY PLEA & SUPPLEMENTAL OF MOTION FOR WITHDRAWAL OF GUILTY PLEA		Disposition: S200 7/8/2010	
Department		Event Description		Sched. Date & Time	
15	D4	Request for Submission		9/21/2010	16:29:00
		Event Extra Text: MOTION TO SUBMIT MOTION TO WITHDRAW GUILTY PLEA AND ALSO DEFENDANT'S SUPPLEMENTAL MOTION TO WITHDRAW GUILTY PLEA		Disposition: S200 10/15/2010	
Department		Event Description		Sched. Date & Time	
16	D4	Tickle Start Code		11/10/2010	07:00:00
		Event Extra Text: HAS STATE FILED A RESPONSE TO THE MOTION TO WITHDRAW PLEA AND SUPPLEMENTAL MOTION		Disposition: T200 11/10/2010	
Department		Event Description		Sched. Date & Time	
17	D4	Request for Submission		11/12/2010	14:48:00
		Event Extra Text: MOTION TO WITHDRAW PLEA AND SUPPLEMENTAL MOTION		Disposition: S200 12/6/2010	

Case Description: STATE VS. BRENDAN DUNCKLEY (D4)					
Case ID:	CR07-1728	Case Type:	CRIMINAL	Initial Filing Date:	7/3/2007
Department		Event Description	Sched. Date & Time		Disposed Date
18	D4	Request for Submission	11/17/2010	15:00:00	1/7/2011
Event Extra Text: MOTION TO WITHDRAW DEFENDANT'S GUILTY PLEA MEMORANDUM, SUPPLEMENTAL TO MOTION TO WITHDRAW GUILTY PLEA, AND SUPPLEMENT IN CONSIDERATION OF MOTION TO WITHDRAW GUILTY GUILTY PLEA			Disposition: S200 1/7/2011 PARTIES TO SET FOR ORAL ARGUMENTS W/IN 15 DAYS		
Department		Event Description	Sched. Date & Time		Disposed Date
19	D4	Tickle Start Code	1/27/2011	07:00:00	1/24/2011
Event Extra Text: HAVE ORAL ARGUMENTS ON THE MOTION TO WITHDRAW GUILTY PLEA BEEN SET?			Disposition: T200 1/24/2011		
Department		Event Description	Sched. Date & Time		Disposed Date
20	D4	ORAL ARGUMENTS	4/22/2011	09:01:00	3/11/2011
Event Extra Text: ON MOTION FOR WITHDRAWAL OF GUILTY PLEA			Disposition: D875 3/11/2011		
Department		Event Description	Sched. Date & Time		Disposed Date
21	D4	Request for Submission	5/9/2011	15:00:00	5/31/2011
Event Extra Text: MOTION TO WITHDRAW GUILTY PLEA MEMO AND ALL SUUPPLEMENTAL MOVING PAPERS ASSOCIATED WITH THE ORIGINAL MOTION FILED 3-3-10			Disposition: S200 5/31/2011		
Department		Event Description	Sched. Date & Time		Disposed Date
22	D4	ORAL ARGUMENTS	6/3/2011	09:00:00	6/3/2011
Event Extra Text: ON MOTION FOR WITHDRAWAL OF GUILTY PLEA			Disposition: D840 6/3/2011		
Department		Event Description	Sched. Date & Time		Disposed Date
23	D4	Request for Submission	6/3/2011	09:00:00	8/10/2011
Event Extra Text: - MOTION FOR WITHDRAWAL OF GUILTY PLEA TAKEN UNDER ADVISEMENT AFTER ORAL ARGUMENTS			Disposition: S200 8/10/2011		
Department		Event Description	Sched. Date & Time		Disposed Date
24	D4	CONFERENCE CALL	8/12/2011	09:30:00	8/12/2011
Event Extra Text: RENDER DECISION ON MOTION TO WITHDRAW PLEA AND PETITION FOR WRIT OF HABEAS CORPUS			Disposition: D355 8/12/2011 COURT DENIED DEFT'S MTN TO W/DRAW PLEA; FOUND THAT THE PLEA WAS KNOWINGLY MADE. COURT FURTHER DENIED THE PETITION FOR WRIT OF HABEAUS; FOUND THAT COUNSEL WAS NOT INEFFECTIVE, AND THERE WAS NO PROSECUTORIAL MISCONDUCT.		

Case Description: STATE VS. BRENDAN DUNCKLEY (D4)					
Case ID:	CR07-1728	Case Type:	CRIMINAL	Initial Filing Date:	7/3/2007
	Department	Event Description	Sched. Date & Time		Disposed Date
25	D4	Request for Submission	1/18/2017	15:29:00	2/15/2017
	Event Extra Text: MOTION TO GRANT PETITIONER'S UNOPPOSED WRIT FOR HABEAS CORPUS TO EXHAUST STATE CLAIMS (NRS 34.480 AND NRS 34.500(2)(9)) (NO ORDER)		Disposition: S200 2/15/2017 ORDER SETTING EVIDENTIARY HEARING SET		
	Department	Event Description	Sched. Date & Time		Disposed Date
26	D4	Tickle Start Code	2/6/2017	07:00:00	2/6/2017
	Event Extra Text: - STATUS?		Disposition: T200 2/6/2017		
	Department	Event Description	Sched. Date & Time		Disposed Date
27	D4	Request for Submission	3/14/2017	10:14:00	3/28/2017
	Event Extra Text: MOTION TO DISMISS PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION) (PAPER ORDER NOT PROVIDED)		Disposition: S200 3/28/2017 ORAL ARGUMENTS ON MOTION TO DISMISS SET SAME DATE AS EVIDENTIARY HEARING ON PETITION		
	Department	Event Description	Sched. Date & Time		Disposed Date
28	D4	EVIDENTIARY HEARING	4/27/2017	15:00:00	4/27/2017
	Event Extra Text: ON PETITION FOR HABEAS CORPUS TO EXHAUST STATE CLAIMS AND ORAL ARGUMENTS ON THE MOTION TO DISMISS PETITION		Disposition: D435 4/27/2017 MOTION TO DISMISS PETITION FOR WRIT OF HABEAS CORPUS GRANTED - STATE TO PREPARE ORDER EVIDENTIARY HEARING ON THE PETITION DID NOT PROCEED BASED ON THE DISMISSAL		
	Department	Event Description	Sched. Date & Time		Disposed Date
29	D4	Tickle Start Code	6/6/2017	07:00:00	6/6/2017
	Event Extra Text: - HAS STATE SUBMITTED ORDER GRANTING MOTION TO DISMISS PETITION?		Disposition: T200 6/6/2017		
	Department	Event Description	Sched. Date & Time		Disposed Date
30	D4	Request for Submission	2/8/2021	09:21:00	4/12/2021
	Event Extra Text: TO CORRECT AN ILLEGAL SENTENCE STATE'S OPPOSITION & THE RESPONSE TO STATE'S OPPOSTION		Disposition: S200 4/12/2021		
	Department	Event Description	Sched. Date & Time		Disposed Date
31	D4	Tickle Start Code	3/1/2021	07:00:00	3/1/2021
	Event Extra Text: HAS THE MOTION TO CORRECT ILLEGAL SENTENCE BEEN SUBMITTED FOR SIGNATURE?		Disposition: T200 3/1/2021		
	Department	Event Description	Sched. Date & Time		Disposed Date
32	D4	Tickle Start Code	4/13/2021	07:00:00	5/19/2021
	Event Extra Text: HAS ORAL ARGUMENT BE SET ON MOTION TO CORRECT ILLEGAL SENTENCE BEEN SET		Disposition: T200 5/19/2021		

Case Description: STATE VS. BRENDAN DUNCKLEY (D4)			
Case ID:	CR07-1728	Case Type:	CRIMINAL
		Initial Filing Date:	7/3/2007

Department	Event Description	Sched. Date & Time		Disposed Date
33 D4	ORAL ARGUMENTS	6/25/2021	10:00:00	6/25/2021
Event Extra Text: ON MOTION TO CORRECT ILLEGAL SENTENCE		Disposition: D840 6/25/2021 MOTION TO CORRECT ILLEGAL SENTENCE TAKEN UNDER ADVISEMENT AFTER ORAL ARGUMENTS		
Department	Event Description	Sched. Date & Time		Disposed Date
34 D4	Request for Submission	6/25/2021	10:00:00	9/10/2021
Event Extra Text: MOTION TO CORRECT ILLEGAL SENTENCE TAKEN UNDER ADVISEMENT AFTER ORAL ARGUMENTS		Disposition: S200 9/10/2021		
Department	Event Description	Sched. Date & Time		Disposed Date
35 D4	Tickle Start Code	10/27/2021	07:00:00	10/27/2021
Event Extra Text: HAS STATE PROVIDED THE ORDER DENYING THE MOTION TO CORRECT ILLEGAL SENTENCE?		Disposition: T200 10/27/2021		

Agency Cross Reference

Code	Agency Description	Case Reference I.D.
DA	District Attorney's Office	DA373085
PC	PCN number	PCNRPD0726524C
PC	PCN number	PCNRPD0726517C
RJ	Reno Justice's Court	RCR2007033884
RP	Reno Police Department	RP05034027
RP	Reno Police Department	RP07009446
SC	Supreme Court	SCN 52383
SC	Supreme Court	SCN 55545
SC	Supreme Court	SCN 59957
SC	Supreme Court	SCN 73095

Actions			
Action Entry Date	Code	Code Description	Text
7/3/2007	1491	Pretrl Srvc Assessment Report	
7/3/2007	1250	Application for Setting	7/17/07 @ 9:00 a.m.
7/12/2007	1800	Information	
7/17/2007	1280	** 60 Day Rule - Waived	
7/17/2007	MIN	***Minutes	CRIMINAL PROGRESS SHEET
7/18/2007	MIN	***Minutes	Transaction 7032 - Approved By: NOREVIEW : 07-18-2007:11:54:22
7/19/2007	3700	Proceedings	
7/20/2007	3696	Pre-Trial Order	
7/24/2007	BAIL	**Bailbond Posted	
7/24/2007	BAIL	**Bailbond Posted	
8/16/2007	4185	Transcript	07/17/07 - ARRAIGNMENT
9/26/2007	1250	Application for Setting	MOTION TO CONFIRM TRIAL
10/8/2007	1250	Application for Setting	MOTION TO CONFIRM TRIAL
10/19/2007	3980	Stip and Order...	VACATING HEARING

Case Description: STATE VS. BRENDAN DUNCKLEY (D4)			
Case ID:	CR07-1728	Case Type:	CRIMINAL
		Initial Filing Date:	7/3/2007
2/4/2008	2490	Motion ...	MOTION TO ALLOW LEAVE TO FILE A BELATED NOTICE OF INTENT TO SEEK ADMISSION OF OTHER BA
2/4/2008	2610	Notice ...	NOTICE OF INTENT TO SEEK ADMISSION OF OTHER ACTS EVIDENCE FOR PURPOSES OF REBUTTAL
2/25/2008	3839	Request Agree Ord Recp Discv	
2/28/2008	1095	Amended Information	
3/3/2008	4025	Stip & Ord to Continue	3/4/08 MOTION TO CONFIRM TRIAL CONTINUED TO 3/6/08 AT 9:00 A.M.
3/6/2008	1785	Guilty Plea Memo/Agreement	
4/2/2008	4185	Transcript	MOTION TO CONFIRM TRIAL - MARCH 6, 2008 - Transaction 172843 - Approved By: TPRINCE : 04-02-2008:1
6/26/2008	MIN	***Minutes	MOTION TO CONFIRM TRIAL DATE/ARRAIGNMENT ON AMENDED INFORMATION - 3/6/08 - Transaction 26
8/5/2008	2528	Not/Doc/Rc'd/Not/Cons/by Crt	NOTICE OF DOCUMENT RECEIVED BUT NOT CONSIDERED BY THE COURT
8/5/2008	4500	PSI - Confidential	* SEALED *
8/5/2008	1695	** Exhibit(s) ...	A & B ADMITTED
8/11/2008	1850	Judgment of Conviction	
9/5/2008	4185	Transcript	TRANSCRIPT OF PROCEEDINGS SENTENCING - Transaction 354459 - Approved By: NDELGADO : 09-08-20
9/8/2008	2515	Notice of Appeal Supreme Court	
9/9/2008	1310	Case Appeal Statement	
9/10/2008	1365	Certificate of Transmittal	
9/10/2008	1350	Certificate of Clerk	
9/15/2008	1187	**Supreme Court Case No. ...	SUPREME COURT CASE NO. 52383
9/15/2008	1188	Supreme Court Receipt for Doc	SUPREME COURT CASE NO. 52383
9/16/2008	MIN	***Minutes	SENTENCING - 8/5/08 - Transaction 366951 - Approved By: NOREVIEW : 09-16-2008:11:34:28
9/17/2008	EXON	**Cash Bail/Bond Exonerated	SLIP SENT ON 11/3/2008
9/17/2008	EXON	**Cash Bail/Bond Exonerated	SLIP SENT ON 11/3/2008
10/6/2008	4133	Supreme Court Notice	SUPREME COURT CASE NO. 52383
10/13/2008	3868	Req to Crt Rptr - Rough Draft	REQUEST FOR ROUGH DRAFT TRANSCRIPT
5/11/2009	4134	Supreme Court Order Affirming	SUPREME COURT CASE NO. 52383
6/3/2009	4111	Supreme Ct Clk's Cert & Judg	SUPREME COURT CASE NO. 52383
6/3/2009	4145	Supreme Court Remittitur	SUPREME COURT CASE NO. 52383
6/3/2009	4134	Supreme Court Order Affirming	SUPREME COURT CASE NO. 52383
7/7/2009	2490	Motion ...	MOTION FOR WITHDRAWAL OF ATTORNEY OF RECORD AND TRANSFER OF RECORDS: BRENDAN DU
7/7/2009	1075	Affidavit ...	AFFIDAVIT IN SUPPORT OF MOTION FOR WITHDRAWAL OF ATTORNEY OF RECORD AND TRANSFER (
7/8/2009	2380	Mtn to Modify ...	MOTION FOR MODIFICATION OF SENTENCE
7/23/2009	3880	Response...	RESPONSE TO DEFENDANT'S NOTICE AND MOTION FOR WITHDRAWAL OF ATTORNEY OR RECORD AN
7/23/2009	2590	Notice Withdrawal of Attorney	DAVID O'MARA, ESQ - BRENDEN DUNCKLEY - Transaction 920655 - Approved By: ASMITH : 07-23-2009:16:
9/30/2009	1325	** Case Reopened	
9/30/2009	3860	Request for Submission	DOCUMENT TITLE: MOTION FOR WITHDRAWAL OF ATTORNEY OF RECORD AND TRANSFER OF RECOR
10/23/2009	NEF	Proof of Electronic Service	Transaction 1117929 - Approved By: NOREVIEW : 10-23-2009:12:02:25
10/23/2009	3025	Ord Granting/Denying in Part	GRANTING MOTION FOR WITHDRAWAL OF COUNSEL OF RECORD (DAVID O'MARA, ESQ.) AND DENYIN
10/23/2009	1315	** Case Closed	
10/23/2009	S200	Request for Submission Complet	

Case Description: STATE VS. BRENDAN DUNCKLEY (D4)				
Case ID:	CR07-1728	Case Type:	CRIMINAL	Initial Filing Date: 7/3/2007
10/27/2009	1325	** Case Reopened		
10/27/2009	3370	Order ...	STATE HAS 10 DAYS TO RESPOND TO THE MOTION FOR MODIFICATION OF SENTENCE OR THE COURT	
10/27/2009	NEF	Proof of Electronic Service	Transaction 1122194 - Approved By: NOREVIEW : 10-27-2009:08:44:11	
11/4/2009	2645	Opposition to Mtn ...	OPPOSITION TO MOTION FOR MODIFICATION OF SENTENCE - Transaction 1135098 - Approved By: ASMIT	
11/4/2009	NEF	Proof of Electronic Service	Transaction 1135130 - Approved By: NOREVIEW : 11-04-2009:10:42:48	
11/13/2009	3880	Response...	RESPONSE TO STATE'S OPPOSITION TO MOTION FOR MODIFICATION OF SENTENCE	
11/25/2009	2490	Motion ...	MOTION FOR JUDGMENT IN THE INTEREST OF JUSTICE	
11/25/2009	NEF	Proof of Electronic Service	Transaction 1175017 - Approved By: NOREVIEW : 11-25-2009:11:27:13	
11/25/2009	T200	Tickle End Code		
11/25/2009	3860	Request for Submission	DEFENDANT'S MOTION FOR MODIFICATION OF SENTENCE - Transaction 1174781 - Approved By: AZION :	
2/10/2010	S200	Request for Submission Complet		
2/10/2010	NEF	Proof of Electronic Service	Transaction 1313386 - Approved By: NOREVIEW : 02-10-2010:11:01:36	
2/10/2010	2842	Ord Denying Motion	ORDER DENYING MOTION FOR MODIFICATION OF SENTENCE - Transaction 1313307 - Approved By: NOR	
2/17/2010	3860	Request for Submission	DOCUMENT TITLE: MOTION FOR MODIFICATION OF SENTENCE	
2/17/2010	1360	Certificate of Service		
3/1/2010	NEF	Proof of Electronic Service	Transaction 1351254 - Approved By: NOREVIEW : 03-01-2010:17:19:48	
3/1/2010	2515	Notice of Appeal Supreme Court		
3/1/2010	1310E	Case Appeal Statement	Transaction 1351033 - Approved By: NOREVIEW : 03-01-2010:17:02:45	
3/2/2010	NEF	Proof of Electronic Service	Transaction 1351300 - Approved By: NOREVIEW : 03-02-2010:07:24:32	
3/2/2010	4109	Supreme Ct Accept - eFile Doc	SUPREME COURT CASE NUMBER 55545 - Transaction 1353277 - Approved By: NOREVIEW : 03-02-2010:13	
3/2/2010	1365	Certificate of Transmittal	Transaction 1351299 - Approved By: NOREVIEW : 03-02-2010:07:23:57	
3/2/2010	1350	Certificate of Clerk	Transaction 1351299 - Approved By: NOREVIEW : 03-02-2010:07:23:57	
3/2/2010	NEF	Proof of Electronic Service	Transaction 1353290 - Approved By: NOREVIEW : 03-02-2010:13:46:26	
3/3/2010	2490	Motion ...	MOTION FOR WITHDRAWAL OF GUILTY PLEA	
3/4/2010	1188	Supreme Court Receipt for Doc	SUPREME COURT CASE NO. 55545 / RECEIPT FOR DOCUMENTS - Transaction 1356985 - Approved By: NC	
3/4/2010	NEF	Proof of Electronic Service	Transaction 1357002 - Approved By: NOREVIEW : 03-04-2010:09:39:12	
3/4/2010	4105	Supplemental ...	SUPPLEMENT TO MOTION TO WITHDRAW GUILTY PLEA	
3/18/2010	NEF	Proof of Electronic Service	Transaction 1382940 - Approved By: NOREVIEW : 03-18-2010:13:34:54	
3/18/2010	4126	Supreme Ct Order Directing...	SUPREME COURT CASE NO. 55545 / ORDER DIRECTING TRANSMISSION OF RECORD - Transaction 1382	
3/22/2010	3860	Request for Submission	DOCUMENT TITLE: MOTION	
3/22/2010	1325	** Case Reopened		
4/12/2010	S200	Request for Submission Complet		
4/12/2010	3370	Order ...	MOTION FOR MODIFICATION OF SENTENCIN SHALL NOT BE CONSIDERED AGAIN AND THE DECISION F	
4/12/2010	NEF	Proof of Electronic Service	Transaction 1424446 - Approved By: NOREVIEW : 04-12-2010:09:29:27	
4/23/2010	3370	Order ...	DECISION ON MOTION TO WITHDRAW GUILTY PLEA IS STAYED PENDING OUTCOME OF APPEAL TO TH	
4/23/2010	NEF	Proof of Electronic Service	Transaction 1449089 - Approved By: NOREVIEW : 04-23-2010:16:18:12	
4/23/2010	S200	Request for Submission Complet		
6/9/2010	4109	Supreme Ct Accept - eFile Doc	SUPREME COURT CASE NUMBER 55545 - RECORD ON APPEAL - VOLUME 7 - Transaction 1533249 - Appr	
6/9/2010	1365	Certificate of Transmittal	RECORD ON APPEAL - Transaction 1532288 - Approved By: NOREVIEW : 06-09-2010:11:42:23	

Case Description: STATE VS. BRENDAN DUNCKLEY (D4)				
Case ID:	CR07-1728	Case Type:	CRIMINAL	Initial Filing Date: 7/3/2007
6/9/2010	1350	Certificate of Clerk	RECORD ON APPEAL - Transaction 1532288 - Approved By: NOREVIEW : 06-09-2010:11:42:23	
6/9/2010	4109	Supreme Ct Accept - eFile Doc	SUPREME COURT CASE NUMBER 55545 - RECORD ON APPEAL - VOLUME 6 - Transaction 1533249 - Appr	
6/9/2010	4109	Supreme Ct Accept - eFile Doc	SUPREME COURT CASE NUMBER 55545 - RECORD ON APPEAL - VOLUME 5 - Transaction 1533249 - Appr	
6/9/2010	4109	Supreme Ct Accept - eFile Doc	SUPREME COURT CASE NUMBER 55545 - RECORD ON APPEAL - VOLUME 2 - Transaction 1533249 - Appr	
6/9/2010	NEF	Proof of Electronic Service	Transaction 1533268 - Approved By: NOREVIEW : 06-09-2010:14:22:08	
6/9/2010	NEF	Proof of Electronic Service	Transaction 1532293 - Approved By: NOREVIEW : 06-09-2010:11:43:46	
6/9/2010	4109	Supreme Ct Accept - eFile Doc	SUPREME COURT CASE NUMBER 55545 - RECORD ON APPEAL - VOLUME 1 - Transaction 1533249 - Appr	
6/9/2010	4109	Supreme Ct Accept - eFile Doc	SUPREME COURT CASE NUMBER 55545 - RECORD ON APPEAL - VOLUME 3 - Transaction 1533249 - Appr	
6/16/2010	1188	Supreme Court Receipt for Doc	SUPREME COURT CASE NO. 55545 / RECEIPT FOR DOCUMENTS - Transaction 1546203 - Approved By: NC	
6/16/2010	NEF	Proof of Electronic Service	Transaction 1546208 - Approved By: NOREVIEW : 06-16-2010:13:04:24	
6/17/2010	3860	Request for Submission	DOCUMENT TITLE: MOTION FOR WITHDRAWAL OF GUILTY PLEA & SUPPLEMENTAL OF MOTION FOR W	
7/8/2010	NEF	Proof of Electronic Service	Transaction 1587706 - Approved By: NOREVIEW : 07-08-2010:13:57:48	
7/8/2010	S200	Request for Submission Complet		
7/8/2010	3370	Order ...	ORDER (RE: MOTION TO WITHDRAW GUILTY PLEA STAYED PENDING OUTCOME OF APPEAL TO THE SL	
7/14/2010	4105	Supplemental ...		
9/16/2010	4134	Supreme Court Order Affirming	SUPREME COURT CASE NO. 55545/ORDER OF AFFIRMANCE - Transaction 1721484 - Approved By: NORE'	
9/16/2010	NEF	Proof of Electronic Service	Transaction 1721654 - Approved By: NOREVIEW : 09-16-2010:09:05:29	
9/21/2010	3860	Request for Submission	MOTION TO SUBMIT MOTION TO WITHDRAW GUILTY PLEA AND ALSO DEFENDANT'S SUPPLEMENTAL M	
9/21/2010	NEF	Proof of Electronic Service	Transaction 1733200 - Approved By: NOREVIEW : 09-21-2010:16:07:47	
10/15/2010	NEF	Proof of Electronic Service	Transaction 1785971 - Approved By: NOREVIEW : 10-15-2010:16:07:11	
10/15/2010	NEF	Proof of Electronic Service	Transaction 1786266 - Approved By: NOREVIEW : 10-15-2010:16:45:50	
10/15/2010	4134	Supreme Court Order Affirming	SUPREME COURT CASE NO. 55545/ORDER OF AFFIRMANCE - Transaction 1786258 - Approved By: NORE'	
10/15/2010	S200	Request for Submission Complet		
10/15/2010	4145	Supreme Court Remittitur	SUPREME COURT CASE NO. 55545/REMITTITUR - Transaction 1786258 - Approved By: NOREVIEW : 10-15	
10/15/2010	3370	Order ...	STATE SHALL FILE A RESPON TO THE MOTION TO WITHDRAW PLEA AND SUPPLEMENTAL MOTION W/	
10/15/2010	4111	Supreme Ct Clk's Cert & Judg	SUPREME COURT CASE NO. 55545/CLERK'S CERTIFICATE - Transaction 1786258 - Approved By: NOREVII	
10/21/2010	2645	Opposition to Mtn ...	OPPOSITION TO MOTION TO WITHDRAW GUILTY PLEA, SUPPLEMENT TO MOTION TO WITHDRAW GUIL	
10/21/2010	NEF	Proof of Electronic Service	Transaction 1795969 - Approved By: NOREVIEW : 10-21-2010:09:12:56	
11/3/2010	3880	Response...	DEFENDANT'S RESPONSE TO STATE'S OPPOSITION TO MOTION TO WITHDRAW GUILTY PLEA, SUPPLE	
11/5/2010	2610	Notice ...	NOTICE OF CHANGE OF ADDRESS	
11/10/2010	T200	Tickle End Code		
11/17/2010	3860	Request for Submission	DOCUMENT TITLE: MOTION TO WITHDRAW DEFENDANT'S GUILTY PLEA MEMORANDUM, SUPPLEMEN'	
12/6/2010	S200	Request for Submission Complet		
12/30/2010	2475	Mtn to Strike...	MOTION TO STRIKE STATE'S OPPOSITION TO DEFENDANT'S MOTION TO WITHDRAW GUILTY PLEA MEN	
1/3/2011	NEF	Proof of Electronic Service	Transaction 1939440 - Approved By: NOREVIEW : 01-03-2011:11:12:20	
1/3/2011	2645	Opposition to Mtn ...	OPPOSITION TO MOTION TO STRIKE STATE'S OPPOSITION TO MOTION TO WITHDRAW GUILTY PLEA AN	
1/7/2011	3347	Ord to Set	PARTIES SHALL APPEAR W/IN 15 DAYS TO SET ORAL ARGUMENTS ON THE MOTION TO WITHDRAW GU	
1/7/2011	NEF	Proof of Electronic Service	Transaction 1952871 - Approved By: NOREVIEW : 01-07-2011:14:17:24	
1/7/2011	S200	Request for Submission Complet	PARTIES TO SET FOR ORAL ARGUMENTS W/IN 15 DAYS	

Case Description: STATE VS. BRENDAN DUNCKLEY (D4)				
Case ID:	CR07-1728	Case Type:	CRIMINAL	Initial Filing Date: 7/3/2007
1/21/2011	2490	Motion ...	MOTION FOR SETTING OF ORAL ARGUMENT ON MOTION(S) TO WITHDRAW PLEA	
1/24/2011	NEF	Proof of Electronic Service	Transaction 1984328 - Approved By: NOREVIEW : 01-24-2011:14:47:51	
1/24/2011	1250E	Application for Setting eFile	ORAL ARGUMENTS on MOTION FOR WITHDRAWAL OF GUILTY PLEA: APRIL 22, 2011 @ 9:00 A.M. - Trans	
1/24/2011	T200	Tickle End Code		
3/11/2011	NEF	Proof of Electronic Service	Transaction 2087490 - Approved By: NOREVIEW : 03-11-2011:13:17:04	
3/11/2011	1250E	Application for Setting eFile	ORAL ARGUMENTS ON MOTION FOR WITHDRAWAL OF GUILTY PLEA - JUNE 3, 2011 AT 9:00 A.M. (VACAT	
3/18/2011	2490	Motion ...	MOTION FOR DEFAULT BENCH DECISION FOR THE MOTION(S) TO WITHDRAW GUILTY PLEA, AND SUPI	
3/28/2011	2175	Mtn for Reconsideration	MOTION FOR RECONSIDERATION OF SETTING	
5/9/2011	3860	Request for Submission	DOCUMENT TITLE: MOTION TO WITHDRAW GUILTY PLEA MEMO AND ALL SUUPLEMENTAL MOVING PAI	
5/31/2011	3370	Order ...	CORRECTED ORDER - MOTION FOR WITHDRAWAL OF GUILTY PLEA MEMO SET FOR HEARING ON 6/3/	
5/31/2011	S200	Request for Submission Complet		
5/31/2011	3370	Order ...	MOTION TO WITHDRAW GUILTY PLEA MEMO AND ALL SUPPLEMENTAL MOVING PAPERS ARE SET FOR	
5/31/2011	NEF	Proof of Electronic Service	Transaction 2255978 - Approved By: NOREVIEW : 05-31-2011:11:58:57	
5/31/2011	NEF	Proof of Electronic Service	Transaction 2256023 - Approved By: NOREVIEW : 05-31-2011:12:10:48	
7/13/2011	4185	Transcript	MOTION TO WITHDRAW PLEA - JUNE 3, 2011 - Transaction 2342908 - Approved By: NOREVIEW : 07-13-201	
7/13/2011	NEF	Proof of Electronic Service	Transaction 2342927 - Approved By: NOREVIEW : 07-13-2011:13:26:47	
7/26/2011	MIN	***Minutes	MOTION FOR WITHDRAW OF PLEA - 6/3/11 - Transaction 2368996 - Approved By: NOREVIEW : 07-26-2011:~	
7/26/2011	NEF	Proof of Electronic Service	Transaction 2369011 - Approved By: NOREVIEW : 07-26-2011:14:18:43	
8/10/2011	S200	Request for Submission Complet		
8/18/2011	NEF	Proof of Electronic Service	Transaction 2415272 - Approved By: NOREVIEW : 08-18-2011:08:25:07	
8/18/2011	MIN	***Minutes	CONFERENCE CALL - TELEPHONIC DECISION - 8-12-11 - Transaction 2415266 - Approved By: NOREVIEW	
12/29/2011	2842	Ord Denying Motion	ORDER DENYING MOTION TO WITHDRAW GUILTY PLEAS - Transaction 2672273 - Approved By: NOREVIEW	
12/29/2011	NEF	Proof of Electronic Service	Transaction 2672315 - Approved By: NOREVIEW : 12-29-2011:10:59:58	
12/30/2011	NEF	Proof of Electronic Service	Transaction 2674863 - Approved By: NOREVIEW : 12-30-2011:10:35:29	
12/30/2011	NEF	Proof of Electronic Service	Transaction 2675186 - Approved By: NOREVIEW : 12-30-2011:11:30:25	
12/30/2011	2515	Notice of Appeal Supreme Court	APPELLANT, BRENDAN DUNCKLEY - Transaction 2674617 - Approved By: LMATHEUS : 12-30-2011:10:33:02	
12/30/2011	1310	Case Appeal Statement	Transaction 2675034 - Approved By: LMATHEUS : 12-30-2011:11:27:54	
12/30/2011	NEF	Proof of Electronic Service	Transaction 2675791 - Approved By: NOREVIEW : 12-30-2011:14:26:19	
12/30/2011	1350	Certificate of Clerk	CERTIFICATE OF CLERK AND TRANSMITTAL - NOTICE OF APPEAL - Transaction 2675781 - Approved By: N	
1/3/2012	NEF	Proof of Electronic Service	Transaction 2678697 - Approved By: NOREVIEW : 01-03-2012:16:17:26	
1/3/2012	3868	Req to Crt Rptr - Rough Draft	Transaction 2678618 - Approved By: SHAMBRIG : 01-03-2012:16:14:00	
1/9/2012	1188	Supreme Court Receipt for Doc	SUPREME COURT CASE NO. 59957/RECEIPT FOR DOCUMENTS - Transaction 2688283 - Approved By: NO	
1/9/2012	NEF	Proof of Electronic Service	Transaction 2688325 - Approved By: NOREVIEW : 01-09-2012:11:51:25	
1/11/2012	NEF	Proof of Electronic Service	Transaction 2693903 - Approved By: NOREVIEW : 01-11-2012:11:29:02	
1/11/2012	2610	Notice ...	* SEALED * NOTICE REGARDING TRANSCRIPT AT PUBLIC EXPENSE - Transaction 2693695 - Approved By	
1/24/2013	NEF	Proof of Electronic Service	Transaction 3487731 - Approved By: NOREVIEW : 01-24-2013:15:43:17	
1/24/2013	4134	Supreme Court Order Affirming	SUPREME COURT NO. 59957/ORDER OF AFFIRMANCE - Transaction 3487712 - Approved By: NOREVIEW :	
2/14/2013	NEF	Proof of Electronic Service	Transaction 3533274 - Approved By: NOREVIEW : 02-14-2013:14:37:49	
2/14/2013	4111	Supreme Ct Clk's Cert & Judg	SUPREME COURT NO. 59957/CLERK'S CERTIFICATE AND JUDGMENT - Transaction 3533263 - Approved B	

Case Description: STATE VS. BRENDAN DUNCKLEY (D4)				
Case ID:	CR07-1728	Case Type:	CRIMINAL	Initial Filing Date: 7/3/2007
2/14/2013	4145	Supreme Court Remittitur	SUPREME COURT NO. 59957/REMITTITUR - Transaction 3533263 - Approved By: NOREVIEW : 02-14-2013:7	
2/14/2013	4134	Supreme Court Order Affirming	SUPREME COURT NO. 59957/ORDER OF AFFIRMANCE - Transaction 3533263 - Approved By: NOREVIEW :	
11/7/2016	3565	Pet Post-Conviction Relief	PETITION FOR WRIT OF HABEAS CORPUS TO EXHAUST STATE CLAIMS	
11/21/2016	3370	Order ...	- DIRECTING STATE TO FILE A RESPONSE TO THE PETITION FOR HABEAS CORPUS TO EXHAUST STAT	
11/21/2016	NEF	Proof of Electronic Service	Transaction 5817274 - Approved By: NOREVIEW : 11-21-2016:16:09:25	
1/5/2017	NEF	Proof of Electronic Service	Transaction 5886234 - Approved By: NOREVIEW : 01-05-2017:14:51:21	
1/5/2017	NEF	Proof of Electronic Service	Transaction 5886273 - Approved By: NOREVIEW : 01-05-2017:14:57:50	
1/5/2017	2526	Notice of Change of Attorney	JOSEPH PLATER III DA - Transaction 5886052 - Approved By: CSULEZIC : 01-05-2017:14:50:20	
1/5/2017	1130	Answer ...	ANSWER TO PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION) - Transaction 5886053 - Apr	
1/11/2017	3860	Request for Submission	DOCUMENT TITLE: MOTION TO GRANT PETITIONER'S UNOPPOSED WRIT FOR HABEUS CORPUS TO E	
1/23/2017	NEF	Proof of Electronic Service	Transaction 5909883 - Approved By: NOREVIEW : 01-23-2017:10:17:00	
1/23/2017	2645	Opposition to Mtn ...	OPPOSITION TO MOTION TO GRANT PETITIONER'S UNOPPOSED WRIT FOR HABEAS CORPUS TO EXH.	
2/6/2017	T200	Tickle End Code		
2/15/2017	S200	Request for Submission Complet	ORDER SETTING EVIDENTIARY HEARING SET	
2/15/2017	NEF	Proof of Electronic Service	Transaction 5952798 - Approved By: NOREVIEW : 02-15-2017:13:43:41	
2/15/2017	3242	Ord Setting Hearing	- EVIDENTIARY HEARING ON PETITION FOR HABEAS CORPUS TO EXHAUST STATE CLAIMS SET FOR 4,	
2/16/2017	NEF	Proof of Electronic Service	Transaction 5955382 - Approved By: NOREVIEW : 02-16-2017:15:27:53	
2/16/2017	1260	Application Produce Prisoner	Transaction 5955318 - Approved By: MCHOLICO : 02-16-2017:15:26:51	
2/21/2017	NEF	Proof of Electronic Service	Transaction 5958853 - Approved By: NOREVIEW : 02-21-2017:11:47:11	
2/21/2017	3340	Ord to Produce Prisoner	Transaction 5958849 - Approved By: NOREVIEW : 02-21-2017:11:46:25	
2/22/2017	NEF	Proof of Electronic Service	Transaction 5960908 - Approved By: NOREVIEW : 02-22-2017:10:19:23	
2/22/2017	1356	Certificate of Mailing	Transaction 5960511 - Approved By: CSULEZIC : 02-22-2017:10:18:13	
2/23/2017	1260	Application Produce Prisoner		
3/1/2017	2300	Mtn to Dismiss Pet	MOTION TO DISMISS PETITION FOR WRIT OF HABEAS CORPUS - Transaction 5973353 - Approved By: CS	
3/1/2017	NEF	Proof of Electronic Service	Transaction 5973693 - Approved By: NOREVIEW : 03-01-2017:09:51:46	
3/13/2017	3880	Response...	RESPONSE TO STATE'S MOTION TO DISMISS	
3/14/2017	3860	Request for Submission	MOTION TO DISMISS PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION) (PAPER ORDER N	
3/14/2017	NEF	Proof of Electronic Service	Transaction 5994966 - Approved By: NOREVIEW : 03-14-2017:10:03:17	
3/28/2017	S200	Request for Submission Complet	ORAL ARGUMENTS ON MOTION TO DISMISS SET SAME DATE AS EVIDENTIARY HEARING ON PETITION	
3/28/2017	3242	Ord Setting Hearing	- ORAL ARGUMENTS ON MOTION TO DISMISS PETITION SET FOR 4/27/17 AT 3:00 P.M. AND SHALL BE H	
3/28/2017	NEF	Proof of Electronic Service	Transaction 6020596 - Approved By: NOREVIEW : 03-28-2017:11:57:03	
5/16/2017	2525	Notice of Change of Address		
5/16/2017	2515	Notice of Appeal Supreme Court	Appellant Brendan Dunckley	
5/16/2017	1600	Designation Record on Appeal		
5/19/2017	NEF	Proof of Electronic Service	Transaction 6108538 - Approved By: NOREVIEW : 05-19-2017:09:07:32	
5/19/2017	1350	Certificate of Clerk	CERTIFICATE OF CLERK AND TRANSMITTAL - NOTICE OF APPEAL - Transaction 6108534 - Approved By: N	
5/19/2017	1310E	Case Appeal Statement	Transaction 6108534 - Approved By: NOREVIEW : 05-19-2017:09:06:32	
5/23/2017	NEF	Proof of Electronic Service	Transaction 6113638 - Approved By: NOREVIEW : 05-23-2017:11:19:32	
5/23/2017	1188	Supreme Court Receipt for Doc	SUPREME COURT NO. 73095 / RECEIPT FOR DOCUMENTS - Transaction 6113628 - Approved By: NOREVIEW	

Case Description: STATE VS. BRENDAN DUNCKLEY (D4)				
Case ID:	CR07-1728	Case Type:	CRIMINAL	Initial Filing Date: 7/3/2007
6/6/2017	T200	Tickle End Code		
6/29/2017	F140	Adj Summary Judgment		
6/29/2017	NEF	Proof of Electronic Service	Transaction 6173630 - Approved By: NOREVIEW : 06-29-2017:14:30:28	
6/29/2017	1750	Findings, Conclusions & Judg	- DISMISSING PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION) FILED NOVEMBER 7, 201	
6/30/2017	2540	Notice of Entry of Ord	Transaction 6174581 - Approved By: NOREVIEW : 06-30-2017:08:15:12	
6/30/2017	NEF	Proof of Electronic Service	Transaction 6174586 - Approved By: NOREVIEW : 06-30-2017:08:16:12	
8/8/2017	NEF	Proof of Electronic Service	Transaction 6236660 - Approved By: NOREVIEW : 08-08-2017:08:36:37	
8/8/2017	MIN	***Minutes	EVIDENTIARY HEARING ON PETITION FOR HABEAS CORPUS TO EXHAUST STATE CLAIMS/ORAL ARGU	
8/17/2017	NEF	Proof of Electronic Service	Transaction 6254877 - Approved By: NOREVIEW : 08-17-2017:10:52:29	
8/17/2017	NEF	Proof of Electronic Service	Transaction 6254923 - Approved By: NOREVIEW : 08-17-2017:11:00:22	
8/17/2017	4126	Supreme Ct Order Directing...	SUPREME COURT NO. 73095 / ORDER DIRECTING ENTRY AND TRANSMISSION OF WRITTEN ORDER - T	
8/17/2017	1350	Certificate of Clerk	CERTIFICATE OF CLERK AND TRANSMITTAL - ORDER - Transaction 6254917 - Approved By: NOREVIEW : (
8/29/2017	4126	Supreme Ct Order Directing...	SUPREME COURT NO. 73095 / ORDER DIRECTING TRANSMISSION OF RECORD - Transaction 6272707 - /	
8/29/2017	NEF	Proof of Electronic Service	Transaction 6272713 - Approved By: NOREVIEW : 08-29-2017:10:51:00	
8/31/2017	NEF	Proof of Electronic Service	Transaction 6278922 - Approved By: NOREVIEW : 08-31-2017:15:26:28	
8/31/2017	1350	Certificate of Clerk	CERTIFICATE OF CLERK AND TRANSMITTAL - RECORD ON APPEAL - Transaction 6278918 - Approved By:	
1/19/2018	4133	Supreme Court Notice	SUPREME COURT NO. 73095 / NOTICE OF TRANSFER TO COURT OF APPEALS - Transaction 6489549 - A	
1/19/2018	NEF	Proof of Electronic Service	Transaction 6489553 - Approved By: NOREVIEW : 01-19-2018:13:46:23	
4/12/2018	NEF	Proof of Electronic Service	Transaction 6626036 - Approved By: NOREVIEW : 04-12-2018:11:41:32	
4/12/2018	4134	Supreme Court Order Affirming	SUPREME COURT NO. 73095 / ORDER OF AFFIRMANCE - Transaction 6626022 - Approved By: NOREVIEW	
5/9/2018	NEF	Proof of Electronic Service	Transaction 6670759 - Approved By: NOREVIEW : 05-09-2018:11:53:55	
5/9/2018	4111	Supreme Ct Clk's Cert & Judg	SUPREME COURT NO. 73095 / CLERK'S CERTIFICATE & JUDGMENT - Transaction 6670755 - Approved By:	
5/9/2018	4145	Supreme Court Remittitur	SUPREME COURT NO. 73095 / REMITTITUR - Transaction 6670755 - Approved By: NOREVIEW : 05-09-2018	
5/9/2018	4134	Supreme Court Order Affirming	SUPREME COURT NO. 73095 / ORDER OF AFFIRMANCE - Transaction 6670755 - Approved By: NOREVIEW	
6/17/2020	1930	Letters ...	LETTER FROM DEFENDANT	
12/24/2020	NEF	Proof of Electronic Service	Transaction 8219069 - Approved By: NOREVIEW : 12-24-2020:12:55:07	
12/24/2020	2383	Mtn to Modify/Correct Sentence	MOTION TO CORRECT ILLEGAL SENTENCE AND/OR MODIFY SENTENCE - Transaction 8219066 - Approve	
1/4/2021	NEF	Proof of Electronic Service	Transaction 8227645 - Approved By: NOREVIEW : 01-04-2021:08:50:08	
1/4/2021	2526	Notice of Change of Attorney	NOTICE OF CHANGE OF RESPONSIBLE ATTORNEY - KEVIN NAUGHTON DA - Transaction 8227514 - Apprc	
1/4/2021	2645	Opposition to Mtn ...	OPPOSITION TO MOTION TO CORRECT AN ILLEGAL SENTENCE - Transaction 8227514 - Approved By: CSI	
1/26/2021	3880	Response...	RESPONSE TO STATE'S OPPOSITION	
2/8/2021	NEF	Proof of Electronic Service	Transaction 8283697 - Approved By: NOREVIEW : 02-08-2021:09:21:48	
2/8/2021	3860	Request for Submission	TO CORRECT AN ILLEGAL SENTENCE STATE'S OPPOSITION & THE RESPONSE TO STATE'S OPPOSTIOI	
3/1/2021	T200	Tickle End Code		
4/12/2021	S200	Request for Submission Complet		
4/12/2021	3347	Ord to Set	ORAL ARGUMENTS ON THE MOTION TO CORRECT ILLEGAL SENTENCE W/IN 30 DAYS - Transaction 8390	
4/12/2021	NEF	Proof of Electronic Service	Transaction 8390541 - Approved By: NOREVIEW : 04-12-2021:14:55:59	
5/19/2021	T200	Tickle End Code		
5/19/2021	NEF	Proof of Electronic Service	Transaction 8454038 - Approved By: NOREVIEW : 05-19-2021:15:52:08	

Case Description: STATE VS. BRENDAN DUNCKLEY (D4)				
Case ID:	CR07-1728	Case Type:	CRIMINAL	Initial Filing Date: 7/3/2007
5/19/2021	3242	Ord Setting Hearing	ORAL ARGUMENTS ON DEFENDANT'S MOTION TO CORRECT ILLEGAL SENTENCE - 6/25/2021 AT 10:00 /	
5/20/2021	3340	Ord to Produce Prisoner	6-25-2021 AT 10:00 A.M. - Transaction 8456449 - Approved By: NOREVIEW : 05-20-2021:16:27:11	
5/20/2021	1260	Application Produce Prisoner	Transaction 8454825 - Approved By: NOREVIEW : 05-20-2021:09:19:02	
5/20/2021	NEF	Proof of Electronic Service	Transaction 8454832 - Approved By: NOREVIEW : 05-20-2021:09:20:03	
5/20/2021	NEF	Proof of Electronic Service	Transaction 8456456 - Approved By: NOREVIEW : 05-20-2021:16:28:11	
6/1/2021	2490	Motion ...	MOTION FOR SUBMISSION BASED UPON THE MOTIONS ON FILE - Transaction 8472960 - Approved By: Kf	
6/1/2021	NEF	Proof of Electronic Service	Transaction 8472968 - Approved By: NOREVIEW : 06-01-2021:16:23:36	
6/17/2021	3175	Ord Re: Hearing Procedure	NOTICE OF AUDIO VISUAL HEARING - 6/25/2021 - Transaction 8500453 - Approved By: NOREVIEW : 06-17-;	
6/17/2021	NEF	Proof of Electronic Service	Transaction 8500456 - Approved By: NOREVIEW : 06-17-2021:12:10:37	
9/10/2021	S200	Request for Submission Complet		
9/10/2021	3370	Order ...	MOTION TO CORRECT ILLEGAL SENTENCE DENIED - STATE TO PROVIDE DRAFT ORDER TO COURT W/	
9/10/2021	NEF	Proof of Electronic Service	Transaction 8639664 - Approved By: NOREVIEW : 09-10-2021:09:11:53	
10/4/2021	MIN	***Minutes	MOTION TO CORRECT ILLEGAL SENTENCE - 6/25/2021 - Transaction 8679755 - Approved By: NOREVIEW :	
10/4/2021	NEF	Proof of Electronic Service	Transaction 8679765 - Approved By: NOREVIEW : 10-04-2021:14:25:59	
10/27/2021	T200	Tickle End Code		
11/4/2021	NEF	Proof of Electronic Service	Transaction 8733516 - Approved By: NOREVIEW : 11-04-2021:15:48:03	
11/4/2021	4185	Transcript	Transaction 8733509 - Approved By: NOREVIEW : 11-04-2021:15:46:38	
11/5/2021	2842	Ord Denying Motion	TO CORRECT ILLEGAL SENTENCE - Transaction 8735315 - Approved By: NOREVIEW : 11-05-2021:13:43:35	
11/5/2021	F230	Other Manner of Disposition		
11/5/2021	NEF	Proof of Electronic Service	Transaction 8735320 - Approved By: NOREVIEW : 11-05-2021:13:44:34	
11/8/2021	2540	Notice of Entry of Ord	Transaction 8738002 - Approved By: NOREVIEW : 11-08-2021:11:56:19	
11/8/2021	NEF	Proof of Electronic Service	Transaction 8738015 - Approved By: NOREVIEW : 11-08-2021:11:58:16	
11/29/2021	2515	Notice of Appeal Supreme Court		
11/30/2021	NEF	Proof of Electronic Service	Transaction 8772633 - Approved By: NOREVIEW : 11-30-2021:15:19:30	
11/30/2021	1350	Certificate of Clerk	CERTIFICATE OF CLERK IN TRANSMITTAL - NOTICE OF APPEAL - Transaction 8772627 - Approved By: NOI	
11/30/2021	1310E	Case Appeal Statement	Transaction 8772627 - Approved By: NOREVIEW : 11-30-2021:15:18:14	

**SECOND JUDICIAL DISTRICT COURT
COUNTY OF WASHOE**

Case History - CR07P1728

DEPT. D4

HON. CONNIE J. STEINHEIMER

Report Date & Time

11/30/2021

3:18:49PM

Case Description: POST: BRENDAN DUNCKLEY (D4)

Case ID: CR07P1728

Case Type: POST CONVICTION

Initial Filing Date: 7/21/2009

Parties

PETR	BRENDAN DUNCKLEY - @102844
RESP	STATE OF NEVADA - STATE
DA	Jennifer P. Noble, Esq. - 9446
CAA	Robert Story, Esq. - 1268

Charges

<i>Charge No.</i>	<i>Charge Code</i>	<i>Charge Date</i>	<i>Charge Description</i>
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Plea Information

<i>Charge No.</i>	<i>Plea Code</i>	<i>Plea Date</i>	<i>Plea Description</i>
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Release Information

Custody Status

Hearings

	<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
1	D4	Tickle Start Code	3/11/2010	07:00:00	3/11/2010

Event Extra Text: SUPPLEMENTAL PETITION

Disposition:
T200 3/11/2010

	<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
2	D4	Tickle Start Code	6/11/2010	07:00:00	6/11/2010

Event Extra Text: HAS EVIDENTIARY HEARING SET?

Disposition:
T200 6/11/2010

	<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
3	D4	Tickle Start Code	7/13/2010	07:00:00	7/1/2010

Event Extra Text: HAS EVIDENTIARY HEARING BEEN SET ON THE
PETITION FOR POST CONVICTION

Disposition:
T200 7/1/2010

Case Description: POST: BRENDAN DUNCKLEY (D4)

Case ID:	CR07P1728	Case Type:	POST CONVICTION	Initial Filing Date:	7/21/2009
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	Department	Event Description	Sched. Date & Time		Disposed Date
4	D4	EVIDENTIARY HEARING	11/9/2010	10:00:00	11/2/2010
Event Extra Text: WRIT OF HABEAS CORPUS (POST CONVICTION)			Disposition: D844 11/2/2010 vacated due to trial schedule-reset for 4/1/11		
	Department	Event Description	Sched. Date & Time		Disposed Date
5	D4	EVIDENTIARY HEARING	4/1/2011	09:00:00	2/14/2011
Event Extra Text: WRIT OF HABEAS CORPUS (POST CONVICTION)			Disposition: D870 2/14/2011		
	Department	Event Description	Sched. Date & Time		Disposed Date
6	D4	EVIDENTIARY HEARING	4/22/2011	09:00:00	3/11/2011
Event Extra Text: ON PETITION FOR WRIT OF HABEAS CORPUS (POST - CONVICTION)			Disposition: D875 3/11/2011		
	Department	Event Description	Sched. Date & Time		Disposed Date
7	D4	EVIDENTIARY HEARING	6/3/2011	09:00:00	6/3/2011
Event Extra Text: ON PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION)			Disposition: D840 6/3/2011		
	Department	Event Description	Sched. Date & Time		Disposed Date
8	D4	Request for Submission	6/3/2011	14:30:00	8/10/2011
Event Extra Text: - PETITION FOR WRIT OF HABEAS CORPUS (POST CONVICTION) TAKEN UNDER ADVISEMENT AFTER EVIDENTIARY HEARING			Disposition: S200 8/10/2011		
	Department	Event Description	Sched. Date & Time		Disposed Date
9	D4	CONFERENCE CALL	8/12/2011	09:30:00	12/29/2011
Event Extra Text: RENDER DECISION ON MOTION TO WITHDRAW PLEA AND PETITION FOR WRIT OF HABEAS CORPUS			Disposition: D435 12/29/2011		

Agency Cross Reference

Code	Agency Description	Case Reference I.D.
SC	Supreme Court	SCN 59958

Actions			
Action Entry Date	Code	Code Description	Text
7/21/2009	2385	Mtn Proceed Forma Pauperis	
7/21/2009	1670	Ex-Parte Mtn...	EX PARTE MOTION FOR APPOINTMENT OF COUNSEL AND REQUEST FOR EVIDENTARY HEARING
7/21/2009	4105	Supplemental ...	SUPPORTING DOCUMENTATION FOR PETITIONER'S POST-CONVICTION WRIT OF HABEAR CORPUS PE
7/21/2009	4105	Supplemental ...	SUPPORTING DOCUMENTATION FOR PETITIONER'S POST-CONVICTION WRIT OF HABEAR CORPUS PE
7/21/2009	4105	Supplemental ...	SUPPORTING DOCUMENTATION FOR PETITIONER'S POST-CONVICTION WRIT OF HABEAR CORPUS PE
7/21/2009	3585	Pet Writ Habeas Corpus	(PER MAIL IN REQUEST - THIS DOC WAS SENT TO INMATE ON 10-9-12)

Case Description: POST: BRENDAN DUNCKLEY (D4)				
Case ID:	CR07P1728	Case Type:	POST CONVICTION	Initial Filing Date: 7/21/2009
7/21/2009	1030	Affidavit in Support...	AFFIDAVIT IN SUPPORT OF APPLICATION TO PROCEED IN FORMA PAUPERIS	
7/21/2009	3862	**Criminal Submit	DOCUMENT TITLE: IFP/AFFIDAVIT IN SUPPORT OF APPLICATION TO PROCEED IN FORMA PAUPERIS/E>	
7/21/2009	4105	Supplemental ...	SUPPORTING DOCUMENTATION FOR PETITIONER'S POST-CONVICTION WRIT OF HABEAS CORPUS PE	
10/28/2009	NEF	Proof of Electronic Service	Transaction 1124849 - Approved By: NOREVIEW : 10-28-2009:10:51:48	
10/28/2009	3370	Order ...	ALLOWING FOR THE APPOINTMENT OF COUNSEL AND REFERRING THE MATTER TO THE ADMINISTRATION	
10/28/2009	3035	Ord Grant in Forma Pauperis	AND REFERRING MATTER TO DEPARTMENT 4 FOR DECISION ON THE MTN FOR APPOINTMENT OF COUNSEL	
12/14/2009	NEF	Proof of Electronic Service	Transaction 1205489 - Approved By: NOREVIEW : 12-14-2009:10:52:00	
12/14/2009	2715	Ord Appointing Counsel	RECOMMENDATION AND ORDER APPOINTING COUNSEL (ROBERT STORY, ESQ.) AND SETTING FORTH	
1/20/2010	2502	** Notes ...	DEFENDANT HAS BEEN PROVIDED A COPY OF ENTIRE FILE ON THIS DATE	
3/11/2010	T200	Tickle End Code		
3/17/2010	3980	Stip and Order...	FOR EXTENSION OF TIME IN WHICH TO FILE SUPPLEMENTAL PETITION (FIRST REQUEST) - Transaction	
3/17/2010	NEF	Proof of Electronic Service	Transaction 1378830 - Approved By: NOREVIEW : 03-17-2010:10:22:27	
3/23/2010	4100	Supplemental Petition	SUPPLEMENTAL PETITION FOR WRIT OF HABEAS CORPUS	
3/23/2010	3862	**Criminal Submit	DOCUMENT TITLE: SUPPLEMENTAL PETITION FOR WRIT OF HABEAS CORPUS	
4/1/2010	1665	Ex-Parte Application...	* SEALED * EX PARTE APPLICATION FOR INTERIM CLAIM FOR FEES	
4/22/2010	2777	Ord Approving ...	* SEALED * RECOMMENDATION AND ORDER FOR PAYMENT OF ATTORNEY'S FEES - SEALED	
5/5/2010	1130	Answer ...	ANSWER TO PETITION AND SUPPLEMENTAL PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION)	
5/5/2010	NEF	Proof of Electronic Service	Transaction 1468252 - Approved By: NOREVIEW : 05-05-2010:11:37:05	
6/11/2010	T200	Tickle End Code		
6/17/2010	NEF	Proof of Electronic Service	Transaction 1549405 - Approved By: NOREVIEW : 06-17-2010:15:02:04	
6/17/2010	3347	Ord to Set	EVIDENTIARY HEARING ON THE PETITION AND SUPPLEMENTAL PETITION FOR WRIT OF HABEAS CORPUS	
6/30/2010	1665	Ex-Parte Application...	* SEALED * EX PARTE APPLICATION FOR INTERIM CLAIM FOR FEES	
7/1/2010	T200	Tickle End Code		
7/1/2010	NEF	Proof of Electronic Service	Transaction 1577275 - Approved By: NOREVIEW : 07-01-2010:16:32:02	
7/1/2010	1250E	Application for Setting eFile	EVIDENTIARY HEARING (PETITION FOR WRIT OF HABEAS CORPUS - POST CONVICTION): NOVEMBER	
7/16/2010	2777	Ord Approving ...	* SEALED * RECOMMENDATION AND ORDER FOR PAYMENT OF INTERIM ATTORNEY'S FEES - SEALED	
10/7/2010	1260	Application Produce Prisoner		
10/7/2010	3862	**Criminal Submit	DOCUMENT TITLE: ORDER TO PRODUCE PRISONER	
10/11/2010	2490	Motion ...	MOTION FOR ORDER TO PRODUCE PRISONER	
10/12/2010	NEF	Proof of Electronic Service	Transaction 1776032 - Approved By: NOREVIEW : 10-12-2010:17:01:25	
10/12/2010	3340	Ord to Produce Prisoner	Transaction 1776019 - Approved By: NOREVIEW : 10-12-2010:16:58:49	
10/12/2010	3862	**Criminal Submit	DOCUMENT TITLE: MOTION FOR ORDER TO PRODUCE THE PRISONER	
10/25/2010	1230	Application for Fees	MOTION FOR FEES FOR COPY COSTS	
11/1/2010	1665	Ex-Parte Application...	* SEALED * EX PARTE APPLICATION FOR INTERIM CLAIM FOR FEES	
11/3/2010	1250E	Application for Setting eFile	EVIDENTIARY HEARING-WRIT OF HABEAS CORPUS (POST CONVICTION): APRIL 1, 2011 @ 9:00 A.M. (V)	
11/3/2010	NEF	Proof of Electronic Service	Transaction 1822827 - Approved By: NOREVIEW : 11-03-2010:10:30:54	
11/9/2010	2777	Ord Approving ...	* SEALED * RECOMMENDATION AND ORDER GRANTING DEFENSE FEES	
11/15/2010	2777	Ord Approving ...	* SEALED * RECOMMENDATION AND ORDER FOR PAYMENT OF INTERIM ATTORNEY'S FEES - SEALED	
2/10/2011	1665	Ex-Parte Application...	* SEALED * EX PARTE APPLICATION FOR INTERIM CLAIM FOR FEES	

Case Description: POST: BRENDAN DUNCKLEY (D4)				
Case ID:	CR07P1728	Case Type:	POST CONVICTION	Initial Filing Date: 7/21/2009
2/14/2011	NEF	Proof of Electronic Service	Transaction 2031422 - Approved By: NOREVIEW : 02-14-2011:10:20:04	
2/14/2011	4045	Stipulation to Continuance	STIPULATION FOR CONTINANCE OF HEARING DATE - EVIDENTIARY HEARING CONTINUED FROM APRIL 14, 2011	
3/8/2011	2777	Ord Approving ...	* SEALED * RECOMMENDATION AND ORDER FOR PAYMENT OF INTERIM ATTORNEY'S FEES	
3/11/2011	1250E	Application for Setting eFile	EVIDENTIARY HEARING ON PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION) - JUNE 3, 2011	
3/11/2011	NEF	Proof of Electronic Service	Transaction 2087508 - Approved By: NOREVIEW : 03-11-2011:13:18:19	
3/11/2011	NEF	Proof of Electronic Service	Transaction 2087544 - Approved By: NOREVIEW : 03-11-2011:13:25:03	
3/11/2011	3105	Ord Granting ...	ORDER GRANTING STIPULATION FOR CONTINUANCE OF HEARING DATE (CONTINUE EVIDENTIARY HEARING)	
6/21/2011	NEF	Proof of Electronic Service	Transaction 2300887 - Approved By: NOREVIEW : 06-21-2011:14:40:55	
6/21/2011	1670	Ex-Parte Mtn...	* SEALED * EX PARTE APPLICATION FOR INTERIM CLAIM FOR FEES - Transaction 2300734 - Approved By: NOREVIEW : 06-21-2011:14:40:55	
7/1/2011	2777	Ord Approving ...	* SEALED * - RECOMMENDATION AND ORDER FOR PAYMENT OF INTERIM ATTORNEY'S FEES	
7/13/2011	NEF	Proof of Electronic Service	Transaction 2342930 - Approved By: NOREVIEW : 07-13-2011:13:26:47	
7/13/2011	4185	Transcript	MOTION TO WITHDRAW PLEA - JUNE 3, 2011 - Transaction 2342913 - Approved By: NOREVIEW : 07-13-2011:13:26:47	
7/26/2011	MIN	***Minutes	PETITION FOR WRIT OF HABEAS CORPUS (POST CONVICTION) - 6/3/11 - Transaction 2369050 - Approved By: NOREVIEW : 07-26-2011:14:27:08	
7/26/2011	NEF	Proof of Electronic Service	Transaction 2369078 - Approved By: NOREVIEW : 07-26-2011:14:27:08	
8/10/2011	S200	Request for Submission Complet		
8/18/2011	NEF	Proof of Electronic Service	Transaction 2415335 - Approved By: NOREVIEW : 08-18-2011:08:45:13	
8/18/2011	MIN	***Minutes	CONFERENCE CALL - TELEPHONIC DECISION - 8-12-11 - Transaction 2415325 - Approved By: NOREVIEW : 08-18-2011:08:45:13	
12/29/2011	1750	Findings, Conclusions & Judg	FINDINGS OF FACT, CONCLUSIONS OF LAW AND JUDGMENT - Transaction 2672262 - Approved By: NOREVIEW : 12-29-2011:10:57:49	
12/29/2011	NEF	Proof of Electronic Service	Transaction 2672281 - Approved By: NOREVIEW : 12-29-2011:10:57:49	
12/30/2011	NEF	Proof of Electronic Service	Transaction 2674881 - Approved By: NOREVIEW : 12-30-2011:10:38:48	
12/30/2011	NEF	Proof of Electronic Service	Transaction 2675175 - Approved By: NOREVIEW : 12-30-2011:11:28:49	
12/30/2011	NEF	Proof of Electronic Service	Transaction 2675283 - Approved By: NOREVIEW : 12-30-2011:11:58:16	
12/30/2011	NEF	Proof of Electronic Service	Transaction 2675878 - Approved By: NOREVIEW : 12-30-2011:14:54:42	
12/30/2011	3868	Req to Crt Rptr - Rough Draft	Transaction 2674700 - Approved By: SHAMBRIG : 12-30-2011:11:56:50	
12/30/2011	1350	Certificate of Clerk	CERTIFICATE OF CLERK AND TRANSMITTAL - NOTICE OF APPEAL - Transaction 2675876 - Approved By: NOREVIEW : 12-30-2011:14:54:42	
12/30/2011	2515	Notice of Appeal Supreme Court	APPELLANT, BRENDAN DUNCKLEY - Transaction 2674644 - Approved By: LMATHEUS : 12-30-2011:10:36:58	
12/30/2011	1310	Case Appeal Statement	Transaction 2675054 - Approved By: LMATHEUS : 12-30-2011:11:25:52	
1/9/2012	NEF	Proof of Electronic Service	Transaction 2688318 - Approved By: NOREVIEW : 01-09-2012:11:50:07	
1/9/2012	1188	Supreme Court Receipt for Doc	SUPREME COURT CASE NO. 59958/RECEIPT FOR DOCUMENTS - Transaction 2688284 - Approved By: NOREVIEW : 01-09-2012:11:50:07	
1/11/2012	2540	Notice of Entry of Ord	Transaction 2693882 - Approved By: NOREVIEW : 01-11-2012:11:24:26	
1/11/2012	NEF	Proof of Electronic Service	Transaction 2693894 - Approved By: NOREVIEW : 01-11-2012:11:27:49	
2/3/2012	NEF	Proof of Electronic Service	Transaction 2743238 - Approved By: NOREVIEW : 02-03-2012:15:36:17	
2/3/2012	1665	Ex-Parte Application...	* SEALED * EX PARTE APPLICATION FOR INTERIM CLAIM FOR FEES - Transaction 2743043 - Approved By: NOREVIEW : 02-03-2012:15:36:17	
2/16/2012	2525	Notice of Change of Address	STORY LAW GROUP - Transaction 2769689 - Approved By: SHAMBRIG : 02-16-2012:13:01:46	
2/16/2012	NEF	Proof of Electronic Service	Transaction 2769797 - Approved By: NOREVIEW : 02-16-2012:13:03:13	
3/12/2012	NEF	Proof of Electronic Service	Transaction 2817370 - Approved By: NOREVIEW : 03-12-2012:10:40:34	
3/12/2012	S3370	Sealed Order	* SEALED * RECOMMENDATION AND ORDER FOR PAYMENT OF INTERIM ATTORNEY'S FEES - Transaction 2817370 - Approved By: NOREVIEW : 03-12-2012:10:40:34	
8/13/2012	4129	Supreme Ct Order Granting ...	SUPREME COURT CASE NO. 59958/ORDER GRANTING MOTION AND DIRECTING DISTRICT COURT CLERK TO REOPEN CASE	
8/13/2012	NEF	Proof of Electronic Service	Transaction 3144622 - Approved By: NOREVIEW : 08-13-2012:13:33:17	

Case Description: POST: BRENDAN DUNCKLEY (D4)			
Case ID:	CR07P1728	Case Type:	POST CONVICTION
		Initial Filing Date:	7/21/2009
9/4/2012	4129	Supreme Ct Order Granting ...	SUPREME COURT CASE NO. 59958/ORDER GRANTING MOTION AND DIRECTING DISTRICT COURT CLE
9/4/2012	NEF	Proof of Electronic Service	Transaction 3193349 - Approved By: NOREVIEW : 09-04-2012:15:58:00
9/5/2012	NEF	Proof of Electronic Service	Transaction 3193761 - Approved By: NOREVIEW : 09-05-2012:08:14:04
9/5/2012	1350	Certificate of Clerk	CERTIFICATE OF CLERK AND TRANSMITTAL - Transaction 3193751 - Approved By: NOREVIEW : 09-05-201:
1/3/2013	NEF	Proof of Electronic Service	Transaction 3439904 - Approved By: NOREVIEW : 01-03-2013:13:47:19
1/3/2013	1665	Ex-Parte Application...	* SEALED * EX PARTE APPLICATION FOR INTERIM CLAIM FOR FEES - Transaction 3439868 - Approved By:
1/24/2013	NEF	Proof of Electronic Service	Transaction 3487722 - Approved By: NOREVIEW : 01-24-2013:15:42:04
1/24/2013	4134	Supreme Court Order Affirming	SUPREME COURT NO. 59958/ORDER OF AFFIRMANCE - Transaction 3487704 - Approved By: NOREVIEW :
2/6/2013	S3370	Sealed Order	* SEALED * RECOMMENDATION AND ORDER FOR PAYMENT OF INTERIM ATTORNEY'S FEES - Transactio
2/6/2013	NEF	Proof of Electronic Service	Transaction 3515235 - Approved By: NOREVIEW : 02-06-2013:15:40:51
2/14/2013	4134	Supreme Court Order Affirming	SUPREME COURT NO. 59958/ORDER OF AFFIRMANCE - Transaction 3533242 - Approved By: NOREVIEW :
2/14/2013	4111	Supreme Ct Clk's Cert & Judg	SUPREME COURT NO. 59958/CLERK'S CERTIFICATE AND JUDGMENT - Transaction 3533242 - Approved B
2/14/2013	4145	Supreme Court Remittitur	SUPREME COURT NO. 59958/REMITTITUR - Transaction 3533242 - Approved By: NOREVIEW : 02-14-2013:1
2/14/2013	NEF	Proof of Electronic Service	Transaction 3533255 - Approved By: NOREVIEW : 02-14-2013:14:33:59

1 CODE No. 2840

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6 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,
7
8 IN AND FOR THE COUNTY OF WASHOE

9 * * *

10 THE STATE OF NEVADA,

11 Plaintiff,

Case No. CR07-1728

12 v.

Dept. No. 4

13 BRENDAN DUNCKLEY,

14 Defendant.
15 _____/

16 ORDER DENYING MOTION TO CORRECT AN ILLEGAL SENTENCE

17 Statement of Proceedings

18 On December 24, 2020, the Defendant, in pro per, filed a Motion to Correct an Illegal
19 Sentence. The State filed an Opposition to Motion to Correct an Illegal Sentence on January 4,
20 **2021. The Defendant filed a Response to State's Opposition on January 26, 2021, and formally**
21 submitted the matter to the Court for decision on February 8, 2021. The Court entered an
22 Order on May 19, 2021, setting the matter for oral arguments on June 25, 2021, at 10:00 a.m.

23 On June 25, 2021, the Court conducted oral arguments by audiovisual means. Both
24 parties presented oral argument in support of their positions and the Court took the matter
25 under advisement.

26 / / /

1 Findings of Fact and Conclusions of Law

2 A motion to correct an illegal sentence “address[es] only the facial legality of a
3 sentence.” Edwards v. State, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). “An ‘illegal
4 sentence’ ... [is] one at variance with the controlling sentencing statute, or illegal in the sense
5 that the court goes beyond its authority by acting without jurisdiction or imposing a sentence
6 in excess of the **statutory maximum provided....**” *Id. quoting Allen v. United States*, 495 A.2d
7 1145, 1149 (D.C. 1985)(internal quotations omitted). A court can correct a sentence that is
8 facially illegal at any time. Edwards, 112 Nev. at 708, 918 P.2d at 324 (1996).

9 The **Defendant’s Motion alleged that this Court lacked jurisdiction** to preside over his
10 **case because his parents received a response from the Reno Police Department’s Records**
11 Division that indicated they did not have any police report listing the child victim of his
12 lewdness conviction as a victim and himself as a suspect. Motion, pp. 3-4. The Defendant
13 cited NRS 171.083 for the premise that the victim was required to file a police report prior to
14 her twenty-first birthday for the statute of limitations not to have lapsed.

15 However, this Court finds that another statute controls the filing period for sexual
16 crimes committed against children.

17 NRS 171.095(1)(b)(1), as it existed between 1998 and 2000 (the time period alleged in
18 the Information), provided that **an information or complaint must be filed “for any offense**
19 **constituting sexual abuse of a child, as defined in NRS 432B.100, before the victim of the**
20 **sexual abuse is: (1) Twenty-one years old if he discovers or reasonably should have discovered**
21 **that he was a victim of the sexual abuse by the date on which he reaches that age....” 1997**
22 **Statutes of Nevada, Page 891; 1999 Statutes of Nevada, Page 3525. NRS 432B.100(2) defined**
23 **“Lewdness with a child under NRS 201.230” as sexual abuse.**

24 **The victim’s date of birth**, as recited in the Amended Information to which the
25 Defendant pled guilty, is August 14, 1986. Thus, she would have turned 21 on August 14, 2007.
26 The original Information was filed before this Court on July 12, 2007, before the victim turned

1 21. Therefore, the Information was timely filed and this Court did not exceed its jurisdiction by
2 proceeding on the charges properly and timely filed against the Defendant.

3 Having considered all of the papers and pleadings on file herein, and the arguments of
4 the parties, the **Defendant's** Motion to Correct an Illegal Sentence is DENIED.

5 DATED this 4 day of NOVEMBER, 2021.

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8 DISTRICT JUDGE
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I further certify that I transmitted a true and correct copy of the foregoing document by the method(s) noted below:

X Electronically filed with the Clerk of the Court, using the eFlex system which constitutes effective service for all eFiled documents pursuant to the efile User Agreement:

X Deposited in the mail a sealed envelope for postage and mailing with the United States Postal Service in Sparks, Nevada:

_____ Placed a true copy in a sealed envelope for service via:

_____ Via E-Mail – **[NONE]**

DATED this 5th day of November, 2021.

Marshall Stone

CRIMINAL PROGRESS SHEET

INF. 7/12/07

CASE NO. CR07-1728

CR07-1728 DC-09900079896-018
STATE VS. BRENDAN DUNCKLEY 1 Page
District Court 07/17/2007 08:30 AM
Washoe County MTN SWT 11 AM

AI. 7.28.08

2AI.

2INF.

DEFT: BRENDAN DUNCKLEY

@102844

LANGUAGE:

CUSTODY STATUS: CUSTODY [] NIC [X] BAIL [X] \$ 18,500⁰⁰ OR [] OR [] W/COURT SERVICES

ARR. DATE: 7.17.07/3.6.08 DEPT. NO. 4 REPORTER: S. Loder / B. VanHulen CLERK: M. Stone ✓

TRUE NAME: same as above ✓

WAIVED 60 DAY RULE: YES [X] NO [] DATE: 7.17.07

P & P Ref: L. Garrison / K. Pappas

NOT GUILTY [X] By: GUILTY [X] ALFORD [] NC [] TO: Cts 1 + 2 of Info

REMANDED TO JUSTICE COURT FOR FURTHER PROCEEDINGS: pre-trial mtg deadlines set forth / Ct service supervision ordered

MOTION FOR PSYCH. EVAL: DATE: DEPT. NO. APPTD. DRS.: &

REPORT ON PSYCH. EVAL: DATE: DEPT. NO. REPORTER: CLERK:

COURT FOUND DEFT: [] COMPETENT [] REMANDED J.C. [] INCOMPETENT; DEFT REMANDED LAKES

ENTRY OF PLEA: DATE: DEPT. NO.* REPORTER: CLERK:

NOT GUILTY [] By: GUILTY [] ALFORD [] NC [] TO:

[] WAIVED PSI P & P Ref:

CHANGE OF PLEA: DATE: DEPT. NO. REPORTER: CLERK:

GUILTY [] ALFORD [] NC [] TO:

[] WAIVED PSI P & P Ref: TRIAL DATE OF: VACATED

CONTINUED TO: 6.19.07 9:00 FOR: Pre-Trial Mtgs (3 hrs)

CONTINUED TO: (vacated) 3.13.08 9:00 FOR: mtg to confirm

CONTINUED TO: (vacated) 3.24.08 10:00 FOR: Jury Trial (5 days)

CONTINUED TO: 8.5.08 9:00 FOR: Sentencing

CONTINUED TO: FOR:

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FILED

Electronically
07-18-2007:11:53:59 AM
Ronald A. Longtin, Jr.
Clerk of the Court
Transaction # 7032

CASE NO. CR07-1728 **TITLE: THE STATE OF NEVADA VS. BRENDAN DUNCKLEY**

**DATE, JUDGE
OFFICERS OF**

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

7/17/07	<u>ARRAIGNMENT</u>	
HONORABLE	Deputy District Attorney Kelli Vilorio, Esq., represented the State. Defendant	10/19/07
CONNIE	present with counsel David O'Mara, Esq. Probation officer Lupe Garrison also	9:00 a.m.
STEINHEIMER	present.	Pre-Trial
DEPT. NO.4	Defendant handed copy of Information; indicated to the Court that name as set	Motions
M. Stone	forth on same was his true name; waived reading and entered a plea of not	(3 Hours)
(Clerk)	guilty to the charge set forth therein.	
S. Loder	Defendant waived the 60-Day Rule and COURT ORDERED this matter set for	3/13/07
(Reporter)	jury trial.	9:00 a.m.
	COURT FURTHER ENTERED ORDER that all pre-trial motions shall be filed	Mtn to
	and served no later than September 17, 2007; all responses to those pre-trial	Confirm Trl
	motions shall be filed and served no later than September 28, 2007; and all	
	replies to those responses shall be filed and served no later than October 5,	3/24/07
	2007.	10:00 a.m.
	Defendant remained out of custody.	Jury Trial
		(5 Days)

FILED

Electronically

06-26-2008:12:50:42 PM

Howard W. Conyers

Clerk of the Court

Transaction # 260887

CASE NO. CR07-1728

TITLE: THE STATE OF NEVADA VS. BRENDAN DUNCAN

DATE, JUDGE

OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

3/6/08

MOTION TO CONFIRM TRIAL DATE/ARRAIGNMENT ON AMENDED

HONORABLE

INFORMATION

8/5/08

CONNIE

Deputy District Attorney Kelli Vioria, Esq., represented the State.

9:00 a.m.

STEINHEIMER

Defendant present with counsel David O'Mara, Esq. Probation Officer Laura

Sentencing

DEPT. NO.4

Pappas also present.

M. Stone

Defendant handed copy of Amended Information; indicated to the Court that name as set forth on same was his true name; waived reading and enter a plea of guilty to Lewdness with a Child Under the Age of Fourteen Years and Attempted Sexual Assault as set forth therein.

(Clerk)

B. Van Auken

Negotiations recited to the Court by defense counsel. Court interrogated defendant, fully advised him of his rights; found plea freely and voluntarily entered. Defendant advised the Court that he understood the guilty plea memorandum. Clerk read aloud charge to which the defendant pled. Possible penalty for offense charged related to defendant. Court accepted plea after finding defendant had been fully advised by counsel.

(Reporter)

COURT ORDERED matter referred to Probation Department for PSI and continued for entry of judgment, consideration of probation report and imposition of sentence.

COURT FURTHER ORDERED that the Defendant be supervised by Court Services while released on bail with the following special conditions: That the Defendant check-in with Court Services 1 time per week; and that he abstain from the use of alcoholic beverages and controlled substances.

Trial ordered vacated.

Defendant remained out of custody on bail.

FILED

Electronically

09-16-2008:11:34:10 AM

Howard W. Conyers

Clerk of the Court

Transaction # 366951

CASE NO. CR07-1728

TITLE: THE STATE OF NEVADA VS. BRENDAN DUNCANLEY

**DATE, JUDGE
OFFICERS OF
COURT PRESENT**

APPEARANCES-HEARING

CONT'D TO

8/5/08

ENTRY OF JUDGMENT AND IMPOSITION OF SENTENCE

HONORABLE Deputy District Attorney Kelli Vioria, Esq., represented the State.
CONNIE Defendant present with counsel, David O'Mara, Esq. Probation Officer Lupe
STEINHEIMER Garrison also present.
DEPT. NO.4 Court noted receipt of report.
R. Cotter Court noticed document received.
(Clerk) Defense counsel did not concur with the recommendation; presented
L. Young argument on behalf of defendant.
(Reporter) **EXHIBITS A & B** marked and offered by Defense counsel; no objection by

State's counsel; ordered admitted into evidence.
Pam McFerren made a statement on behalf of the Defendant.
State's counsel did not concur with the recommendation. Probation Officer
Garrison stood on recommendation. Defendant made statement on his own
behalf.

COURT ORDERED JUDGMENT ENTERED and sentenced defendant to
the Nevada Department of Prisons for the maximum term of life with the
minimum parole eligibility of ten (10) years, for Count I; and that he be
punished by imprisonment in the Nevada Department of Prisons for the
maximum term of one hundred twenty (120) months with the minimum
parole eligibility of twenty-four (24) months, for Count II, to be served
concurrently with sentence imposed in Count I; with credit for four (4) days
time served, and by submission to a DNA Analysis Test for the purpose of
determining genetic markers. Defendant is further ordered to pay a Twenty-
Five Dollar (\$25.00) administrative assessment fee, a One Hundred Fifty
Dollar (\$150.00) DNA testing fee, and a Nine Hundred Fifty Dollar (\$950.00)
Psychosexual Evaluation Fee to the Clerk of the Second Judicial District
Court.

COURT FURTHER ORDERED that the Defendant serve a special sentence
of lifetime supervision to commence after any term of imprisonment or after
any period of release on parole.

FILED

Electronically

07-26-2011:02:16:02 PM

Howard W. Conyers

Clerk of the Court

Transaction # 2368996

CASE NO. CR07-1728

TITLE: THE STATE OF NEVADA VS. BRENDAN DUNCANLEY

DATE, JUDGE

OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

6/3/11

MOTION FOR WITHDRAWAL OF GUILTY PLEA

HONORABLE Chief Deputy District Attorney Gary Hatlestad, Esq., represented the State.

CONNIE Defendant present representing himself.

STEINHEIMER Motion for Withdrawal of Guilty Plea by Defendant; presented argument;

DEPT. NO.4 objection and argument by State's counsel; reply by Defendant.

M. Stone **COURT** took matter under advisement.

(Clerk)

S. Loder

(Reporter)

FILED

Electronically

08-18-2011:08:22:50 AM

Howard W. Conyers

Clerk of the Court

Transaction # 2415266

CASE NO. CR07-1728 **TITLE: THE STATE OF NEVADA VS. BRENDAN DUNCKLEY**

DATE, JUDGE

OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

8/12/11

CONFERENCE CALL – TELEPHONIC DECISION

HONORABLE

Chief Deputy District Attorney Gary Hatlestad, Esq., was present

CONNIE

telephonically representing the State. Defendant Brendan Dunckley was

STEINHEIMER

present telephonically representing himself.

DEPT. NO.4

COURT ENTERED ORDER denying the Defendant's Motion to Withdraw

R. Woosley

Guilty Plea, based upon the defendant knowingly entering his plea at the

(Clerk)

time of the hearing.

Not Reported

(Reporter)

FILED

Electronically

07-26-2011:02:23:49 PM

Howard W. Conyers

Judge of the Court

Transaction # 2369050

CASE NO. CR07P1728

TITLE: BRENDAN DUNCKLEY VS. THE STATE OF NEVADA

DATE, JUDGE

OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

6/3/11

PETITION FOR WRIT OF HABEAS CORPUS (POST CONVICTION)

HONORABLE Petitioner Brendan Dunckley present with counsel Robert Story, Esq. Chief

CONNIE Deputy District Attorney Gary Hatlestad, Esq., represented the State.

STEINHEIMER Petitioner waived the Attorney/Client Privilege.

DEPT. NO.4

M. Stone Brendan Dunckley called by Petitioner's counsel, sworn and testified; cross-
(Clerk) examined.

S. Loder **EXHIBIT A** marked by State's counsel.
(Reporter)

Witness Dunckley further cross-examined; redirect examined; recross-
examined; excused.

Petitioner had no further witnesses to offer.

10:45 a.m. Court recessed.

10:55 p.m. Court reconvened with respective counsel and petitioner present.

David O'Mara called by State's counsel, sworn and testified; cross-
examined; excused.

State's counsel had no further witnesses to offer.

11:44p.m. Court recessed.

2:05 p.m. Court reconvened with respective counsel and petitioner present.

Petition for Post Conviction by Petitioner's counsel; presented argument;
objection and argument by State's counsel; and reply by Petitioner's
counsel.

COURT took Petition under advisement.

Petitioner's counsel advised the Court that should the Petitioner wish to
appeal the decision, once made by the Counsel, counsel will remain in the
case and assist the petitioner with his appeal.

FILED

Electronically

08-18-2011:08:42:38 AM

Howard W. Conyers

Judge of the Court

Transaction # 2415325

CASE NO. CR07P1728 **TITLE: BRENDAN DUNCKLEY VS. THE STATE OF NEVADA**

DATE, JUDGE

OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

8/12/11

CONFERENCE CALL – TELEPHONIC DECISION

HONORABLE Robert Story, Esq., present telephonically with Petitioner Brendan Dunckley,
CONNIE who also present telephonically. Chief Deputy District Attorney Gary
STEINHEIMER Hatlestad, Esq., was present telephonically representing the State.

DEPT. NO.4 **COURT ENTERED ORDER** finding that based upon counsel not being
R. Woosley ineffective, and that no prosecutorial misconduct having occurred, the
(Clerk) Petition for Writ of Habeas Corpus is denied.

Not Reported

(Reporter)

CASE NO. CR07-1728
(POST-CONVICTION)

TITLE: THE STATE OF NEVADA VS. BRENDAN DUNCKLEY

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

4/27/17

EVIDENTIARY HEARING ON PETITION FOR HABEAS CORPUS TO

HONORABLE

EXHAUST STATE CLAIMS/ORAL ARGUMENTS ON MOTION TO

CONNIE

DISMISS PETITION

STEINHEIMER

Petitioner, Brendan Dunckley, present representing himself. Deputy District Attorney Joseph Plater represented the State.

DEPT. NO.4

M. Stone

Motion to Dismiss the Petition for Habeas Corpus to Exhaust State Claims by State's counsel; presented argument; objection and argument by Petitioner; reply argument by State's counsel. Petitioner presented further argument against the Motion to Dismiss the Petition.

(Clerk)

J. Schonlau

(Reporter)

Although the Petitioner has well-thought out issues and a strong ideas, the statutes regulate and this instant petition is successive and the Petitioner is unable to overcome that procedural bar. Therefore, **COURT ENTERED ORDER** granting the Motion to Dismiss the Petition for Habeas Corpus to Exhaust State Claims.

State's counsel shall prepare proposed Order for the Court.

Court recessed.

Defendant remanded to the custody of the Warden.

Code 1350

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

THE STATE OF NEVADA,
Plaintiff,

VS.

BRENDAN DUNCKLEY,
Defendant.

Case No. CR07-1728

Dept. No. 4

CERTIFICATE OF CLERK AND TRANSMITTAL – NOTICE OF APPEAL

I certify that I am an employee of the Second Judicial District Court of the State of Nevada, County of Washoe; that on the 30TH day of November, 2021, I electronically filed the Notice of Appeal in the above entitled matter to the Nevada Supreme Court.

I further certify that the transmitted record is a true and correct copy of the original pleadings on file with the Second Judicial District Court.

Dated this 30th day of November , 2021.

Alicia L. Lerud
Clerk of the Court
By /s/azamora
Amanda Zamora
Deputy Clerk