

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

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Elizabeth A. Brown
Clerk of Supreme Court

CHARLES SKAGGS,

Petitioner,

vs.

THE STATE OF NEVADA,

Respondent.

Sup. Ct. Case No. 83888

Case No. CR18-2148

Dept. 9

RECORD ON APPEAL

VOLUME 4 OF 5

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APPELLANT

Charles Skaggs, #111743
NNCC
P.O. Box 7000
Carson City, NV 89702

RESPONDENT

Washoe County District
Attorney's Office
Jennifer P. Noble, Esq. #9446
P.O. Box 30083
Reno, Nevada 89502-3083

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Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. CHARLES ANTHONY SKAGGS (TN)
(D9)

Document(s) Submitted:

Opposition to Mtn
Opposition to Mtn
Response

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BIRAY DOGAN, ESQ. for CHARLES ANTHONY
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ANTHONY SKAGGS

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IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF WASHOE

Charles Skaggs,
Petitioner,

Case No. CR 18 2148
CR 18 2149
Dept. No. _____

Vs.

STATE OF NEVADA,
Respondent(s).

MOTION FOR APPOINTMENT OF COUNSEL

Comes Now, Petitioner, Charles Skaggs, in his proper person, and respectfully requests this Honorable Court appoint counsel, to further litigate his pending Petition for Writ of Habeas Corpus (Post-Conviction).

This Motion is made and based on Nevada Revised Statute 34.750, all papers and pleadings on file herein, as well as the following.

1. Petitioner is indigent and not able to afford counsel. See accompanying Motion for Leave to Proceed In Forma Pauperis, on file
2. The issues involved in this matter are very complex, requires investigation and discovery per NRS 34.780
3. The issues involved in this case will require further investigation that Petitioner cannot complete due to his incarceration, and has no experience in court proceedings in evidentiary hearings;
4. Petitioner has very limited knowledge of the applicable laws and procedures in this matter.

THE Foregoing has been served on Washoe Co. District Attorney, PO Box 1130 RENO NV 89520, on

Dated this 31 day of January, 2021.

By: Charles Skaggs
Petitioner, In Proper Person

CERTIFICATE OF SERVICE

I, Charles Skaggs, certify that on this date I did serve a true and correct copy of the foregoing Motion upon Respondent(s), via U.S. Mail, by placing same in the United States Postal Service (Prison Mail System), postage being fully prepaid, and addressed to:

Washoe County District Attorney
One So. Sierra St
Reno, NV ~~89701~~ 89501

AND

Dated this 1st day of February, 20 21

By: Charles Skaggs

Movant, In Proper Person

AFFIRMATION PURSUANT TO NRS 239B.030

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

02/01/21
 (Date)

Charles Skaggs
 (Signature)

Charles Skaggs
(Name)

(I.D. No.)
Northern Nevada Correctional Center
Post Office Box 7000
Carson City, NV 89702

Movant, In Proper Person

SECOND JUDICIAL DISTRICT COURT
County of Washoe

Charles Skaggs
Plaintiff/Movant

vs.

STATE OF NEVADA
Defendant/Respondent

CR 18-2148
Case No.: CR 18-2149

Response and Objections
to Motion to Dismiss

COMES NOW, Charles Skaggs, in proper person and herein
above respectfully moves this Honorable Court for a(n) Order Denying
Motion to Dismiss by virtue of this response
and objection to States Motion to Dismiss in part;

The instant motion is made and based upon all papers and pleadings on file herein as well
as the following Memorandum of Points and Authorities and attached exhibits (where
applicable). Per NRS 239B.030 there is no information about any other
person in this pleading

Charles Skaggs
Charles Skaggs
Date: 1-31-21

MEMORANDUM OF POINTS AND AUTHORITIES

I. Objections to State's Applicable Authority Arguments

a) The Prosecutor Response IS Biased Application of Undue Pressure on the Scales of True Justice

1.) The state's response violates its duty to do justice rather than save face, save a "win," or appear to its constituents infallible; in doing so it violates Nevada Rules of Professional Conduct, Advocate Rule 8 in a variety of ways:

A. Over-Emphasis on Strickland v. Washington

2) The state's overemphasis on Strickland v. Washington's 2-prong approach is to vitiate the confrontation of petitioner on the government caused ineffective assistance of council; the facts allege serious systemic malfunctions which makes the Washoe County Second District a perverse sham of justice as envisioned in the Anglo-American system subscribed to by the U.S. and Nevada constitutions; the proper standard is, for government-cause violation of effective assistance clause is U.S. v. ^{Cronic} ~~Chronic~~ which identifies exceptions to the Strickland two-step standard; for example:

i) In Ground Ten alleges that the Public Defenders Office is under fiscal control of the prosecutor, creating an ingrained conflict of interest at the level of the government; NRS 176.156 clearly shifts the responsibility of challenges to the DA and PD, who in most cases ignore the law in collusion; the DA, PD, and Court

A, 2, i - cont.

the petitioner invoked the NPAP 4(c) rule request untimely appeal and the prosecutor misleads the court by ignoring the request in its motion; the prosecutor misinforms fraudulently ~~by~~ omitting the fact the petitioner sent a letter on 03/25/20 notifying of the error in charging documents and subsequently in the pre-sentence report; the state concedes the petitioner's request for untimely appeal, thereby conceding the petitioner's right to seek relief at untimely appeal; on this clerical error, the petitioner has ~~file~~ Motion to Make Correction dated 01/17/21 he has also filed Motion for Discovery dated 01/20/21; the state has failed to respond to either

ii) the state's use of the two-step Strickland standard is nothing but a meaningless talismanic incantation to put a spell on the court's rational faculties, especially at MotD pg 3 line 12 where the sorcerer doesn't mention a word about the "prevailing professional norms" anywhere in the motion; the prevailing "norms" are that the prosecutor can convict a hamburger on whatever charge she pleases, and because the DA pays the PD, the divided loyalty insures the PD's "silent consent;" the DA leads the court itself around by the nose, because the judgeship in Nevada is elected, putting two hats on the bench --

Resp. to Mot. Dismiss -3- 0 CR-18-2149 ~ 2148 2JPC

iii) the plaintiff objects to another incantation "court's review must be highly deferential to [defense] counsel's performance."

Yeah. How convenient. The pre-approval carte blanche license to act as co-counsel to the prosecutor is sanctioned by Strickland, but not by Cronic; there is no logical fallacy called "distorting effect of hindsight" and can be only another witchdoctor spell to vitiate the court's true duty to act as an obstacle to the overgrowth of the powerful influence of the police power of the executive branch; the presumption of adequate assistance can be shown by the omissions in the record and the court is reminded of the petitioner's Motion for Discovery per NRS 34.780;

iv) the law which makes counsel's strategy and tactical decision ~~is bad~~ ^{unchallenged} ~~unassailable~~ ^{at pg. 3 M. Dismiss line 24} absent extraordinary circumstances is bad law which identifies Nevada as ~~a~~ a failed state for its totalitarian nature; the Chronic decision is omitted to dupe the court -- Chronic and its progeny defines what "extraordinary" circumstances are; the motion to dismiss is silent on defining the term to the court, which evokes sinister intent;

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B.) Actual Prejudice Need Not Be Shown
Where There Is Evidence of Conflict-of-Interest
and Other Structural Errors

- 3) had the public defender's office any independence from its fiscal ties to the office of district attorney, the performance standards would not be controlled by the district prosecutor but by an independent agency;
- 4) the Washoe County Commission's biennial budget clearly shows the public defender's office in the district attorneys' budget of income and expenditures; the DA's motion concedes this by not denying it with evidence otherwise, see pg. 10 line 5;
- 5) the Public Defender's office does not receive a budget for Continuing Legal Education ^(CLE) while the prosecutors enjoy the bolstering centralized power of the State legislature in the statutorily mandated Advisory Council for Prosecuting Attorneys, which offers training opportunities to CLEs; see NRS 241A et seq.
- 6) the right-wing's war-on-crime politics of the 2nd JDC have placed an open hand on the scales of justice in Washoe County to a criminal degree.

II All Counts of Original and Supplemental
Petition Should Receive Opportunity
For Discovery, or Provide Counsel
to Run an Evidentiary Investigation

7.) Ground ~~Four~~ One raised "divided loyally conflicts of interest" at page 20. The petitioner request an order from court to order district attorney to subpoena the witnesses stated in ground one 'to an evidentiary hearing as the supportive basis of an IAC claim, or assign counsel with specific instructions to do so, and argue the Cronic standard;

8.) Ground Two the petitioner argued the Cronic standard at pg 27 of Original petition, and the petitioner requests an Order to DA. to answer charges on that basis, not Strickland, or assign counsel with instructions;

9.) Ground Three - although the petitioner read the Agreement, he was prejudiced by the undue influence of conflicted PD, and never had chance to discuss this with a zealous advocate, but only with an attorney on payroll and wearing the hat of the PD. prosecutor; the ~~conf~~ lawyers first duty is to the common good, and it is in the public interest that tax paid government agents are not conflicted into nonfeasance;

Resp. to Mot. Dismiss - 6- CR 16 2148 ~ 2149 2506

- 10.) Ground Four the state argues is a reiteration of Ground Three, and the petitioner agrees to conjoin the two but object to the statement "the claim Skaggs was unaware of the provision of paragraph is clearly belied by the record" without any reference to what part of the record belies the claim! Perhaps the context-rich winking and nodding and broad statements of "Facts not in evidence" is brazen misconduct that infers a corrupt system. The Plaintiff's seeks an order of the court that the DA identify with specificity the "multiple ways" uttered at pg 8 line 8; Petitioner requests discovery on the Chronos and Visitors Log from the Sheriff's office;
- 11.) The petitioner seeks order for discovery to support allegations of being in a "dazed state" that made his waivers and pleas "unknowing" without which he would have gone to trial.
- ~~for~~ Ground Five, as he has no attorney, and hereby invokes MRs 34.780;
- 12.) Ground Six -- the petitioner stated a conflict of interest claim, and he seeks an Order from Court telling the DA to answer on that basis, not the Strickland basis; Petitioner seek order for discovery or assignment of attorney with instructions;

Resp. to M. Osim

13.) Ground Seven

the states "bolstering" allegation should have been brought ~~under~~ on direct appeal this is brought up as ineffective assistance of Appellate Counsel at Count Nine, and these two Counts should be conflated; the petitioner requests an Untimely Appeal per WRAP 4(c);

14.) Ground Eight brings a conflict of interest charge and I seek order to DA to answer on Cronic standard, not Strickland; being a "second prosecutor" is clear structural error waiving any prejudice showing

15.) Supplemental Ground Nine was not answered as to its request for untimely appeal; seek courts order to DA to Answer on that basis, and allow reply;

16.) Supplemental Ground Ten this is misrepresented by the DA, and that is intentional fraud on the court; a Motion to Correct Clerical Error is on file; or these errors in all court documents and PSI can be sent as untimely appeal ~~on~~ with Grounds Seven and Nine WRAP 4(c) ~~that~~ or it could be stipulated to per NRS 176.156 et seq. with DA;

17.) Supplemental Ground Eleven -- the DA did not address issues raised regards statutory right to 176.156 relief -- please order response;
Resp. to Mot Dmss -8- CR 18-2148 ~ 2149 2JDE

18.) Supplemental Ground Twelve -- the DA imposes on the court the magical thinking that ~~leg~~ legal standards are restricted to the substantive grounds which the legal standard was enunciated; that is absurd political grandstanding; making up an ad hoc rule against "mixing legal standards." Yet, tellingly, the government does not point to any legal authority which offers such a cramped vision of legal standards; nice try though; the District Attorney's victimology doctrines are an invention of the Nevada Advisory Council for Prosecuting Attorneys and the radical gender ideology held by the LGBT "community"; paying jurors and victims to make victim statements which are induced and groomed by brainwashing radicals is not "reasonably expressed" -- she may have an absolute right to lie and disown her own part in a failing relational event -- but ~~that~~ that right does not give the government the absolute right to leverage the undue influence of inducements. She's not on trial; government victim-adulating misconduct is on trial; I seek an order of Discovery for all evidence disclosing operation of this government intrusion on family affairs;

Resp. Mot. Dismiss

9- CR18-2148 ~ 2149 2JPC

Certificate of Service

The foregoing Response and Objections ~~are~~ to
States Petition Motion to Dismiss the
Petition for Writ of Habeas Corpus
in Cs 18-2148 and 18-2149 was
served by U.S. Mail on the Washoe
County District Attorney on Feb. 2
2021 at 1 South Center St Reno NV
89501.

Charles Skaggs
Charles Skaggs

Skaggs
1117243
WNCPCOB 2000
Canson City NV

RECEIVED

LEGAL MAIL
CONFIDENTIAL

Second Judicial District
75 Court St.
Reno NV 89302

3717

[illegible]

1 CODE 3860
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4
56 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
7 IN AND FOR THE COUNTY OF WASHOE
89 Charles Skaggs,
10Plaintiff,
11vs.
12STATE OF NEVADA,
13Defendant.
14Case No. CR18-2148
CR18-2149
Dept. No. 9

15 REQUEST FOR SUBMISSION OF MOTION

16 It is requested that the motion for Discovery per 34.780
1718 _____, which was filed on the 26th day of
19 January, 20 21, in the above-entitled matter be submitted to the Court
20 for decision.21 The undersigned certifies that a copy of this request has been mailed to all
22 counsel of record, Washoe County District Attorney, One So. Sierra Reno NV23 DATED this 1st day of February, 20 21.
24
25
26
27
28Charles Skaggs
Charles Skaggs

Charles Skaggs

(Name)

147743

(I.D. No.)

Northern Nevada Correctional Center
Post Office Box 7000
Carson City, NV 89702

Movant, In Proper Person

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

Charles Skaggs

Plaintiff/Movant

vs.

STATE OF NEVADA

Defendant/Respondent

Case No.: CR-18-2148

Dept. No.: 8

REQUEST FOR SUBMISSION

COMES NOW, Charles Skaggs, in proper person, and respectfully
requests submission of his pleading, to wit: Motion to Withdraw Plea, filed
in this court on January 2021, for adjudication on the merits.

This request is made pursuant to the applicable District Court Rules, and Nevada Rules of Civil
Procedure. Rev NRS 239B.030 No persons personal information is in
this document

Respectfully submitted this 1st day of February, 20 21.

By: Charles Skaggs

Charles Skaggs

CERTIFICATE OF SERVICE BY MAIL

I, Charles Skaggs, certify that on this date I did serve a
 true and correct copy of the foregoing Motion upon respondents, by placing same in the United
 States Postal Service, postage being fully prepaid, and addressed as follows:

Nashoe County District Attorney
One So Sierra St
Reno NV 89501

AND

Dated this 1st day of February, 20 21.

Charles Skaggs
 Petitioner, In Proper Person

Charles Skaggs

Return Of NEF**Recipients**

KRISTA MEIER, ESQ. - Notification received on 2021-02-08 08:35:01.513.

JOANNA ROBERTS, ESQ. - Notification received on 2021-02-08 08:35:01.413.

BIRAY DOGAN, ESQ. - Notification received on 2021-02-08 08:35:01.389.

KEVIN NAUGHTON, ESQ. - Notification received on 2021-02-08 08:35:01.439.

DIV. OF PAROLE & PROBATION - Notification received on 2021-02-08 08:35:01.538.

AMANDA SAGE, ESQ. - Notification received on 2021-02-08 08:35:01.488.

JOHN PETTY, ESQ. - Notification received on 2021-02-08 08:35:01.463.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR18-2148

Judge:

HONORABLE SCOTT N. FREEMAN

Official File Stamp:

02-08-2021:08:31:21

Clerk Accepted:

02-08-2021:08:34:27

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. CHARLES ANTHONY SKAGGS (TN)
(D9)

Document(s) Submitted:

Motion
Response
Request for Submission
Request for Submission
Deputy Clerk KHudson

Filed By:

You may review this filing by clicking on the following link to take you to your cases.

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-

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The following people were served electronically:

AMANDA C. SAGE, ESQ. for STATE OF
NEVADA

KEVIN P. NAUGHTON, ESQ. for STATE OF
NEVADA

KRISTA D. MEIER, ESQ.

DIV. OF PAROLE & PROBATION

BIRAY DOGAN, ESQ. for CHARLES ANTHONY
SKAGGS

JOHN REESE PETTY, ESQ. for CHARLES
ANTHONY SKAGGS

JOANNA L. ROBERTS, ESQ. for CHARLES
ANTHONY SKAGGS

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

CODE No. 2645
CHRISTOPHER J. HICKS
#7747
One South Sierra Street
Reno, Nevada 89501
(775) 328-3200
districtattorney@da.washoecounty.us
Attorney for Respondent

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

* * *

CHARLES SKAGGS,

Petitioner,

Case No. CR18-2148
CR18-2149

vs.

THE STATE OF NEVADA,

Dept. No. 9

Respondent.

_____ /

OPPOSITION TO MOTION FOR APPOINTMENT OF COUNSEL

COMES NOW, the State of Nevada, by and through CHRISTOPHER J. HICKS, District Attorney, and Kevin Naughton, Appellate Deputy, and hereby opposes the Motion for Appointment of Counsel filed by Charles Skaggs (hereinafter, "Petitioner" or "Skaggs") on February 8, 2021.

Memorandum of Points and Authorities

Statement of the Case

Petitioner Charles Skaggs pled guilty and was convicted of Attempted Assault with the Use of a Deadly Weapon in CR18-2148. He was sentenced to 12 to 32 months in prison. See Judgment of Conviction filed April 18, 2019. In CR18-2149, Skaggs pled guilty and was convicted of Possession of a Trafficking Quantity of a Controlled

Substance pursuant to a Judgment of Conviction filed April 18, 2019. He was sentenced to 48 to 120 months imprisonment, to run consecutively to CR18-2148.

On October 22, 2019, the Petitioner filed a post-conviction Petition for Writ of Habeas Corpus (“Petition”) and sought the appointment of counsel. Counsel, Lyn Beggs, Esq., was appointed on April 23, 2020.

On May 8, 2020, the Petitioner filed a Motion to Correct Illegal Sentence and/or Modify Sentence. The State opposed and the Court entered an Order Denying Motion to Correct Illegal Sentence and/or Modify Sentence on July 23, 2020.

Ms. Beggs sought to withdraw as counsel for Skaggs and the Court granted the request in an Order Granting Motion to Withdraw as Counsel on October 26, 2020. Since that time, Skaggs has represented himself in his post-conviction proceedings.

Skaggs filed a Supplemental Petition for Writ of Habeas Corpus (Post-Conviction) (“supplemental Petition”) on January 25, 2021.

On January 21, 2021, Skaggs filed a Motion to Withdraw Plea of Guilt on Charge of Assault With a Deadly Weapon. The State filed an Opposition on February 1, 2021.

On January 25, 2021, the State filed a Motion to Dismiss in Part seeking to dismiss portions of the Petition and Supplemental Petition. Skaggs filed a Response and Objection to Motion to Dismiss on February 8, 2021.

On January 26, 2021, Skaggs filed a Motion to Correct Illegal Sentence and/or Modify Sentence Or In the Alternative, to Correct Clerical Error. The State filed a Response on February 1, 2021.

On January 26, 2021, Skaggs also filed a Motion for Discovery. The State filed an Opposition on February 1, 2021.

On February 8, 2021, Skaggs filed another Motion for Appointment of Counsel.

This Opposition follows.

Argument

Under NRS 34.750(1), the district court has discretion to appoint counsel to represent a petitioner who has filed a postconviction petition for a writ of habeas corpus if (1) the petitioner is indigent and (2) the petition is not summarily dismissed. The statute sets forth a nonexhaustive list of factors that the district court “may consider” in deciding whether to appoint postconviction counsel: the severity of the consequences that the petitioner faces, the difficulty of the issues presented, the petitioner's ability to comprehend the proceedings, and the necessity of counsel to proceed with discovery. We review the district court's decision to deny the appointment of counsel for an abuse of discretion.

Renteria-Novoa v. State, 133 Nev. 75, 76, 391 P.3d 760, 760–61 (2017).

Skaggs seeks the appointment of counsel based upon a boilerplate pleading wherein he alleges that “[t]he issues involved in this matter are very complex, requires investigation and discovery per NRS 34.780,” that the “issues involved in this case will require further investigation that Petitioner cannot complete due to his incarceration, and has no experience in court proceedings in evidentiary hearings,” and that he “has very limited knowledge of the applicable laws and procedure in this matter.” These assertions are very similar to those he made in his first Motion for Appointment of Counsel filed on October 22, 2019.

The State acknowledges that Skaggs can likely satisfy the factors set forth in NRS 34.750(1) for the appointment of counsel. For instance, the State does not contest that Skaggs is indigent and the fact that he is currently serving an aggregate term of 60 to 152 months in prison and that amounts to a significant consequence. However, the factors set forth in NRS 34.750 are not an exhaustive list and the Court is therefore free to consider other factors.

One factor the Court should consider is the fact that Skaggs previously had counsel appointed and later consented to her withdrawal after he disregarded her professional advice by filing fugitive documents on his own. This Court should not allow Skaggs to manipulate the system so that he represents himself when it suits him and has Court-appointed representation when it suits him. Appointing counsel again at this point would mean that Skaggs was effectively able to disregard his Court-appointed counsel's professional advice to file a particular motion on his own while immediately turning around and having new counsel appointed to pick up the thread of Ms. Beggs' representation. This is a dangerous precedent to set and will encourage Skaggs individually, and other inmates generally, to force conflicts with their lawyers anytime they have a disagreement on strategy so that the inmate can file his or her own motion in the interim period between appointments. This sort of gamesmanship should not be allowed and should not be rewarded.

Skaggs has shown himself adept at filing various motions in his own behalf, filing his own Petition and Supplemental Petition, and even requesting discovery (albeit prematurely). He clearly has some understanding of the legal system and the principles at issue in his post-conviction proceedings. Skaggs made the strategic decision to represent himself going forward by filing his own motion and consenting to Ms. Beggs' withdrawal from his cases.

Conclusion

The factors set forth in NRS 34.750(1) are not an exhaustive list of factors to be considered in appointing counsel in post-conviction habeas proceedings. Skaggs previously had counsel appointed and forced her to withdraw before filing a series of documents on his own. Skaggs should not be allowed to manipulate the system to have

counsel when it is convenient and be self-represented when it is convenient. The State therefore respectfully requests that the Court deny Skaggs' second request for the appointment of counsel.

AFFIRMATION PURSUANT TO NRS 239B.030

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

DATED: February 12, 2021.

CHRISTOPHER J. HICKS
District Attorney

By /s/ Kevin Naughton
KEVIN NAUGHTON
Appellate Deputy

CERTIFICATE OF MAILING

Pursuant to NRCP 5(b), I hereby certify that I am an employee of the Washoe County District Attorney's Office and that, on February 12, 2021, I deposited for mailing through the U.S. Mail Service at Reno, Washoe County, Nevada, postage prepaid, a true copy of the foregoing document, addressed to:

Charles Skaggs #1117743
Northern Nevada Correctional Center
P.O. Box 7000
Carson City, NV 89702

/s/ Tatyana Kazantseva
TATYANA KAZANTSEVA

CODE No. 3860
CHRISTOPHER J. HICKS
#7747
One South Sierra Street
Reno, Nevada 89501
(775) 328-3200
districtattorney@da.washoecounty.us
Attorney for Respondent

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,

IN AND FOR THE COUNTY OF WASHOE

* * *

CHARLES SKAGGS,

Petitioner,

Case No. CR18-2148

vs.

CR18-2149

THE STATE OF NEVADA,

Dept. No. 9

Respondent.

_____ /

REQUEST FOR SUBMISSION

It is requested that the Motion Dismiss In Part, filed on January 25, 2021, be submitted to the Court for decision.

AFFIRMATION PURSUANT TO NRS 239B.030

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

DATED: February 12, 2021.

CHRISTOPHER J. HICKS
District Attorney

By /s/ Kevin Naughton
KEVIN NAUGHTON
Appellate Deputy

CERTIFICATE OF MAILING

Pursuant to NRCP 5(b), I hereby certify that I am an employee of the Washoe County District Attorney's Office and that, on February 12, 2021, I deposited for mailing through the U.S. Mail Service at Reno, Washoe County, Nevada, postage prepaid, a true copy of the foregoing document, addressed to:

Charles Skaggs #1117743
Northern Nevada Correctional Center
P.O. Box 7000
Carson City, NV 89702

/s/ Tatyana Kazantseva
TATYANA KAZANTSEVA

Return Of NEF**Recipients**

KRISTA MEIER, ESQ. - Notification received on 2021-02-12 14:20:03.075.

JOANNA ROBERTS, ESQ. - Notification received on 2021-02-12 14:20:02.953.

BIRAY DOGAN, ESQ. - Notification received on 2021-02-12 14:20:02.891.

KEVIN NAUGHTON, ESQ. - Notification received on 2021-02-12 14:20:02.988.

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AMANDA SAGE, ESQ. - Notification received on 2021-02-12 14:20:03.046.

JOHN PETTY, ESQ. - Notification received on 2021-02-12 14:20:03.017.

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A filing has been submitted to the court RE: CR18-2148

Judge:

HONORABLE SCOTT N. FREEMAN

Official File Stamp:

02-12-2021:14:14:44

Clerk Accepted:

02-12-2021:14:19:35

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. CHARLES ANTHONY SKAGGS (TN)
(D9)

Document(s) Submitted:

Opposition to Mtn
Request for Submission

Filed By:

Kevin Naughton

You may review this filing by clicking on the following link to take you to your cases.

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KRISTA D. MEIER, ESQ.

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NEVADA

DIV. OF PAROLE & PROBATION

JOANNA L. ROBERTS, ESQ. for CHARLES
ANTHONY SKAGGS

BIRAY DOGAN, ESQ. for CHARLES ANTHONY
SKAGGS

JOHN REESE PETTY, ESQ. for CHARLES
ANTHONY SKAGGS

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

Charles Skaggs
Nvee PO Box 7000
Carson City NV 89402
Per NRS 239B.1030 No Persons
Info in this pleading

SECOND JUDICIAL DISTRICT COURT
County of Washoe

STATE OF NEVADA

Plaintiff

Case No. CR18-2148

vs

Rept No. 9

Charles Skaggs
Defendant

REPLY TO STATE OPPOSITION TO MOTION
TO WITHDRAW PLEA TO FALSE CHARGE

Now comes defendant Skaggs to reply, based on
following memo.

Memorandum

- 1.) Harris v. State is cited to nullify the motion to withdraw plea as ^{improperly} incident to habeas proceeding
- 2.) he did not specifically request in his habeas, his desire to go to trial on the charge in question and out of abundance of caution does so by motion;
- 3.) there is no statutory or judicial & procedural rule cited ^{out of} ~~for~~ Harris v. State that would support state's claim that it is prohibited to file motions "incident" to habeas proceedings; this court judge has discretion to manage his own house, not the adjunct prosecutor for the executive branch. Please okay until discovery done.

Respectfully,

Charles Skaggs

Charles Skaggs

CERTIFICATE OF SERVICE

I, Charles Skaggs certify that on this date I did serve a true and correct copy of the foregoing pleading upon all interested parties by placing in the United States Postal Service, postage being fully pre-paid and addressed as follows:

Washoe County District Attorneys
One South Sierra
Reno NV 89501

&

AFFIRMATION PURSUANT TO NRS 239B.030

** The foregoing document DOES NOT contain the Social Security Number(s) of any person.

2/8/21
(Date)

Charles Skaggs
(Signature)
Charles Skaggs

Return Of NEF**Recipients**

KRISTA MEIER, ESQ. - Notification received on 2021-02-16 10:03:30.958.

JOANNA ROBERTS, ESQ. - Notification received on 2021-02-16 10:03:30.86.

BIRAY DOGAN, ESQ. - Notification received on 2021-02-16 10:03:30.671.

KEVIN NAUGHTON, ESQ. - Notification received on 2021-02-16 10:03:30.886.

DIV. OF PAROLE & PROBATION - Notification received on 2021-02-16 10:03:30.981.

AMANDA SAGE, ESQ. - Notification received on 2021-02-16 10:03:30.933.

JOHN PETTY, ESQ. - Notification received on 2021-02-16 10:03:30.91.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
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-

A filing has been submitted to the court RE: CR18-2148

Judge:

HONORABLE SCOTT N. FREEMAN

Official File Stamp:

02-16-2021:10:01:13

Clerk Accepted:

02-16-2021:10:02:59

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. CHARLES ANTHONY SKAGGS (TN)
(D9)

Document(s) Submitted:

Reply to/in Opposition

Filed By:

Deputy Clerk KHudson

You may review this filing by clicking on the following link to take you to your cases.

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The following people were served electronically:

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NEVADA

KRISTA D. MEIER, ESQ.

JOHN REESE PETTY, ESQ. for CHARLES
ANTHONY SKAGGS

KEVIN P. NAUGHTON, ESQ. for STATE OF
NEVADA

JOANNA L. ROBERTS, ESQ. for CHARLES
ANTHONY SKAGGS

DIV. OF PAROLE & PROBATION

BIRAY DOGAN, ESQ. for CHARLES ANTHONY
SKAGGS

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

Charles Skaggs 1117743
 NICE PO Box 7000
 Carson City NV 89202

FILED
 Electronically
 CR18-2148
 2021-02-16 01:23:57 PM
 Jacqueline Bryant
 Clerk of the Court
 Transaction # 8296444 : khudson

SECOND JUDICIAL DISTRICT COURT

County of Washoe

Charles Skaggs

Petitioner

Case No. CR 18-2148

CR 18-2149

STATE OF NEVADA

Dept No. 9

Respondent

Reply to Opposition for Discovery

Now comes petitioner to reply to States Opposition to petitioners request for Discovery, which is made in advance as an exercise abundant caution to preserve his statutory right to discovery 34.780.

This is based on following Memorandum.

Memorandum

1. The State complains the Motion is premature, yet they have conceded in its partial motion that a hearing is in order;
2. the court is requested to grant the motion with the understanding that any discovery cannot be propounded until it (the court) issues a scheduling order to allow sufficient period of initial requests, responses and meaningful follow-up.
3. in the alternative the court can simply obey the request and make a determination at the time of its determination regarding an evidentiary hearing.

PER NRS 239B.030

NO PERSON'S SS# IS IN THIS PLEADING.

This has been served by US Mail on the Washoe Co. Dist. Attorney at One So Sierra St, Reno NV 89501 on Feb 4 2021.

Charles Skaggs

Charles Skaggs

SECOND JUDICIAL DISTRICT COURT
COUNTY OF WASHOE, STATE OF NEVADA

AFFIRMATION
Pursuant to NRS 239B.030 and 603A.040

The undersigned does hereby affirm that the preceding document, _____

Reply to opposition for Discovery
(Title of Document)

filed in case number: _____

☒

Document does not contain the personal information of any person

- OR -

☐

Document contains the social security number of a person as required by:

☐

A specific state or federal law, to wit:

(State specific state or federal law)

- or -

☐

For the administration of a public program

- or -

☐

For an application for a federal or state grant

- or -

☐

Confidential Family Court Information Sheet
(NRS 123.130, NRS 125.230, and NRS 125B.055)

Date: 2/10/21

Charles Skaggs
(Signature)

Charles Skaggs
(Print Name)

(Attorney for)

Charles Skaggs M7743
NVEC PO Box 2000
Carson City NV 89702

FILED
Electronically
CR18-2148
2021-02-16 01:23:57 PM
Jacqueline Bryant
Clerk of the Court
Transaction # 8296444 : khudson

SECOND JUDICIAL DISTRICT COURT
County of Washoe

STATE OF NEVADA
Plaintiff

Case No CR18-2148

Dept. No. 9

vs

Charles Skaggs
Defendant

Reply to Response of State
to Motion to Correct
Illegal Sentence

Now comes defendant Skaggs to reply to
State's Response, based on following points and
authorities and declaration

Memorandum

- 1) As explained in detail on attached declaration
when the defendant arrived at NDOC Facility
Intake Center, the administrators who received
him were faced with a misdemeanor charge;
- 2) the warden at the time Isidro Baca obviously
had no authority to incarcerate misdemeanants,
only felons;
- 3) rather than transport the petitioner back to
the county of confinement to fix the JOC
or some such action as might be advised
by the attorney's for the NDOC, the Attorney
General, the warden let the problem lie un-

3.) (cont.)

Fixed; and rather than seek the legal correction by proper authority, Baca directly or indirectly allowed, permitted, or mandated that a false record be create that said "Assault on a police officer w/ the use of ~~the~~ a deadly weapon."

4.) this egregious falsification is ultimately laid to the blame of the Board of Prison Commissioner who have allowed NDOC to go unsupervised; as required by the Constitution of Nevada such errors are to be avoided by the Board's close scrutiny of such events, the Board's policy of laissez faire is at fault;

5.) the collateral damages include the effect of the "Assault on police officer" on the parole board; the seriousness of the fabricated conviction created by NDOC led to denial of parole;

Wherefore, the judge is requested to order more than a correction of the DOC; he is asked to:

- expunge ~~the~~^{or} quash the original complaint and order the DA to issue now in 30 days
- vacate the judgment of conviction and sentence
- order DA to draw up stipulation to change APS/PP records
- Order a hearing on defendant's motion to withdraw pleas

Reply to Response Corr. Sent- 2- CR 18 2148

- Make all orders to NDOC and DPS/PP to insure such blatant fabrications of the records do not happen again.

Respectfully submitted.

Per NRS 239B.030 NO PERSONS PERSONAL INFO IS IN THIS PLEADING

Date: 2/3/21

Charles Skaggs

Charles Skaggs

Certificate of Service

The foregoing Reply to Response to Motion to Correct has been served on the Washoe Co. Dist. Attorney by US Mail on the 4th day of Feb. 2021 at One So. Sierra, Reno NV 89501

Charles Skaggs

Charles Skaggs

Reply to Response

-3- CR18-2118

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EXHIBIT INDEX

No. of Pages

EXHIBIT 1 Declaration

2 pages

EXHIBIT INDEX

EXHIBIT 1

EXHIBIT 1

DECLARATION OF CHARLES SKAGG'S RE:

In support of Motion to Correct Complaint and IOC

STATE OF NEVADA, ss

City of Carson)

now comes affiant to aver:

1. He is over 18 and competent to testify;
2. he writes this testimony in support of relief of the illegal conduct of the State of Nevada in Case No. CR18-2148;
3. Attached here is a true copy of the Board of Parole Commissioners Parole Risk Assessment and Guideline and Order Denying Parole;
4. On both documents appears the charge fabricated by the Parole Commissioners, the Nevada Dept. of Corrections intake caseworkers and director of NDOC and Board of Prison Commissioners by way of defective policy of laissez-faire non-supervision allegeded in this motion to which this is in support of, to wit: ASSAULT ON POLICE OFFICE W/ UDW

5. based on belief and information this false record affected the negative outcome of denial because it was used to increase offence severity, Total Risk Score, Guideline Risk, and Guideline Recommendation

6. the petitioner has reason to believe this false information will be used by the STATE police powers against him and prejudice his future health and safety in interactions with law enforcement on routine matters.

The affiant signs this under penalty of perjury NRS 208.165 to be true on this 4th day of February 2021

Charles Skaggs
Charles Skaggs

10/23

R

STATE OF NEVADA
CERTIFICATION OF
BOARD OF PAROLE COMMISSIONERS ACTION
10/23
PAROLE RISK ASSESSMENT & GUIDELINE

SKAGGS, CHARLES ANTHONY	1117743	2019-095746	NNCC-U10-A-6-H	10/23/2019
INMATE NAME	NDOC#	BOOKING#	LOCATION	DATE

Parole Risk Assessment:

Questions	Responses / Scores
1. Age at 1st Arrest	(2) 19 years or younger: 2
2. Prior Revocations	(2) One or more (including gross misdemeanors): 2
3. Employment History	(1) Less than one year F/T employment: 1
4. Property Conviction	(2) Any property offense, robbery, forgery, etc.: 2
5. Drug/Alcohol Use/Abuse	(2) Frequent abuse, serious disruption of functioning: 2
6. Gender	(0) Male: 0
7. Prior Felonies	(2) 2 or more prior felony convictions: 2
Static Risk Score	11
8. Current Age	(0) 33 - 39 years of age: 0
9. Gang Membership	(0) No (none or suspect): 0
10. Programming (current term)	(0) No: 0
11. Disciplinary Conduct	(0) No Offenses in Custody: 0
12. Approved Custody Level	(0) CT, Minimum or Medium Custody: 0
Dynamic Risk Score	0
Total Score (Static+Dynamic)	11

Offense (used to determine crime severity for risk assessment)	Offense Category	Offense Severity
ASSAULT POLICE OFFICER W/UDW	CAT_C	High

Total Risk Score:	Guideline Risk	Guideline Recommendation
11	Mod Risk	Consider Factors

The Board determined the following Aggravating Factors are applicable in your case:

Impact on victim(s) and/or community.

Prior Prison term did not deter future criminal activity.

Commission of a crime while incarcerated, on bail, eluding, on escape status, or while under parole or probation supervision.

Repetitive Similar Criminal Conduct.

Significant prior criminal history.

Prior violent conviction or delinquency adjudication.

The Board determined the following Mitigating Factors are applicable in your case:

Pending Consecutive Sentence

Prior successful completion of parole or probation supervision other than summary or court-based supervision.

The Board determined the following Other Factors are applicable in your case:

No Factors

This document was prepared by JMEADOR at 11/5/2019 2:21 AM

12/23

**STATE OF NEVADA
CERTIFICATION OF
BOARD OF PAROLE COMMISSIONERS ACTION
ORDER DENYING PAROLE**

SKAGGS, CHARLES ANTHONY	1117743	2019-096746	NNCC-U10-A-6-H	10/23/2019
Inmate Name	NDOC Number	Booking #	Location	Date

It is the Order of the Board that further consideration of parole is **denied** to sentence discharge.

THIS ACTION APPLIES TO THE FOLLOWING SENTENCE(S):

Controlling sentence denoted by *, Case #: Count: Offense Description:
CR18-2148;1;ASSAULT POLICE OFFICER W/UDW

Reason(s) for action:

Denial Reason: Prior prison term did not deter future criminal activity.
Denial Reason: Prior conviction for a violent offense.
Denial Reason: Impact on victim(s) and/or community.
Denial Reason: Significant prior criminal history.
Denial Reason: Repetitive criminal conduct.

Recommendation of the panel who conducted the hearing: Deny Parole

Commissioner Susan Jackson; Deny Parole
Hearing Representative Robin Bates; Deny Parole

The final action was ratified by the following Members of the Board of Parole Commissioners:

Commissioner Susan Jackson; Deny Parole
Commissioner Tony Corda; Deny Parole
Commissioner Michael Keeler; Deny Parole
Commissioner Minerva De La Torre; Deny Parole



FOR THE NEVADA BOARD OF PAROLE COMMISSIONERS

This document was prepared by JMEADOR at 11/5/2019 2:21AM

Charles Skaggs III 7743
11111 PO Box 7000
Carson City NV 89702

Re: case No. CR 18 2148

Dear Clerk of 2d JDC

Please find enclosed

- Reply to Response of State to Motion to Correct Illegal Sentence
- Reply to Opposition ~~for~~ to Motion for Discovery

Send me a file stamped, confirmed copy and an updated Docket Sheet

Charles Skaggs

SECOND JUDICIAL DISTRICT COURT
COUNTY OF WASHOE, STATE OF NEVADA

AFFIRMATION
Pursuant to NRS 239B.030 and 603A.040

The undersigned does hereby affirm that the preceding document, _____

Declaration of Charles Skaggs

(Title of Document)

filed in case number: _____

☒

Document does not contain the personal information of any person

- OR -

☐

Document contains the social security number of a person as required by:

☐

A specific state or federal law, to wit:

(State specific state or federal law)

- or -

☐

For the administration of a public program

- or -

☐

For an application for a federal or state grant

- or -

☐

Confidential Family Court Information Sheet
(NRS 123.130, NRS 125.230, and NRS 125B.055)

Date: 2/10/21

Charles Skaggs
(Signature)

Charles Skaggs
(Print Name)

(Attorney for)

Return Of NEF**Recipients**

KRISTA MEIER, ESQ. - Notification received on 2021-02-16 13:25:54.174.

JOANNA ROBERTS, ESQ. - Notification received on 2021-02-16 13:25:54.081.

BIRAY DOGAN, ESQ. - Notification received on 2021-02-16 13:25:54.057.

KEVIN NAUGHTON, ESQ. - Notification received on 2021-02-16 13:25:54.104.

DIV. OF PAROLE & PROBATION - Notification received on 2021-02-16 13:25:54.198.

AMANDA SAGE, ESQ. - Notification received on 2021-02-16 13:25:54.151.

JOHN PETTY, ESQ. - Notification received on 2021-02-16 13:25:54.128.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR18-2148

Judge:

HONORABLE SCOTT N. FREEMAN

Official File Stamp:

02-16-2021:13:23:57

Clerk Accepted:

02-16-2021:13:25:23

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. CHARLES ANTHONY SKAGGS (TN)
(D9)

Document(s) Submitted:

Reply to/in Opposition

Reply

- **Continuation

Filed By:

Deputy Clerk KHudson

You may review this filing by clicking on the following link to take you to your cases.

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-

If service is not required for this document (e.g., Minutes), please disregard the below language.

The following people were served electronically:

AMANDA C. SAGE, ESQ. for STATE OF
NEVADA

KRISTA D. MEIER, ESQ.

JOHN REESE PETTY, ESQ. for CHARLES
ANTHONY SKAGGS

KEVIN P. NAUGHTON, ESQ. for STATE OF
NEVADA

JOANNA L. ROBERTS, ESQ. for CHARLES
ANTHONY SKAGGS

DIV. OF PAROLE & PROBATION

BIRAY DOGAN, ESQ. for CHARLES ANTHONY
SKAGGS

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

CODE No. 3860
CHRISTOPHER J. HICKS
#7747
One South Sierra Street
Reno, Nevada 89501
(775) 328-3200
districtattorney@da.washoecounty.us
Attorney for Respondent

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,

IN AND FOR THE COUNTY OF WASHOE

* * *

CHARLES SKAGGS,

Petitioner,

Case No. CR18-2148

vs.

CR18-2149

THE STATE OF NEVADA,

Dept. No. 9

Respondent.

_____ /

REQUEST FOR SUBMISSION

It is requested that the Motion for Discovery, filed on January 26, 2021, be submitted to the Court for decision.

AFFIRMATION PURSUANT TO NRS 239B.030

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

DATED: February 19, 2021.

CHRISTOPHER J. HICKS
District Attorney

By /s/ Kevin Naughton
KEVIN NAUGHTON
Appellate Deputy

CERTIFICATE OF MAILING

Pursuant to NRCP 5(b), I hereby certify that I am an employee of the Washoe County District Attorney's Office and that, on February 19, 2021, I deposited for mailing through the U.S. Mail Service at Reno, Washoe County, Nevada, postage prepaid, a true copy of the foregoing document, addressed to:

Charles Skaggs #1117743
Northern Nevada Correctional Center
P.O. Box 7000
Carson City, NV 89702

/s/ Tatyana Kazantseva
TATYANA KAZANTSEVA

CODE No. 3860
CHRISTOPHER J. HICKS
#7747
One South Sierra Street
Reno, Nevada 89501
(775) 328-3200
districtattorney@da.washoecounty.us
Attorney for Respondent

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,

IN AND FOR THE COUNTY OF WASHOE

* * *

CHARLES SKAGGS,

Petitioner,

Case No. CR18-2148

vs.

THE STATE OF NEVADA,

Dept. No. 9

Respondent.

_____ /

REQUEST FOR SUBMISSION

It is requested that the Motion to Correct Illegal Sentence and/or Modify Sentence, filed on January 26, 2021, be submitted to the Court for decision.

AFFIRMATION PURSUANT TO NRS 239B.030

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

DATED: February 19, 2021.

CHRISTOPHER J. HICKS
District Attorney

By /s/ Kevin Naughton
KEVIN NAUGHTON
Appellate Deputy

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Charles Skaggs #1117743
Northern Nevada Correctional Center
P.O. Box 7000
Carson City, NV 89702

/s/ Tatyana Kazantseva
TATYANA KAZANTSEVA

Return Of NEF**Recipients**

KRISTA MEIER, ESQ. - Notification received on 2021-02-19 15:15:00.577.

JOANNA ROBERTS, ESQ. - Notification received on 2021-02-19 15:14:59.235.

BIRAY DOGAN, ESQ. - Notification received on 2021-02-19 15:14:58.975.

KEVIN NAUGHTON, ESQ. - Notification received on 2021-02-19 15:14:59.264.

DIV. OF PAROLE & PROBATION - Notification received on 2021-02-19 15:15:00.605.

AMANDA SAGE, ESQ. - Notification received on 2021-02-19 15:15:00.138.

JOHN PETTY, ESQ. - Notification received on 2021-02-19 15:14:59.804.

******* IMPORTANT NOTICE - READ THIS INFORMATION *******
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR18-2148

Judge:

HONORABLE SCOTT N. FREEMAN

Official File Stamp:

02-19-2021:15:10:01

Clerk Accepted:

02-19-2021:15:13:54

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. CHARLES ANTHONY SKAGGS (TN)
(D9)

Document(s) Submitted:

Request for Submission
Request for Submission

Filed By:

Kevin Naughton

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The following people were served electronically:

AMANDA C. SAGE, ESQ. for STATE OF
NEVADA

KRISTA D. MEIER, ESQ.

JOHN REESE PETTY, ESQ. for CHARLES
ANTHONY SKAGGS

KEVIN P. NAUGHTON, ESQ. for STATE OF
NEVADA

JOANNA L. ROBERTS, ESQ. for CHARLES
ANTHONY SKAGGS

DIV. OF PAROLE & PROBATION

BIRAY DOGAN, ESQ. for CHARLES ANTHONY
SKAGGS

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

Charles Skaggs III 7743
NVCC PO Box 2000
Carson City NV 89102

SECOND JUDICIAL DISTRICT COURT
County of Washoe

Charles Skaggs
Petitioner

Case No. CR-18-2148

v.

CR 18-2149

STATE OF NEVADA

Respondent

Repts No. 9

Reply to State's Opposition to Plaintiff's
Motion for Appointment of Counsel

Now comes petitioner Skaggs to Reply to
state prosecutors opposition to appt. of
counsel to the petitioner; this is based
on following Memorandum.

Memo

1. The prosecutor has asked the court to deny
appointment of counsel despite their admission
he would otherwise qualify for counsel at page 3
line 19. Prosecutor argues the "factors set
forth in NRS 34.250 are not an exhaustive
list, then sets out one single factor which
should cause the judges denial of counsel.
I. Effective Ability To Disregard Legal Advice
2. Prosecutor states that counsel should
be denied because prior counsel withdrew

2. (cont.)

"after he [petitioner] disregarded her professional advice by filing fugitive document on his own."

3. This spin-doctored account should be cause for the court to strike this scandalous pleading for two reasons

A. First, the U.S. Const. 6th Amendment requires "effective assistance" of counsel, not "professional advice" which is effective assistance to the prosecutor and police power of the State; the defendant and petitioner has the right to make the major strategic decisions of strategy in this case -- the choice of tactics -- like what dress to wear -- is that of counsel. Nevada's standard has become a barbaric, subtle form of a totalitarian state where the trial and post-conviction counsel are required to put the interest of their own pocket-book, their own reputation and the whims of the government before the decisions of their clients;

B. The Local Rules allow so-called "fugitive pleadings" when the person with counsel requests leave to file papers; ;

Reply to Opp App Court 2-18-2148, 2149

3. B, (cont)

2d IDC Local Rule 23 (1) states

"When a party has appeared by counsel, that individual cannot thereafter appear on his/her own behalf in the case WITHOUT CONSENT OF THE COURT."

The prosecutor deliberately and with malice misleads the court by omission - it fails to recognize that the petitioner, (faced with a conflicted and cowardly friend of the gunslinging prosecutor) politely asked the court's LEAVE to file his motions. Clearly dependant on the executive branch to tell it (the court) how to act, the court overlooked the fact leave was requested, and there was nothing fugitive about the action, and in doing so violated the petitioner's right to access to the courts by SCR Rule 44 and a US. Constitutional principle of self defense derived from the First, Fourth Sixth and Fourteenth Amendment. Rhynes v State is bad law, ~~in~~ insofar as it is interpreted to mean the defense lawyers in this state have absolute autocratic say in a man's case.

II Request For Discovery Triggers Need For Counsel With Instructions

- 4.) The petitioner filed for Motion for Discovery per NRS 34.780 on 01/26/21 and is ripe for determination; the petitioner did so out of an abundance of caution based on his experience with the abysmal, obsequious code of "professional" defense conduct in Washoe County, at least among the ranks of government-shackled "public" defenders, and "conflict" attorneys;
- 5.) The petitioner needs a lawyer who is not conflicted by being on the payroll at the District Attorney and terrified by the threat of being black-balled by the government from picking up indigent defense cases; if the court can assign counsel, it must be with understanding to perform aggressive investigation, and so instructed by order of this court. Respectfully submitted
- Per NRS 239B.030 NO PERSON'S SOCIAL SECURITY NUMBER IS IN THIS DOCUMENT.

2/17/21

Charles Stegge
Charles Stegge

CERTIFICATE OF SERVICE

I, Charles Skaggs certify that on this date I did serve a true and correct copy of the foregoing Motion upon Respondent(s), via U.S. Mail, by placing same in the United States Postal Service (Prison Mail System), postage being fully prepaid, and addressed to:

D.A.One South Sierra StreetReno, NV89501

AND


Dated this 17 day of February, 2021.

By: 

Movant, In Proper Person

AFFIRMATION PURSUANT TO NRS 239B.030

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

2/17/21
(Date)
(Signature)

Return Of NEF**Recipients**

KRISTA MEIER, ESQ. - Notification received on 2021-02-22 15:29:53.996.

JOANNA ROBERTS, ESQ. - Notification received on 2021-02-22 15:29:53.86.

BIRAY DOGAN, ESQ. - Notification received on 2021-02-22 15:29:53.833.

KEVIN NAUGHTON, ESQ. - Notification received on 2021-02-22 15:29:53.887.

DIV. OF PAROLE & PROBATION - Notification received on 2021-02-22 15:29:54.02.

AMANDA SAGE, ESQ. - Notification received on 2021-02-22 15:29:53.971.

JOHN PETTY, ESQ. - Notification received on 2021-02-22 15:29:53.92.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****

PROOF OF SERVICE OF ELECTRONIC FILING

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A filing has been submitted to the court RE: CR18-2148

Judge:

HONORABLE SCOTT N. FREEMAN

Official File Stamp:

02-22-2021:15:27:41

Clerk Accepted:

02-22-2021:15:29:22

Court:

Second Judicial District Court - State of Nevada

Criminal

Case Title:

STATE VS. CHARLES ANTHONY SKAGGS (TN)
(D9)

Document(s) Submitted:

Reply to/in Opposition

Filed By:

Deputy Clerk KHudson

You may review this filing by clicking on the following link to take you to your cases.

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The following people were served electronically:

KRISTA D. MEIER, ESQ.

DIV. OF PAROLE & PROBATION

JOANNA L. ROBERTS, ESQ. for CHARLES
ANTHONY SKAGGS

AMANDA C. SAGE, ESQ. for STATE OF
NEVADA

BIRAY DOGAN, ESQ. for CHARLES ANTHONY
SKAGGS

JOHN REESE PETTY, ESQ. for CHARLES
ANTHONY SKAGGS

KEVIN P. NAUGHTON, ESQ. for STATE OF
NEVADA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

CODE No. 3860
CHRISTOPHER J. HICKS
#7747
One South Sierra Street
Reno, Nevada 89501
(775) 328-3200
districtattorney@da.washoecounty.us
Attorney for Respondent

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,

IN AND FOR THE COUNTY OF WASHOE

* * *

CHARLES SKAGGS,

Petitioner,

Case No. CR18-2148

vs.

CR18-2149

THE STATE OF NEVADA,

Dept. No. 9

Respondent.

_____ /

REQUEST FOR SUBMISSION

It is requested that the Motion for Appointment of Counsel, filed on February 8, 2021,
be submitted to the Court for decision.

AFFIRMATION PURSUANT TO NRS 239B.030

The undersigned does hereby affirm that the preceding document does not contain the
social security number of any person.

DATED: February 26, 2021.

CHRISTOPHER J. HICKS
District Attorney

By /s/ Kevin Naughton
KEVIN NAUGHTON
Appellate Deputy

CERTIFICATE OF MAILING

Pursuant to NRCP 5(b), I hereby certify that I am an employee of the Washoe County District Attorney's Office and that, on February 26, 2021, I deposited for mailing through the U.S. Mail Service at Reno, Washoe County, Nevada, postage prepaid, a true copy of the foregoing document, addressed to:

Charles Skaggs #1117743
Northern Nevada Correctional Center
P.O. Box 7000
Carson City, NV 89702

/s/ Tatyana Kazantseva
TATYANA KAZANTSEVA

Return Of NEF**Recipients**

KRISTA MEIER, ESQ. - Notification received on 2021-02-26 15:09:17.19.

JOANNA ROBERTS, ESQ. - Notification received on 2021-02-26 15:09:17.089.

BIRAY DOGAN, ESQ. - Notification received on 2021-02-26 15:09:17.063.

KEVIN NAUGHTON, ESQ. - Notification received on 2021-02-26 15:09:17.115.

DIV. OF PAROLE & PROBATION - Notification received on 2021-02-26 15:09:17.214.

AMANDA SAGE, ESQ. - Notification received on 2021-02-26 15:09:17.166.

JOHN PETTY, ESQ. - Notification received on 2021-02-26 15:09:17.141.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR18-2148

Judge:

HONORABLE SCOTT N. FREEMAN

Official File Stamp:

02-26-2021:15:05:13

Clerk Accepted:

02-26-2021:15:08:45

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. CHARLES ANTHONY SKAGGS (TN)
(D9)

Document(s) Submitted:

Request for Submission

Filed By:

Kevin Naughton

You may review this filing by clicking on the following link to take you to your cases.

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The following people were served electronically:

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DIV. OF PAROLE & PROBATION

JOANNA L. ROBERTS, ESQ. for CHARLES
ANTHONY SKAGGS

AMANDA C. SAGE, ESQ. for STATE OF
NEVADA

BIRAY DOGAN, ESQ. for CHARLES ANTHONY
SKAGGS

JOHN REESE PETTY, ESQ. for CHARLES
ANTHONY SKAGGS

KEVIN P. NAUGHTON, ESQ. for STATE OF
NEVADA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

1 Code: 3370
2
3
4

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

8 CHARLES SKAGGS,

9 Petitioner,

10 v.

11 THE STATE OF NEVADA,

12 Respondent.
13
14

Case No.: CR18-2148
CR18-2149

Dept. No.: 9

15 **ORDER DENYING MOTION FOR DISCOVERY**

16 The Court is in receipt of Petitioner CHARLES SKAGGS' (hereafter "Skaggs") *Motion for*
17 *Discovery* filed January 26, 2021. Respondent THE STATE OF NEVADA filed its *Opposition to*
18 *Motion for Discovery* on February 1, 2021. On February 16, 2021 Skaggs filed his *Reply to*
19 *Opposition for Discovery*. This matter was thereafter submitted to this Court for its consideration.

20 Upon review of the record, it appears Skaggs is seeking an order from this Court which
21 would authorize him to obtain "all work product from the Washoe County Public Defender's
22 Office, all phone logs, emails and other communications between the Washoe County Public
23 Defender's Office and District Attorney, an electric copy on CD of the body cams of all officers
24 interacting with any and all witnesses, any and all investigative notes and communications with the
25 investigating police agencies in this case, and all exculpatory evidence or information in possession
26 of the police or prosecutor." *Opp'n.* p. 1:21-24 and 2:1-3. *See also*, motion for discovery. Skaggs
27 further seeks "to lodge 25 interrogatories to the Washoe County Public Defender's Office, the
28 Washoe County District Attorney's Office and the Chief of Police as well as 20 admissions from
the same entities." *Id.* p. 2:3-7. *See also*, motion for discovery.

1 Pursuant to NRS 34.780(2), after a writ has been granted and a date set for the hearing, “a
2 party may invoke any method of discovery available under the Nevada Rules of Civil Procedure if,
3 and to the extent that, the judge or justice for good cause shown grants leave to do so.”

4 A review of the record reveals Skaggs’ petition has not been granted nor has a date been set
5 for hearing at this time. As such, Skaggs motion is premature and therefore, Skaggs is not entitled
6 to discovery at this time.

7 THEREFORE, and good cause appearing, IT IS HEREBY ORDERED CHARLES
8 SKAGGS’ *Motion for Discovery* is DENIED.

9 IT IS SO ORDERED.

10 DATED this 1st day of April, 2021.

11 
12 _____
13 DISTRICT JUDGE
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CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of the Second Judicial District Court of the State of Nevada, County of Washoe; that on this 1st of April, 2021, I deposited for mailing with the United States Postal Service in Reno, Nevada, a true copy of the attached document addressed to:

Charles Skaggs, #1117743

NNCC

Post Office Box 7000

Carson City, NV 89702

Further, I certify that on the 1st day of April, 2021, I electronically filed the foregoing with the Clerk of the Court electronic filing system, which will send notice of electronic filing to the following:

KRISTA MEIER, ESQ.

AMANDA SAGE, ESQ. for STATE OF NEVADA

DIV. OF PAROLE & PROBATION

KEVIN NAUGHTON, ESQ. for STATE OF NEVADA

JOHN PETTY, ESQ. for CHARLES ANTHONY SKAGGS

JOANNA ROBERTS, ESQ. for CHARLES ANTHONY SKAGGS

BIRAY DOGAN, ESQ. for CHARLES ANTHONY SKAGGS



Judicial Assistant

Return Of NEF**Recipients**

KRISTA MEIER, ESQ. - Notification received on 2021-04-01 12:50:48.736.

JOANNA ROBERTS, ESQ. - Notification received on 2021-04-01 12:50:48.624.

BIRAY DOGAN, ESQ. - Notification received on 2021-04-01 12:50:48.6.

KEVIN NAUGHTON, ESQ. - Notification received on 2021-04-01 12:50:48.649.

DIV. OF PAROLE & PROBATION - Notification received on 2021-04-01 12:50:48.767.

AMANDA SAGE, ESQ. - Notification received on 2021-04-01 12:50:48.703.

JOHN PETTY, ESQ. - Notification received on 2021-04-01 12:50:48.672.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
PROOF OF SERVICE OF ELECTRONIC FILING

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A filing has been submitted to the court RE: CR18-2148

Judge:

HONORABLE SCOTT N. FREEMAN

Official File Stamp:

04-01-2021:12:49:42

Clerk Accepted:

04-01-2021:12:50:16

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. CHARLES ANTHONY SKAGGS (TN)
(D9)

Document(s) Submitted:

Ord Denying Motion

Filed By:

Judicial Asst. BWard

You may review this filing by clicking on the following link to take you to your cases.

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AMANDA C. SAGE, ESQ. for STATE OF
NEVADA

DIV. OF PAROLE & PROBATION

KEVIN P. NAUGHTON, ESQ. for STATE OF
NEVADA

JOHN REESE PETTY, ESQ. for CHARLES
ANTHONY SKAGGS

JOANNA L. ROBERTS, ESQ. for CHARLES
ANTHONY SKAGGS

BIRAY DOGAN, ESQ. for CHARLES ANTHONY
SKAGGS

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

1 CODE: 3060

2

3

4 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

5 IN AND FOR THE COUNTY OF WASHOE

6 THE STATE OF NEVADA,

7 Plaintiff,

8 v.

9 CHARLES SKAGGS,

10 Defendant.

Case No.: CR18-2148

Dept. No.: 9

11

12

13 **ORDER DENYING MOTION TO WITHDRAW PLEA OF GUILT**

14 The Court is in receipt of Defendant CHARLES SKAGGS' (hereafter "Skaggs") *Motion to*

15 *Withdraw Plea of Guilt on Charge of Assault with Deadly Weapon* filed on January 21, 2021.

16 Plaintiff the STATE OF NEVADA (hereafter "The State") filed an *Opposition to Motion to*

17 *Withdraw Plea of Guilt on Charge of Assault with a Deadly Weapon* on February 1, 2021. On

18 February 16, 2021, Skaggs filed his *Reply to State Opposition to Motion to Withdraw Plea to False*

19 *Charge*. This matter was thereafter submitted to this Court for its consideration.

20 Skaggs comes now seeking to withdraw his guilty plea. Specifically, the instant motion "is

21 meant to advance the relief sought in his Petition for Writ of Habeas Corpus filed October 22, 2019

22 and his Supplemental Petition for Writ of Habeas Corpus filed November 24, 2020." *Mot.* p. 1.

23 A review of the record reveals Skaggs plead guilty and was subsequently convicted of

24 Attempted Assault with the Use of a Deadly Weapon on April 17, 2019. *See* Judgment of

25 Conviction. Skaggs was sentenced to 12 to 32 months in prison. *Id.*

26 "A post-conviction petition for a writ of habeas corpus is the exclusive remedy for

27 challenging the validity of a conviction or sentence aside from direct review of a judgment of

28 conviction on appeal and remedies which are incident to the proceedings in the trial court." *Harris*

1 v. *State*, 130 Nev. 435, 437, 329 P.3d 619. 621 (2014). “After sentence has been imposed, the
2 statutory post-conviction habeas petition takes the place of a motion to withdraw a guilty plea.” *Id.*

3 Upon review of the record, it appears that Skaggs filed a post-conviction Petition for Writ of
4 Habeas Corpus on October 22, 2019. On November 25, 2020, Skaggs filed a Supplemental Petition
5 for Writ of Habeas Corpus (Post-Conviction). The State thereafter filed a Motion to Dismiss in Part
6 on January 25, 2021.

7 As a result of the above-mentioned filings, the Court finds first that Skaggs currently has a
8 Post-Conviction Habeas Petition pending before this Court, and second that Skaggs acknowledges
9 that the instant motion seeks to further the exact relief sought in the Petition and Supplemental
10 Petition. As such, the Court finds the instant motion must be dismissed as it is both procedurally
11 defective and duplicative.

12 THEREFORE, and good cause appearing, IT IS HEREBY ORDERED Defendant
13 CHARLES SKAGGS’ *Motion to Withdraw Plea of Guilt on Charge of Assault with Deadly*
14 *Weapon* is DENIED.

15 IT IS SO ORDERED.

16 DATED: this 1st day of April, 2021.

17 
18 _____

DISTRICT JUDGE

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of the Second Judicial District Court of the State of Nevada, County of Washoe; that on this 1st of April, 2021, I deposited for mailing with the United States Postal Service in Reno, Nevada, a true copy of the attached document addressed to:

Charles Skaggs, #1117743

NNCC

Post Office Box 7000

Carson City, NV 89702

Further, I certify that on the 1st day of April, 2021, I electronically filed the foregoing with the Clerk of the Court electronic filing system, which will send notice of electronic filing to the following:

KRISTA MEIER, ESQ.

AMANDA SAGE, ESQ. for STATE OF NEVADA

DIV. OF PAROLE & PROBATION

KEVIN NAUGHTON, ESQ. for STATE OF NEVADA

JOHN PETTY, ESQ. for CHARLES ANTHONY SKAGGS

JOANNA ROBERTS, ESQ. for CHARLES ANTHONY SKAGGS

BIRAY DOGAN, ESQ. for CHARLES ANTHONY SKAGGS



Judicial Assistant

Return Of NEF**Recipients**

KRISTA MEIER, ESQ. - Notification received on 2021-04-01 13:00:05.485.

JOANNA ROBERTS, ESQ. - Notification received on 2021-04-01 13:00:05.348.

BIRAY DOGAN, ESQ. - Notification received on 2021-04-01 13:00:05.323.

KEVIN NAUGHTON, ESQ. - Notification received on 2021-04-01 13:00:05.407.

DIV. OF PAROLE & PROBATION - Notification received on 2021-04-01 13:00:05.513.

AMANDA SAGE, ESQ. - Notification received on 2021-04-01 13:00:05.459.

JOHN PETTY, ESQ. - Notification received on 2021-04-01 13:00:05.432.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR18-2148

Judge:

HONORABLE SCOTT N. FREEMAN

Official File Stamp:

04-01-2021:12:59:07

Clerk Accepted:

04-01-2021:12:59:36

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. CHARLES ANTHONY SKAGGS (TN)
(D9)

Document(s) Submitted:

Ord Denying Motion

Filed By:

Judicial Asst. BWard

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

The following people were served electronically:

KRISTA D. MEIER, ESQ.

AMANDA C. SAGE, ESQ. for STATE OF
NEVADA

DIV. OF PAROLE & PROBATION

KEVIN P. NAUGHTON, ESQ. for STATE OF
NEVADA

JOHN REESE PETTY, ESQ. for CHARLES
ANTHONY SKAGGS

JOANNA L. ROBERTS, ESQ. for CHARLES
ANTHONY SKAGGS

BIRAY DOGAN, ESQ. for CHARLES ANTHONY
SKAGGS

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

CODE 2540

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

STATE OF NEVADA,

Plaintiff,

Case No: CR18-2148

vs.

CR18-2149

Dept. No: 9

CHARLES SKAGGS,

Defendant.

_____ /

NOTICE OF ENTRY OF ORDER

PLEASE TAKE NOTICE that on April 1, 2021, the Court entered a decision or order in this matter, a true and correct copy of which is attached hereto.

Dated April 2, 2021.

JACQUELINE BRYANT

Clerk of the Court

/s/N. Mason

N. Mason-Deputy Clerk

CERTIFICATE OF SERVICE

Case No. CR18-2148, CR18-2149

Pursuant to NRCP 5 (b), I certify that I am an employee of the Second Judicial District Court; that on April 2, 2021, I electronically filed the Notice of Entry of Order with the Court System which will send a notice of electronic filing to the following:

KRISTA D. MEIER, ESQ.
AMANDA C. SAGE, ESQ. for STATE OF NEVADA
DIV. OF PAROLE & PROBATION
KEVIN P. NAUGHTON, ESQ. for STATE OF NEVADA
JEFF HOPPE, ESQ. for STATE OF NEVADA
JOHN REESE PETTY, ESQ. for CHARLES ANTHONY SKAGGS
JOANNA L. ROBERTS, ESQ. for CHARLES ANTHONY SKAGGS
BIRAY DOGAN, ESQ. for CHARLES ANTHONY SKAGGS

I further certify that on April 2, 2021, I deposited in the Washoe County mailing system for postage and mailing with the U.S. Postal Service in Reno, Nevada, a true copy of the attached document, addressed to:

Attorney General's Office
100 N. Carson Street
Carson City, NV 89701-4717

Charles Skaggs (#1117743)
NNCC
P. O. Box 7000
Carson City, NV 89702

The undersigned does hereby affirm that pursuant to NRS 239B.030 and NRS 603A.040, the preceding document does not contain the personal information of any person.

Dated April 2, 2021.

/s/N. Mason
N. Mason- Deputy Clerk

1 Code: 3370
2
3
4

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

8 CHARLES SKAGGS,

9 Petitioner,

10 v.

11 THE STATE OF NEVADA,

12 Respondent.
13
14

Case No.: CR18-2148
CR18-2149

Dept. No.: 9

15 **ORDER DENYING MOTION FOR DISCOVERY**

16 The Court is in receipt of Petitioner CHARLES SKAGGS' (hereafter "Skaggs") *Motion for*
17 *Discovery* filed January 26, 2021. Respondent THE STATE OF NEVADA filed its *Opposition to*
18 *Motion for Discovery* on February 1, 2021. On February 16, 2021 Skaggs filed his *Reply to*
19 *Opposition for Discovery*. This matter was thereafter submitted to this Court for its consideration.

20 Upon review of the record, it appears Skaggs is seeking an order from this Court which
21 would authorize him to obtain "all work product from the Washoe County Public Defender's
22 Office, all phone logs, emails and other communications between the Washoe County Public
23 Defender's Office and District Attorney, an electric copy on CD of the body cams of all officers
24 interacting with any and all witnesses, any and all investigative notes and communications with the
25 investigating police agencies in this case, and all exculpatory evidence or information in possession
26 of the police or prosecutor." *Opp'n.* p. 1:21-24 and 2:1-3. *See also*, motion for discovery. Skaggs
27 further seeks "to lodge 25 interrogatories to the Washoe County Public Defender's Office, the
28 Washoe County District Attorney's Office and the Chief of Police as well as 20 admissions from
the same entities." *Id.* p. 2:3-7. *See also*, motion for discovery.

1 Pursuant to NRS 34.780(2), after a writ has been granted and a date set for the hearing, “a
2 party may invoke any method of discovery available under the Nevada Rules of Civil Procedure if,
3 and to the extent that, the judge or justice for good cause shown grants leave to do so.”

4 A review of the record reveals Skaggs’ petition has not been granted nor has a date been set
5 for hearing at this time. As such, Skaggs motion is premature and therefore, Skaggs is not entitled
6 to discovery at this time.

7 THEREFORE, and good cause appearing, IT IS HEREBY ORDERED CHARLES
8 SKAGGS’ *Motion for Discovery* is DENIED.

9 IT IS SO ORDERED.

10 DATED this 1st day of April, 2021.

11 
12 _____
13 DISTRICT JUDGE
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28

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of the Second Judicial District Court of the State of Nevada, County of Washoe; that on this 1st of April, 2021, I deposited for mailing with the United States Postal Service in Reno, Nevada, a true copy of the attached document addressed to:

Charles Skaggs, #1117743

NNCC

Post Office Box 7000

Carson City, NV 89702

Further, I certify that on the 1st day of April, 2021, I electronically filed the foregoing with the Clerk of the Court electronic filing system, which will send notice of electronic filing to the following:

KRISTA MEIER, ESQ.

AMANDA SAGE, ESQ. for STATE OF NEVADA

DIV. OF PAROLE & PROBATION

KEVIN NAUGHTON, ESQ. for STATE OF NEVADA

JOHN PETTY, ESQ. for CHARLES ANTHONY SKAGGS

JOANNA ROBERTS, ESQ. for CHARLES ANTHONY SKAGGS

BIRAY DOGAN, ESQ. for CHARLES ANTHONY SKAGGS



Judicial Assistant

CODE 2540

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

STATE OF NEVADA,

Plaintiff,

Case No: CR18-2148

vs.

Dept. No: 9

CHARLES SKAGGS,

Defendant.

_____ /

NOTICE OF ENTRY OF ORDER

PLEASE TAKE NOTICE that on April 1, 2021, the Court entered a decision or order in this matter, a true and correct copy of which is attached hereto.

Dated April 2, 2021.

JACQUELINE BRYANT

Clerk of the Court

/s/N. Mason

N. Mason-Deputy Clerk

CERTIFICATE OF SERVICE

Case No. CR18-2148

Pursuant to NRCP 5 (b), I certify that I am an employee of the Second Judicial District Court; that on April 2, 2021, I electronically filed the Notice of Entry of Order with the Court System which will send a notice of electronic filing to the following:

KRISTA D. MEIER, ESQ.
AMANDA C. SAGE, ESQ. for STATE OF NEVADA
DIV. OF PAROLE & PROBATION
KEVIN P. NAUGHTON, ESQ. for STATE OF NEVADA
JOHN REESE PETTY, ESQ. for CHARLES ANTHONY SKAGGS
JOANNA L. ROBERTS, ESQ. for CHARLES ANTHONY SKAGGS
BIRAY DOGAN, ESQ. for CHARLES ANTHONY SKAGGS

I further certify that on April 2, 2021, I deposited in the Washoe County mailing system for postage and mailing with the U.S. Postal Service in Reno, Nevada, a true copy of the attached document, addressed to:

Attorney General's Office
100 N. Carson Street
Carson City, NV 89701-4717

Charles Skaggs (#1117743)
NNCC
P. O. Box 7000
Carson City, NV 89702

The undersigned does hereby affirm that pursuant to NRS 239B.030 and NRS 603A.040, the preceding document does not contain the personal information of any person.

Dated April 2, 2021.

/s/N. Mason
N. Mason- Deputy Clerk

1 CODE: 3060

2

3

4 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

5 IN AND FOR THE COUNTY OF WASHOE

6 THE STATE OF NEVADA,

7 Plaintiff,

8 v.

9 CHARLES SKAGGS,

10 Defendant.

Case No.: CR18-2148

Dept. No.: 9

11

12

13 **ORDER DENYING MOTION TO WITHDRAW PLEA OF GUILT**

14 The Court is in receipt of Defendant CHARLES SKAGGS' (hereafter "Skaggs") *Motion to*

15 *Withdraw Plea of Guilt on Charge of Assault with Deadly Weapon* filed on January 21, 2021.

16 Plaintiff the STATE OF NEVADA (hereafter "The State") filed an *Opposition to Motion to*

17 *Withdraw Plea of Guilt on Charge of Assault with a Deadly Weapon* on February 1, 2021. On

18 February 16, 2021, Skaggs filed his *Reply to State Opposition to Motion to Withdraw Plea to False*

19 *Charge*. This matter was thereafter submitted to this Court for its consideration.

20 Skaggs comes now seeking to withdraw his guilty plea. Specifically, the instant motion "is

21 meant to advance the relief sought in his Petition for Writ of Habeas Corpus filed October 22, 2019

22 and his Supplemental Petition for Writ of Habeas Corpus filed November 24, 2020." *Mot.* p. 1.

23 A review of the record reveals Skaggs plead guilty and was subsequently convicted of

24 Attempted Assault with the Use of a Deadly Weapon on April 17, 2019. *See* Judgment of

25 Conviction. Skaggs was sentenced to 12 to 32 months in prison. *Id.*

26 "A post-conviction petition for a writ of habeas corpus is the exclusive remedy for

27 challenging the validity of a conviction or sentence aside from direct review of a judgment of

28 conviction on appeal and remedies which are incident to the proceedings in the trial court." *Harris*

1 v. *State*, 130 Nev. 435, 437, 329 P.3d 619. 621 (2014). “After sentence has been imposed, the
2 statutory post-conviction habeas petition takes the place of a motion to withdraw a guilty plea.” *Id.*

3 Upon review of the record, it appears that Skaggs filed a post-conviction Petition for Writ of
4 Habeas Corpus on October 22, 2019. On November 25, 2020, Skaggs filed a Supplemental Petition
5 for Writ of Habeas Corpus (Post-Conviction). The State thereafter filed a Motion to Dismiss in Part
6 on January 25, 2021.

7 As a result of the above-mentioned filings, the Court finds first that Skaggs currently has a
8 Post-Conviction Habeas Petition pending before this Court, and second that Skaggs acknowledges
9 that the instant motion seeks to further the exact relief sought in the Petition and Supplemental
10 Petition. As such, the Court finds the instant motion must be dismissed as it is both procedurally
11 defective and duplicative.

12 THEREFORE, and good cause appearing, IT IS HEREBY ORDERED Defendant
13 CHARLES SKAGGS’ *Motion to Withdraw Plea of Guilt on Charge of Assault with Deadly*
14 *Weapon* is DENIED.

15 IT IS SO ORDERED.

16 DATED: this 1st day of April, 2021.

17 
18 _____

DISTRICT JUDGE

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of the Second Judicial District Court of the State of Nevada, County of Washoe; that on this 1st of April, 2021, I deposited for mailing with the United States Postal Service in Reno, Nevada, a true copy of the attached document addressed to:

Charles Skaggs, #1117743

NNCC

Post Office Box 7000

Carson City, NV 89702

Further, I certify that on the 1st day of April, 2021, I electronically filed the foregoing with the Clerk of the Court electronic filing system, which will send notice of electronic filing to the following:

KRISTA MEIER, ESQ.

AMANDA SAGE, ESQ. for STATE OF NEVADA

DIV. OF PAROLE & PROBATION

KEVIN NAUGHTON, ESQ. for STATE OF NEVADA

JOHN PETTY, ESQ. for CHARLES ANTHONY SKAGGS

JOANNA ROBERTS, ESQ. for CHARLES ANTHONY SKAGGS

BIRAY DOGAN, ESQ. for CHARLES ANTHONY SKAGGS



Judicial Assistant

Return Of NEF**Recipients**

KRISTA MEIER, ESQ. - Notification received on 2021-04-02 09:13:13.729.

JOANNA ROBERTS, ESQ. - Notification received on 2021-04-02 09:13:13.619.

BIRAY DOGAN, ESQ. - Notification received on 2021-04-02 09:13:13.594.

KEVIN NAUGHTON, ESQ. - Notification received on 2021-04-02 09:13:13.644.

DIV. OF PAROLE & PROBATION - Notification received on 2021-04-02 09:13:13.755.

AMANDA SAGE, ESQ. - Notification received on 2021-04-02 09:13:13.696.

JOHN PETTY, ESQ. - Notification received on 2021-04-02 09:13:13.669.

******* IMPORTANT NOTICE - READ THIS INFORMATION *******
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR18-2148

Judge:

HONORABLE SCOTT N. FREEMAN

Official File Stamp:

04-02-2021:09:12:06

Clerk Accepted:

04-02-2021:09:12:41

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. CHARLES ANTHONY SKAGGS (TN)
(D9)

Document(s) Submitted:

Notice of Entry of Ord
Notice of Entry of Ord

Filed By:

Deputy Clerk NMason

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

The following people were served electronically:

KRISTA D. MEIER, ESQ.

AMANDA C. SAGE, ESQ. for STATE OF
NEVADA

DIV. OF PAROLE & PROBATION

KEVIN P. NAUGHTON, ESQ. for STATE OF
NEVADA

JOHN REESE PETTY, ESQ. for CHARLES
ANTHONY SKAGGS

JOANNA L. ROBERTS, ESQ. for CHARLES
ANTHONY SKAGGS

BIRAY DOGAN, ESQ. for CHARLES ANTHONY
SKAGGS

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

Charles Skaggs
(Name)
1217743
(I.D. No.)
Northern Nevada Correctional Center
Post Office Box 7000
Carson City, Nevada 89702

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

Charles Skaggs
Petitioner/Defendant,

vs.
STATE OF NEVADA
Respondent/Plaintiff

Case No.: CR18 2148
CR18 2149
Dept. No. 9

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that I, Charles Skaggs appeal the
Judgment / Order entered on the 1st day of April, 20 21 by this
court, Order Denying Motion for Discovery.

Dated this 17th day of April, 20 21.

Charles Skaggs
Charles Skaggs
(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 17th day of April, 2021, I mailed a true and correct copy of the foregoing NOTICE OF APPEAL to the following:

Washoe County District Attorney
One So. Sierra St
Reno NV 89501

x Charles Stoggs
(Signature)

AFFIRMATION PURSUANT TO NRS 239B.030

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

April 17 2021
(Date)

x Charles Stoggs
(Signature)

Return Of NEF**Recipients**

KRISTA MEIER, ESQ. - Notification received on 2021-04-21 13:50:26.85.

JOANNA ROBERTS, ESQ. - Notification received on 2021-04-21 13:50:26.744.

BIRAY DOGAN, ESQ. - Notification received on 2021-04-21 13:50:26.719.

KEVIN NAUGHTON, ESQ. - Notification received on 2021-04-21 13:50:26.769.

DIV. OF PAROLE & PROBATION - Notification received on 2021-04-21 13:50:26.874.

AMANDA SAGE, ESQ. - Notification received on 2021-04-21 13:50:26.819.

JOHN PETTY, ESQ. - Notification received on 2021-04-21 13:50:26.794.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR18-2148

Judge:

HONORABLE SCOTT N. FREEMAN

Official File Stamp:

04-21-2021:13:45:23

Clerk Accepted:

04-21-2021:13:49:53

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. CHARLES ANTHONY SKAGGS (TN)
(D9)

Document(s) Submitted:

Notice/Appeal Supreme Court

Filed By:

Deputy Clerk CAguilar

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

The following people were served electronically:

KRISTA D. MEIER, ESQ.

AMANDA C. SAGE, ESQ. for STATE OF
NEVADA

DIV. OF PAROLE & PROBATION

KEVIN P. NAUGHTON, ESQ. for STATE OF
NEVADA

JOHN REESE PETTY, ESQ. for CHARLES
ANTHONY SKAGGS

JOANNA L. ROBERTS, ESQ. for CHARLES
ANTHONY SKAGGS

BIRAY DOGAN, ESQ. for CHARLES ANTHONY
SKAGGS

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

Code 1310

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

STATE OF NEVADA,
Plaintiff,
vs.
CHARLES ANTHONY SKAGGS (TN),
Defendant.

Case No. CR18-2148
Dept. No. 9

CASE APPEAL STATEMENT

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

1. Appellant is Charles Anthony Skaggs.
2. This appeal is from an order entered by the Honorable Connie J. Steinheimer.
3. Appellant is representing himself in Proper Person on appeal. The Appellant's address is:

Charles Anthony Skaggs
Inmate# 1217743
Northern Nevada Correctional Center
Post Office 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 represented by PD counsel in District Court.
7. Appellant is not represented by counsel on appeal.
8. Appellant was granted leave to proceed in forma pauperis in the District Court on October 22, 2019.
9. Proceeding commenced by the filing of an Information filed December 20, 2018.
10. This is a criminal proceeding and the Appellant is appealing the Order Denying Motion for Discovery filed April 1, 2021.
11. The case has been the subject of a previous appeal to the Supreme Court.
Supreme Court No.: 78845
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 22nd day of April, 2021.

Jacqueline Bryant
Clerk of the Court
By: /s/ C.Aguilar
C.Aguilar
Deputy Clerk

Code 1350

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

STATE OF NEVADA,

Case No. CR18-2148

Plaintiff,

Dept. No. 9

vs.

CHARLES ANTHONY SKAGGS,

Defendant.

_____ /

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 21st day of April, 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 21st day of April, 2021.

Jacqueline Bryant
Clerk of the Court
By /s/C. Aguilar
C. Aguilar
Deputy Clerk

Return Of NEF**Recipients**

JENNIFER NOBLE, ESQ. - Notification received on 2021-04-22 11:03:16.267.
KRISTA MEIER, ESQ. - Notification received on 2021-04-22 11:03:16.316.
JOANNA ROBERTS, ESQ. - Notification received on 2021-04-22 11:03:16.209.
BIRAY DOGAN, ESQ. - Notification received on 2021-04-22 11:03:16.146.
KEVIN NAUGHTON, ESQ. - Notification received on 2021-04-22 11:03:16.343.
JOHN PETTY, ESQ. - Notification received on 2021-04-22 11:03:16.367.
AMANDA SAGE, ESQ. - Notification received on 2021-04-22 11:03:16.291.
DIV. OF PAROLE & PROBATION - Notification received on 2021-04-22 11:03:16.235.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR18-2148

Judge:

HONORABLE SCOTT N. FREEMAN

Official File Stamp:

04-22-2021:10:58:56

Clerk Accepted:

04-22-2021:11:02:45

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. CHARLES ANTHONY SKAGGS (TN)
(D9)

Document(s) Submitted:

Case Appeal Statement
Certificate of Clerk

Filed By:

Deputy Clerk CAguilar

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

The following people were served electronically:

KRISTA D. MEIER, ESQ.

AMANDA C. SAGE, ESQ. for STATE OF
NEVADA

DIV. OF PAROLE & PROBATION

KEVIN P. NAUGHTON, ESQ. for STATE OF
NEVADA

JOHN REESE PETTY, ESQ. for CHARLES
ANTHONY SKAGGS

BIRAY DOGAN, ESQ. for CHARLES ANTHONY
SKAGGS

JOANNA L. ROBERTS, ESQ. for CHARLES
ANTHONY SKAGGS

JENNIFER P. NOBLE, ESQ. for STATE OF
NEVADA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

1 Code: 3370
2
3
4

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

7
8 CHARLES SKAGGS,

Case No.: CR18-2148
CR18-2149

9
10 Petitioner,

Dept. No.: 9

11 v.

12 THE STATE OF NEVADA,

13 Respondent.
14

ORDER

15 The Court is in receipt of Respondent THE STATE OF NEVADA's (hereafter "The State")
16 *Motion to Dismiss in Part* filed January 25, 2021. Petitioner CHARLES SKAGGS (hereafter
17 "Skaggs") filed his *Response and Objections to Motion to Dismiss* on February 8, 2021.

18 The Court is further in receipt of Skaggs' *Motion for Appointment of Counsel* filed on
19 February 8, 2021. The State thereafter filed an *Opposition to Motion for Appointment of Counsel* on
20 February 12, 2021. Skaggs filed a *Reply to State's Opposition to Plaintiff's Motion for Appointment*
21 *of Counsel* on February 22, 2021.

22 Upon review of the record, it appears that on April 21, 2021, Skaggs filed a *Notice of Appeal*.
23 Therefore, pursuant to the *Notice of Appeal*, the Court stays the above-captioned matters.

24 THEREFORE, IT IS HEREBY ORDERED that the above-captioned matters are STAYED.

25 IT IS FURTHER ORDERED the proceedings in the above-captioned matters are stayed until
26 the said appeal is resolved.

27 ///

28 ///

1 IT IS FURTHER ORDERED that upon resolution of the said appeal, the Parties shall
2 resubmit the above-mentioned motions to this Court for review.

3 IT IS SO ORDERED.

4 DATED this 28th day of April, 2021.

5 
6

DISTRICT JUDGE

CERTIFICATE OF SERVICE

Pursuant to NRCp 5(b), I certify that I am an employee of the Second Judicial District Court of the State of Nevada, County of Washoe; that on this 28th day of April, 2021, I deposited for mailing with the United States Postal Service in Reno, Nevada, a true copy of the attached document addressed to:

[NONE]

Further, I certify that on the 28th day of April, 2021, I electronically filed the foregoing with the Clerk of the Court electronic filing system, which will send notice of electronic filing to the following:

KRISTA MEIER, ESQ.

AMANDA SAGE, ESQ. for STATE OF NEVADA
DIV. OF PAROLE & PROBATION

KEVIN NAUGHTON, ESQ. for STATE OF NEVADA

JOHN PETTY, ESQ. for CHARLES ANTHONY SKAGGS

BIRAY DOGAN, ESQ. for CHARLES ANTHONY SKAGGS

JOANNA ROBERTS, ESQ. for CHARLES ANTHONY SKAGGS

JENNIFER NOBLE, ESQ. for STATE OF NEVADA



Judicial Assistant

Return Of NEF**Recipients**

JENNIFER NOBLE, ESQ. - Notification received on 2021-04-28 14:20:34.84.
KRISTA MEIER, ESQ. - Notification received on 2021-04-28 14:20:34.896.
JOANNA ROBERTS, ESQ. - Notification received on 2021-04-28 14:20:34.788.
BIRAY DOGAN, ESQ. - Notification received on 2021-04-28 14:20:34.759.
KEVIN NAUGHTON, ESQ. - Notification received on 2021-04-28 14:20:34.926.
JOHN PETTY, ESQ. - Notification received on 2021-04-28 14:20:34.988.
AMANDA SAGE, ESQ. - Notification received on 2021-04-28 14:20:34.868.
DIV. OF PAROLE & PROBATION - Notification received on 2021-04-28 14:20:34.814.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR18-2148

Judge:

HONORABLE SCOTT N. FREEMAN

Official File Stamp:

04-28-2021:14:19:26

Clerk Accepted:

04-28-2021:14:20:02

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. CHARLES ANTHONY SKAGGS (TN)
(D9)

Document(s) Submitted:

Order...

Filed By:

Judicial Asst. BWard

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

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AMANDA C. SAGE, ESQ. for STATE OF
NEVADA

DIV. OF PAROLE & PROBATION

KEVIN P. NAUGHTON, ESQ. for STATE OF
NEVADA

JOHN REESE PETTY, ESQ. for CHARLES
ANTHONY SKAGGS

BIRAY DOGAN, ESQ. for CHARLES ANTHONY
SKAGGS

JOANNA L. ROBERTS, ESQ. for CHARLES
ANTHONY SKAGGS

JENNIFER P. NOBLE, ESQ. for STATE OF
NEVADA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

IN THE SUPREME COURT OF THE STATE OF NEVADA
OFFICE OF THE CLERK

CHARLES ANTHONY SKAGGS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

Supreme Court No. 82812
District Court Case No. CR182148

RECEIPT FOR DOCUMENTS

TO: Charles Anthony Skaggs
Washoe County District Attorney \ Jennifer P. Noble
Jacqueline Bryant, Washoe District Court Clerk ✓

You are hereby notified that the Clerk of the Supreme Court has received and/or filed the following:

04/27/2021 Appeal Filing Fee waived. Criminal. (SC)

04/27/2021 Filed Notice of Appeal/Proper Person. Appeal docketed in the Supreme Court this day. (SC)

DATE: April 27, 2021

Elizabeth A. Brown, Clerk of Court
lh

Return Of NEF**Recipients**

JENNIFER NOBLE, ESQ. - Notification received on 2021-04-29 14:20:32.502.
KRISTA MEIER, ESQ. - Notification received on 2021-04-29 14:20:32.553.
JOANNA ROBERTS, ESQ. - Notification received on 2021-04-29 14:20:32.451.
BIRAY DOGAN, ESQ. - Notification received on 2021-04-29 14:20:32.426.
KEVIN NAUGHTON, ESQ. - Notification received on 2021-04-29 14:20:32.578.
JOHN PETTY, ESQ. - Notification received on 2021-04-29 14:20:32.603.
AMANDA SAGE, ESQ. - Notification received on 2021-04-29 14:20:32.528.
DIV. OF PAROLE & PROBATION - Notification received on 2021-04-29 14:20:32.477.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR18-2148

Judge:

HONORABLE SCOTT N. FREEMAN

Official File Stamp:

04-29-2021:14:19:26

Clerk Accepted:

04-29-2021:14:20:01

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. CHARLES ANTHONY SKAGGS (TN)
(D9)

Document(s) Submitted:

Supreme Court Receipt for Doc

Filed By:

Deputy Clerk YViloria

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

The following people were served electronically:

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NEVADA

DIV. OF PAROLE & PROBATION

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NEVADA

JOHN REESE PETTY, ESQ. for CHARLES
ANTHONY SKAGGS

BIRAY DOGAN, ESQ. for CHARLES ANTHONY
SKAGGS

JOANNA L. ROBERTS, ESQ. for CHARLES
ANTHONY SKAGGS

JENNIFER P. NOBLE, ESQ. for STATE OF
NEVADA

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IN THE SUPREME COURT OF THE STATE OF NEVADA

CHARLES ANTHONY SKAGGS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

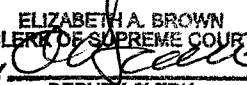
No. 82812 ✓

CHARLES ANTHONY SKAGGS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 82813

FILED


MAY 11 2021

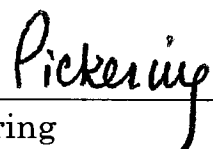
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK*ORDER DISMISSING APPEALS*

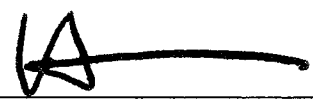
These are pro se appeals from district court orders denying motions for discovery. Second Judicial District Court, Washoe County; Scott N. Freeman, Judge.

Because no statute or court rule permits an appeal from an order denying a motion for discovery in a criminal matter, this court lacks jurisdiction to consider these appeals. *Castillo v. State*, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990). Accordingly, this court

ORDERS these appeals DISMISSED.


_____, J.
Cadish


_____, J.
Pickering


_____, J.
Herndon

cc: Hon. Scott N. Freeman, District Judge
Charles Anthony Skaggs
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk

Return Of NEF**Recipients**

JENNIFER NOBLE, ESQ. - Notification received on 2021-05-13 14:18:53.779.
KRISTA MEIER, ESQ. - Notification received on 2021-05-13 14:18:53.834.
JOANNA ROBERTS, ESQ. - Notification received on 2021-05-13 14:18:53.729.
BIRAY DOGAN, ESQ. - Notification received on 2021-05-13 14:18:53.701.
KEVIN NAUGHTON, ESQ. - Notification received on 2021-05-13 14:18:53.86.
JOHN PETTY, ESQ. - Notification received on 2021-05-13 14:18:53.884.
AMANDA SAGE, ESQ. - Notification received on 2021-05-13 14:18:53.81.
DIV. OF PAROLE & PROBATION - Notification received on 2021-05-13 14:18:53.754.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
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-

A filing has been submitted to the court RE: CR18-2148

Judge:

HONORABLE SCOTT N. FREEMAN

Official File Stamp:

05-13-2021:14:17:46

Clerk Accepted:

05-13-2021:14:18:20

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. CHARLES ANTHONY SKAGGS (TN)
(D9)

Document(s) Submitted:

Supreme Ct Ord Dismis Appeal

Filed By:

Deputy Clerk YViloria

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NEVADA

DIV. OF PAROLE & PROBATION

KEVIN P. NAUGHTON, ESQ. for STATE OF
NEVADA

JOHN REESE PETTY, ESQ. for CHARLES
ANTHONY SKAGGS

BIRAY DOGAN, ESQ. for CHARLES ANTHONY
SKAGGS

JOANNA L. ROBERTS, ESQ. for CHARLES
ANTHONY SKAGGS

JENNIFER P. NOBLE, ESQ. for STATE OF
NEVADA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

Charles Skaggs
(Name)

1117743
(I.D. No.)

Northern Nevada Correctional Center
Post Office Box 7000
Carson City, NV 89702

Movant, In Proper Person PERUR3239B.030

No Persons SS # 121115
document

SECOND JUDICIAL DISTRICT COURT
County of Washoe

Charles Skaggs

Plaintiff/Movant

vs.

STATE OF NEVADA

Defendant/Respondent

CR18-2148
Case No.: CR18-2149

Motion to Lift Stay
Ordered 04/28/2021

COMES NOW, Charles Skaggs, in proper person and herein
above respectfully moves this Honorable Court for a(n) Order to Lift the
Stay issued on Apr 28, 2021 and to proceed
the habeas corpus petition

The instant motion is made and based upon all papers and pleadings on file herein as well
as the following Memorandum of Points and Authorities and attached exhibits (where
applicable).

Memorandum

1. The court ordered a stay on the 28th of April, 2021 on the actions in above captioned cases.
2. Attached is the Order of the Supreme Court of Nevada No. 82813 resolving by dismissal the request to review the denial of discovery request;
3. Therefore the court is requested to ~~re~~ lift the stay and proceed with all actions collateral to the Petition for writ of Habeas Corpus, ^{filed 4/24/20} ~~etc.~~ as requested by the Motion for Judicial Action, dated April 29 2021.

Respectfully,

PER NRS 239B.030 No Persons SSth in this DocumentChris ~~Stagg~~

Charles Stagg's

Certificate of Service

The foregoing has been served by US Mail on the Washoe County District Attorney, One S. Sierra St Reno NV 89501 on May 31 2021

Dated this 31 day of May, 20 21.

By: Charles Stagg
Charles Stagg's

INDEX OF EXHIBITSExhibit Number 1Number of Pages 2Exhibit Description S. Court Dismissal of Appeal No 82813

Exhibit Number _____

Number of Pages _____

Exhibit Description _____

Exhibit Number _____

Number of Pages _____

Exhibit Description _____

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Exhibit Description _____

Exhibit Number _____

Number of Pages _____

Exhibit Description _____

Exhibit Number _____

Number of Pages _____

Exhibit Description _____

Dismissal of Appeal
No. 82813

Exhibit 1

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHARLES ANTHONY SKAGGS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.


No. 82812 ✓

CHARLES ANTHONY SKAGGS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 82813

FILED

MAY 11 2021


ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

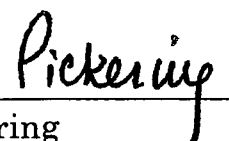
ORDER DISMISSING APPEALS


These are pro se appeals from district court orders denying motions for discovery. Second Judicial District Court, Washoe County; Scott N. Freeman, Judge.

Because no statute or court rule permits an appeal from an order denying a motion for discovery in a criminal matter, this court lacks jurisdiction to consider these appeals. *Castillo v. State*, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990). Accordingly, this court

ORDERS these appeals DISMISSED.


_____, J.
Cadish


_____, J.
Pickering


_____, J.
Herndon

cc: Hon. Scott N. Freeman, District Judge
Charles Anthony Skaggs
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk

Return Of NEF**Recipients**

JENNIFER NOBLE, ESQ. - Notification received on 2021-06-07 10:29:44.087.
KRISTA MEIER, ESQ. - Notification received on 2021-06-07 10:29:44.155.
JOANNA ROBERTS, ESQ. - Notification received on 2021-06-07 10:29:44.034.
BIRAY DOGAN, ESQ. - Notification received on 2021-06-07 10:29:44.008.
KEVIN NAUGHTON, ESQ. - Notification received on 2021-06-07 10:29:44.192.
JOHN PETTY, ESQ. - Notification received on 2021-06-07 10:29:44.222.
AMANDA SAGE, ESQ. - Notification received on 2021-06-07 10:29:44.122.
DIV. OF PAROLE & PROBATION - Notification received on 2021-06-07 10:29:44.061.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR18-2148

Judge:

HONORABLE SCOTT N. FREEMAN

Official File Stamp:

06-07-2021:10:28:03

Clerk Accepted:

06-07-2021:10:29:10

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. CHARLES ANTHONY SKAGGS (TN)
(D9)

Document(s) Submitted:

Motion

- **Continuation

Filed By:

Deputy Clerk KHudson

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If service is not required for this document (e.g., Minutes), please disregard the below language.

The following people were served electronically:

KRISTA D. MEIER, ESQ.

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DIV. OF PAROLE & PROBATION

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NEVADA

JOHN REESE PETTY, ESQ. for CHARLES
ANTHONY SKAGGS

BIRAY DOGAN, ESQ. for CHARLES ANTHONY
SKAGGS

JOANNA L. ROBERTS, ESQ. for CHARLES
ANTHONY SKAGGS

JENNIFER P. NOBLE, ESQ. for STATE OF
NEVADA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHARLES ANTHONY SKAGGS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

Supreme Court No. 82812
District Court Case No. CR182148

REMITTITUR

TO: Alicia L. Lerud, Washoe District Court Clerk

Pursuant to the rules of this court, enclosed are the following:

Certified copy of Judgment and Opinion/Order.
Receipt for Remittitur.

DATE: June 07, 2021

Elizabeth A. Brown, Clerk of Court

By: Kaitlin Meetze
Administrative Assistant

cc (without enclosures):

Hon. Scott N. Freeman, District Judge
Charles Anthony Skaggs
Washoe County District Attorney \ Jennifer P. Noble

RECEIPT FOR REMITTITUR

Received of Elizabeth A. Brown, Clerk of the Supreme Court of the State of Nevada, the
REMITTITUR issued in the above-entitled cause, on JUN - 9 2021


District Court Clerk



IN THE SUPREME COURT OF THE STATE OF NEVADA

CHARLES ANTHONY SKAGGS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

Supreme Court No. 82812
District Court Case No. CR182148

CLERK'S CERTIFICATE

STATE OF NEVADA, ss.

I, Elizabeth A. Brown, the duly appointed and qualified Clerk of the Supreme Court of the State of Nevada, do hereby certify that the following is a full, true and correct copy of the Judgment in this matter.

JUDGMENT

The court being fully advised in the premises and the law, it is now ordered, adjudged and decreed, as follows:

"ORDERS these appeals DISMISSED."

Judgment, as quoted above, entered this 11 day of May, 2021.

IN WITNESS WHEREOF, I have subscribed
my name and affixed the seal of the Supreme
Court at my Office in Carson City, Nevada this
June 07, 2021.

Elizabeth A. Brown, Supreme Court Clerk

By: Kaitlin Meetze
Administrative Assistant

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHARLES ANTHONY SKAGGS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 82812 ✓

CHARLES ANTHONY SKAGGS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 82813

FILED

MAY 11 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

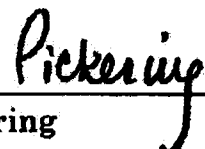
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_____, J.
Cadish


_____, J.
Pickering


_____, J.
Herndon

cc: Hon. Scott N. Freeman, District Judge
Charles Anthony Skaggs
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk

Return Of NEF**Recipients**

JENNIFER NOBLE, ESQ. - Notification received on 2021-06-09 13:39:34.247.
KRISTA MEIER, ESQ. - Notification received on 2021-06-09 13:39:34.341.
JOANNA ROBERTS, ESQ. - Notification received on 2021-06-09 13:39:34.16.
BIRAY DOGAN, ESQ. - Notification received on 2021-06-09 13:39:34.108.
KEVIN NAUGHTON, ESQ. - Notification received on 2021-06-09 13:39:34.39.
JOHN PETTY, ESQ. - Notification received on 2021-06-09 13:39:34.432.
AMANDA SAGE, ESQ. - Notification received on 2021-06-09 13:39:34.301.
DIV. OF PAROLE & PROBATION - Notification received on 2021-06-09 13:39:34.204.

******* IMPORTANT NOTICE - READ THIS INFORMATION *******
PROOF OF SERVICE OF ELECTRONIC FILING

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A filing has been submitted to the court RE: CR18-2148

Judge:

HONORABLE SCOTT N. FREEMAN

Official File Stamp:

06-09-2021:13:38:25

Clerk Accepted:

06-09-2021:13:39:02

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. CHARLES ANTHONY SKAGGS (TN)
(D9)

Document(s) Submitted:

Supreme Court Remittitur
Supreme Ct Clk's Cert & Judg
Supreme Ct Ord Dismiss Appeal

Filed By:

Deputy Clerk YViloria

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ANTHONY SKAGGS

JENNIFER P. NOBLE, ESQ. for STATE OF
NEVADA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

1 CODE 3860
2
3
4
5

6 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

7 IN AND FOR THE COUNTY OF WASHOE

8
9 Charles Skaggs

10 Plaintiff,

11 vs.

CR 18 - 2148
Case No. CR18 - 214912 STATE OF NEVADA

Dept. No.

13 Defendant.
14

15 REQUEST FOR SUBMISSION OF MOTION

16 It is requested that the motion ~~for~~ to Lift Stay Ordered on
17 the date of 04/28/2021 and proceed with Habeas
18 Petition, which was filed on the 28th day of
19 April June, 2021, in the above-entitled matter be submitted to the Court
20 for decision.

21 The undersigned certifies that a copy of this request has been mailed to all
22 counsel of record.

23 DATED this 10 day of June, 2021.

24
25
26
27 Charles Skaggs
28

SECOND JUDICIAL DISTRICT COURT
COUNTY OF WASHOE, STATE OF NEVADA

AFFIRMATION
Pursuant to NRS 239B.030 and 603A.040

The undersigned does hereby affirm that the preceding document, Request for
Submission of Motion to Lift Stay & Proceed
(Title of Document)

filed in case number: CR18 2148 and CR18 2149

☒

Document does not contain the personal information of any person

- OR -

☐

Document contains the social security number of a person as required by:

☐

A specific state or federal law, to wit:

(State specific state or federal law)

- or -

☐

For the administration of a public program

- or -

☐

For an application for a federal or state grant

- or -

☐

Confidential Family Court Information Sheet
(NRS 123.130, NRS 125.230, and NRS 125B.055)

Date: 6-10-21

Charles Stiggs
(Signature)

Charles Stiggs
(Print Name)

in pro per
(Attorney for)

Charles Skaggs
1117743
NV22
P.O. B. 7000
Carson City, NV
89202

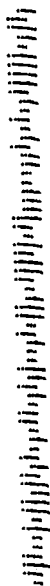


RENO NV 895
11 JUN 2021 PM 3 T

2nd Jud. Court
75 Court St
Reno, NV
89501

RECEIVED
JUN 14 2021
MAIL DESK

8950141982



Return Of NEF**Recipients**

JENNIFER NOBLE, ESQ. - Notification received on 2021-06-15 09:31:45.241.
KRISTA MEIER, ESQ. - Notification received on 2021-06-15 09:31:45.309.
JOANNA ROBERTS, ESQ. - Notification received on 2021-06-15 09:31:44.986.
BIRAY DOGAN, ESQ. - Notification received on 2021-06-15 09:31:44.957.
KEVIN NAUGHTON, ESQ. - Notification received on 2021-06-15 09:31:45.338.
JOHN PETTY, ESQ. - Notification received on 2021-06-15 09:31:45.369.
AMANDA SAGE, ESQ. - Notification received on 2021-06-15 09:31:45.271.
DIV. OF PAROLE & PROBATION - Notification received on 2021-06-15 09:31:45.014.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
PROOF OF SERVICE OF ELECTRONIC FILING

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A filing has been submitted to the court RE: CR18-2148

Judge:

HONORABLE SCOTT N. FREEMAN

Official File Stamp:

06-15-2021:09:30:26

Clerk Accepted:

06-15-2021:09:31:11

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. CHARLES ANTHONY SKAGGS (TN)
(D9)

Document(s) Submitted:

Request for Submission

Filed By:

Deputy Clerk BBlough

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ANTHONY SKAGGS

JENNIFER P. NOBLE, ESQ. for STATE OF
NEVADA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

Charles Skaggs
(Name)
1117743
(I.D. No.)
Northern Nevada Correctional Center
Post Office Box 7000
Carson City, NV 89702

Movant, In Proper Person

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

Charles Skaggs
Plaintiff/Movant

CR18-2148
Case No.: CR18-2149
Dept. No.: 9

vs.

STATE OF NEVADA
Defendant/Respondent

REQUEST FOR SUBMISSION

COMES NOW, Charles Skaggs, in proper person, and respectfully
requests submission of his pleading, to wit: Motion for Judicial Action, filed by mail
in this court on April 29 2021, for adjudication on the merits. Said Motion was
severed. This request is made pursuant to the applicable District Court Rules, and Nevada Rules of Civil
Procedure.

Respectfully submitted this 14 day of June, 2021.

By: Charles Skaggs
Charles Skaggs

CERTIFICATE OF SERVICE

I, Charles Skagg certify that on this date I did serve a true and correct copy of the foregoing pleading upon Respondent(s), via U.S. Mail, by placing same in the United States Postal Service (Prison Mail System), postage being fully prepaid, and addressed to:

Washoe County District Attorney
One S. Sierra St
Reno NV 89501

AND

Dated this 14 day of June, 2021.

By: Charles Skagg
Movant, In Proper Person

AFFIRMATION PURSUANT TO NRS 239B.030

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

06/14/21
(Date)

Charles Skagg
(Signature)
Charles Skagg

INDEX OF EXHIBITS

Exhibit Number 1 Number of Pages 3
Exhibit Description Mot. Judicial Action Atel Apr. 29 2021
properly served

Exhibit Number _____ Number of Pages _____
Exhibit Description _____

Exhibit Number _____ Number of Pages _____
Exhibit Description _____

Exhibit Number _____ Number of Pages _____
Exhibit Description _____

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Exhibit Description _____

Exhibit Number _____ Number of Pages _____
Exhibit Description _____

Exhibit Number _____ Number of Pages _____
Exhibit Description _____

*Motion for Judicial Action
signed and served on the date of
April 29 2021*

Exhibit 1

Case No. CR18-2148
CR18-2149

Dept. No. 9

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

* * * * *

Charles Skaggs,)
)
 Petitioner,)
)
 -vs-)
)
State of Nevada,)
)
 Respondent___.)

MOTION FOR JUDICIAL
 ACTION ON PETITION

Petitioner, Charles Skaggs, in pro se, submits his Motion for
 Judicial Action on Petition, moving the Court to take action on the pending
 Petition for Writ of Habeas Corpus on file herein, in accordance with the
 statutory and decisional authorities below. This motion is based upon all
 papers and pleadings on file herein; NRS 34.740 and NRS 34.745; and the
 following points and authorities.

POINTS AND AUTHORITIES

The Petition for Writ of Habeas Corpus was filed on November 24,
 2020. Filing occurred over 5 months ago; however, the Court has yet to
 take any action thereon as contemplated by NRS 34.740 and NRS 34.745, which
 require, inter alia, that the "petition must be examined expeditiously," NRS
 34.740, followed by a direction to Respondent to respond or answer the
 petition, NRS 34.745(1) & (2). This requirement of speed is not only a
 statutory command, but is recognized by the courts towards the effective and

1 prompt adjudication of habeas actions and the serious questions they present.
2 Carafas v. LaVallee, 391 U.S. 234, 88 S.Ct. 1556, 1560 (1968). See also
3 Peyton v. Rowe, 391 U.S. 54, 88 S.Ct. 1549, 1552 (1968)(habeas requires a
4 "prompt adjudication"); Smith v. Idaho, 392 F.3d 350, 356 (9th Cir. 2004)
5 (prompt resolution of prisoners' claims is a principle function of habeas).

6 This Court is therefore moved to expeditiously order Respondents to file
7 a response or answer and a return to the instant petition so as to satisfy the
8 authorities above, and as justice requires.

9 CONCLUSION

10 This Court should promptly take judicial action on the pending petition
11 in accordance with NRS 34.740 and NRS 34.745.

12 Dated this 29 day of April, 2021.

13 Charles Skaggs
14 Charles Skaggs # 1117743

15
16 Petitioner In Pro Se

17 / / /

18 / / /

19 / / /

20 / / /

21 / / /

22 / / /

23 / / /

24 / / /

25 / / /

CERTIFICATE OF SERVICE BY MAIL

I do certify that I mailed a true and correct copy of the foregoing MOTION FOR JUDICIAL ACTION ON PETITION to the below address(es) on this 29 day of April, 2021, by placing same in the U.S. Mail via prison law library staff, pursuant to NRCP 5(b):

District Attorney
1 South Sierra St

Reno, Nevada 89501

Attorney For Respondent(s)

Charles Skaggs

Charles Skaggs # 1117743

Petitioner In Pro Se

AFFIRMATION PURSUANT TO NRS 239B.030

The undersigned does hereby affirm that the preceding MOTION FOR JUDICIAL ACTION ON PETITION does not contain the social security number of any person.

Dated this 29 day of April, 2021.

Charles Skaggs

Charles Skaggs

Petitioner In Pro Se

Return Of NEF**Recipients**

JENNIFER NOBLE, ESQ. - Notification received on 2021-06-18 10:52:45.06.
KRISTA MEIER, ESQ. - Notification received on 2021-06-18 10:52:45.117.
JOANNA ROBERTS, ESQ. - Notification received on 2021-06-18 10:52:45.007.
BIRAY DOGAN, ESQ. - Notification received on 2021-06-18 10:52:44.98.
KEVIN NAUGHTON, ESQ. - Notification received on 2021-06-18 10:52:45.144.
JOHN PETTY, ESQ. - Notification received on 2021-06-18 10:52:45.174.
AMANDA SAGE, ESQ. - Notification received on 2021-06-18 10:52:45.091.
DIV. OF PAROLE & PROBATION - Notification received on 2021-06-18 10:52:45.034.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR18-2148

Judge:

HONORABLE SCOTT N. FREEMAN

Official File Stamp:

06-18-2021:10:51:38

Clerk Accepted:

06-18-2021:10:52:13

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. CHARLES ANTHONY SKAGGS (TN)
(D9)

Document(s) Submitted:

Request for Submission
- **Continuation

Filed By:

Deputy Clerk AZamora

You may review this filing by clicking on the following link to take you to your cases.

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-

If service is not required for this document (e.g., Minutes), please disregard the below language.

The following people were served electronically:

JENNIFER P. NOBLE, ESQ. for STATE OF
NEVADA

KRISTA D. MEIER, ESQ.

DIV. OF PAROLE & PROBATION

JOANNA L. ROBERTS, ESQ. for CHARLES
ANTHONY SKAGGS

JOHN REESE PETTY, ESQ. for CHARLES
ANTHONY SKAGGS

KEVIN P. NAUGHTON, ESQ. for STATE OF
NEVADA

AMANDA C. SAGE, ESQ. for STATE OF
NEVADA

BIRAY DOGAN, ESQ. for CHARLES ANTHONY
SKAGGS

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

Return Of NEF**Recipients**

JENNIFER NOBLE, ESQ. - Notification received on 2021-07-14 11:25:36.585.
KRISTA MEIER, ESQ. - Notification received on 2021-07-14 11:25:36.7.
JOANNA ROBERTS, ESQ. - Notification received on 2021-07-14 11:25:36.029.
BIRAY DOGAN, ESQ. - Notification received on 2021-07-14 11:25:35.968.
KEVIN NAUGHTON, ESQ. - Notification received on 2021-07-14 11:25:36.748.
JOHN PETTY, ESQ. - Notification received on 2021-07-14 11:25:36.84.
AMANDA SAGE, ESQ. - Notification received on 2021-07-14 11:25:36.657.
DIV. OF PAROLE & PROBATION - Notification received on 2021-07-14 11:25:36.094.

******* IMPORTANT NOTICE - READ THIS INFORMATION *******
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR18-2148

Judge:

HONORABLE SCOTT N. FREEMAN

Official File Stamp:

07-14-2021:11:18:21

Clerk Accepted:

07-14-2021:11:25:09

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. CHARLES ANTHONY SKAGGS (TN)
(D9)

Document(s) Submitted:

Ex-Parte Mtn

- **Continuation

Filed By:

Lyn E Beggs

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-

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The following people were served electronically:

KRISTA D. MEIER, ESQ.

AMANDA C. SAGE, ESQ. for STATE OF
NEVADA

KEVIN P. NAUGHTON, ESQ. for STATE OF
NEVADA

DIV. OF PAROLE & PROBATION

BIRAY DOGAN, ESQ. for CHARLES ANTHONY
SKAGGS

JOHN REESE PETTY, ESQ. for CHARLES
ANTHONY SKAGGS

JOANNA L. ROBERTS, ESQ. for CHARLES
ANTHONY SKAGGS

JENNIFER P. NOBLE, ESQ. for STATE OF
NEVADA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

Return Of NEF**Recipients**

JENNIFER NOBLE, ESQ. - Notification received on 2021-08-03 08:34:19.671.
KRISTA MEIER, ESQ. - Notification received on 2021-08-03 08:34:19.732.
JOANNA ROBERTS, ESQ. - Notification received on 2021-08-03 08:34:19.605.
BIRAY DOGAN, ESQ. - Notification received on 2021-08-03 08:34:19.571.
KEVIN NAUGHTON, ESQ. - Notification received on 2021-08-03 08:34:19.762.
JOHN PETTY, ESQ. - Notification received on 2021-08-03 08:34:19.792.
AMANDA SAGE, ESQ. - Notification received on 2021-08-03 08:34:19.699.
DIV. OF PAROLE & PROBATION - Notification received on 2021-08-03 08:34:19.638.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR18-2148

Judge:

HONORABLE SCOTT N. FREEMAN

Official File Stamp:

08-02-2021:21:09:15

Clerk Accepted:

08-03-2021:08:33:23

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. CHARLES ANTHONY SKAGGS (TN)
(D9)

Document(s) Submitted:

Notice

Filed By:

Krista Meier, Esq.

You may review this filing by clicking on the following link to take you to your cases.

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The following people were served electronically:

KRISTA D. MEIER, ESQ.

AMANDA C. SAGE, ESQ. for STATE OF
NEVADA

KEVIN P. NAUGHTON, ESQ. for STATE OF
NEVADA

DIV. OF PAROLE & PROBATION

BIRAY DOGAN, ESQ. for CHARLES ANTHONY
SKAGGS

JOHN REESE PETTY, ESQ. for CHARLES
ANTHONY SKAGGS

JOANNA L. ROBERTS, ESQ. for CHARLES
ANTHONY SKAGGS

JENNIFER P. NOBLE, ESQ. for STATE OF
NEVADA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

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

CHARLES ANTHONY SKAGGS,

Petitioner,

vs.

Case No. CR18-2148
CR18-2149

Dept. No. 1

STATE OF NEVADA,

Respondent.

-----/

ORDER APPROVING ATTORNEY'S FEES
(Post-Conviction)

Pursuant to the Nevada Supreme Court Order in ADKT 411 and the Second Judicial District Court's Model Plan to address ADKT 411, good cause appearing and in the interests of justice, IT IS HEREBY ORDERED that the recommendations of the Administrator are hereby confirmed, approved and adopted as to the amount of \$420.00. This amount may not be the same as the Administrator's recommendation. Counsel is notified that she may request a prove-up hearing for any non-approved amounts before the Chief Judge of the District.

Counsel, Lyn E. Beggs, Esq., shall be reimbursed by the State of Nevada Public Defender's Office attorney fees in the amount of \$420.00.

DATED this 9th day of August, 2021.



CHIEF DISTRICT JUDGE

Return Of NEF**Recipients**

JENNIFER NOBLE, ESQ. - Notification received on 2021-08-09 13:13:33.692.
KRISTA MEIER, ESQ. - Notification received on 2021-08-09 13:13:33.77.
JOANNA ROBERTS, ESQ. - Notification received on 2021-08-09 13:13:33.636.
BIRAY DOGAN, ESQ. - Notification received on 2021-08-09 13:13:33.61.
KEVIN NAUGHTON, ESQ. - Notification received on 2021-08-09 13:13:33.813.
JOHN PETTY, ESQ. - Notification received on 2021-08-09 13:13:33.844.
AMANDA SAGE, ESQ. - Notification received on 2021-08-09 13:13:33.743.
DIV. OF PAROLE & PROBATION - Notification received on 2021-08-09 13:13:33.663.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR18-2148

Judge:

HONORABLE SCOTT N. FREEMAN

Official File Stamp:

08-09-2021:13:11:42

Clerk Accepted:

08-09-2021:13:12:46

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. CHARLES ANTHONY SKAGGS (TN)
(D9)

Document(s) Submitted:

Ord Approving

Filed By:

Judicial Asst. BWard

You may review this filing by clicking on the following link to take you to your cases.

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The following people were served electronically:

KRISTA D. MEIER, ESQ.

AMANDA C. SAGE, ESQ. for STATE OF
NEVADA

KEVIN P. NAUGHTON, ESQ. for STATE OF
NEVADA

DIV. OF PAROLE & PROBATION

BIRAY DOGAN, ESQ. for CHARLES ANTHONY
SKAGGS

JOHN REESE PETTY, ESQ. for CHARLES
ANTHONY SKAGGS

JOANNA L. ROBERTS, ESQ. for CHARLES
ANTHONY SKAGGS

JENNIFER P. NOBLE, ESQ. for STATE OF
NEVADA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

CODE No. 3860
CHRISTOPHER J. HICKS
#7747
One South Sierra Street
Reno, Nevada 89501
(775) 328-3200
districtattorney@da.washoecounty.us
Attorney for Respondent

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,

IN AND FOR THE COUNTY OF WASHOE

* * *

CHARLES SKAGGS,

Petitioner,

Case No. CR18-2148

vs.

CR18-2149

THE STATE OF NEVADA,

Dept. No. 9

Respondent.

_____ /

REQUEST FOR SUBMISSION

It is requested that the Motion Dismiss In Part, filed on January 25, 2021, be resubmitted to the Court for decision.

AFFIRMATION PURSUANT TO NRS 239B.030

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

DATED: August 31, 2021.

CHRISTOPHER J. HICKS
District Attorney

By /s/ Kevin Naughton
KEVIN NAUGHTON
Appellate Deputy

CERTIFICATE OF MAILING

Pursuant to NRCP 5(b), I hereby certify that I am an employee of the Washoe County District Attorney's Office and that, on August 31, 2021, I deposited for mailing through the U.S. Mail Service at Reno, Washoe County, Nevada, postage prepaid, a true copy of the foregoing document, addressed to:

Charles Skaggs #1117743
Northern Nevada Correctional Center
P.O. Box 7000
Carson City, NV 89702

/s/ Tatyana Kazantseva
TATYANA KAZANTSEVA

Return Of NEF**Recipients**

JENNIFER NOBLE, ESQ. - Notification received on 2021-08-31 08:35:22.538.

JOANNA ROBERTS, ESQ. - Notification received on 2021-08-31 08:35:22.481.

BIRAY DOGAN, ESQ. - Notification received on 2021-08-31 08:35:22.451.

KEVIN NAUGHTON, ESQ. - Notification received on 2021-08-31 08:35:22.6.

JOHN PETTY, ESQ. - Notification received on 2021-08-31 08:35:22.631.

AMANDA SAGE, ESQ. - Notification received on 2021-08-31 08:35:22.569.

DIV. OF PAROLE & PROBATION - Notification received on 2021-08-31 08:35:22.509.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****

PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR18-2148

Judge:

HONORABLE SCOTT N. FREEMAN

Official File Stamp:

08-31-2021:08:29:39

Clerk Accepted:

08-31-2021:08:34:50

Court:

Second Judicial District Court - State of Nevada

Criminal

Case Title:

STATE VS. CHARLES ANTHONY SKAGGS (TN)
(D9)

Document(s) Submitted:

Request for Submission

Filed By:

Kevin Naughton

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KEVIN P. NAUGHTON, ESQ. for STATE OF
NEVADA

DIV. OF PAROLE & PROBATION

BIRAY DOGAN, ESQ. for CHARLES ANTHONY
SKAGGS

JOHN REESE PETTY, ESQ. for CHARLES
ANTHONY SKAGGS

JOANNA L. ROBERTS, ESQ. for CHARLES
ANTHONY SKAGGS

JENNIFER P. NOBLE, ESQ. for STATE OF
NEVADA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

KRISTA D. MEIER, ESQ.

1 Code:

2
3
4 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
5 IN AND FOR THE COUNTY OF WASHOE
6

7
8 CHARLES SKAGGS,

9 Petitioner,

10 v.

11 THE STATE OF NEVADA,

12 Respondent.
13

Case No.: CR18-2148
CR18-2149

Dept. No.: 9

14
15 **ORDER GRANTING MOTION TO LIFT STAY**

16 On or about April 21, 2021, Petitioner CHARLES SKAGGS ("Petitioner") filed a *Notice of*
17 *Appeal*. As a result of that Notice, this Court issued its *Order* staying the above-captioned matters
18 until the said appeal was resolved.

19 On or about May 11, 2021, the Supreme Court issued its *Order Dismissing Appeals*.
20 Following that Order, Petitioner filed a *Motion to Lift the Stay* on June 7, 2021. Petitioner thereafter
21 filed a *Motion for Judicial Action on Petition* on June 18, 2021.

22 Upon review of the record and following the issuance of the Supreme Court's *Order*
23 *Dismissing Appeals*, this Court finds good cause to lift the stay previously ordered in the above-
24 captioned matters.

25 THEREFORE, IT IS HEREBY ORDERED that the previously ordered stay in the above-
26 caption matters shall be LIFTED.

27 ///

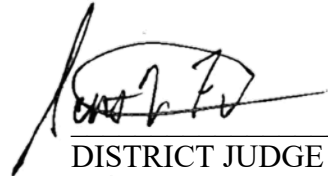
28 ///

///

1 IT IS FURTHER ORDERED that the Parties shall resubmit any and all motions ripe for
2 review to this Court for consideration.

3 IT IS SO ORDERED.

4 DATED: this 31st day of August 2021.

5 
6 DISTRICT JUDGE

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of the Second Judicial District Court of the State of Nevada, County of Washoe; that on this 31st day of August, 2021, I deposited in the County mailing system for postage and mailing with the United States Postal Service in Reno, Nevada, a true copy of the attached document addressed to:

Charles Skaggs, #1117743
 NNCC
 P.O. Box 7000
 Carson City, NV 89702

Further, I certify that on the 31st day of August, 2021, I electronically filed the foregoing with the Clerk of the Court electronic filing system, which will send notice of electronic filing to the following:

AMANDA SAGE, ESQ. for STATE OF NEVADA
DIV. OF PAROLE & PROBATION
JOANNA ROBERTS, ESQ. for CHARLES ANTHONY SKAGGS
KEVIN NAUGHTON, ESQ. for STATE OF NEVADA
BIRAY DOGAN, ESQ. for CHARLES ANTHONY SKAGGS
JOHN PETTY, ESQ. for CHARLES ANTHONY SKAGGS
JENNIFER NOBLE, ESQ. for STATE OF NEVADA

[Handwritten signature]

Judicial Assistant

Return Of NEF**Recipients**

JENNIFER NOBLE, ESQ. - Notification received on 2021-08-31 12:35:09.133.

JOANNA ROBERTS, ESQ. - Notification received on 2021-08-31 12:35:09.071.

BIRAY DOGAN, ESQ. - Notification received on 2021-08-31 12:35:09.041.

KEVIN NAUGHTON, ESQ. - Notification received on 2021-08-31 12:35:09.195.

JOHN PETTY, ESQ. - Notification received on 2021-08-31 12:35:09.225.

AMANDA SAGE, ESQ. - Notification received on 2021-08-31 12:35:09.164.

DIV. OF PAROLE & PROBATION - Notification received on 2021-08-31 12:35:09.103.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****

PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR18-2148

Judge:

HONORABLE SCOTT N. FREEMAN

Official File Stamp:

08-31-2021:12:33:58

Clerk Accepted:

08-31-2021:12:34:37

Court:

Second Judicial District Court - State of Nevada

Criminal

Case Title:

STATE VS. CHARLES ANTHONY SKAGGS (TN)
(D9)

Document(s) Submitted:

Ord Granting Mtn

Filed By:

Judicial Asst. BWard

You may review this filing by clicking on the following link to take you to your cases.

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The following people were served electronically:

AMANDA C. SAGE, ESQ. for STATE OF
NEVADA

DIV. OF PAROLE & PROBATION

JOANNA L. ROBERTS, ESQ. for CHARLES
ANTHONY SKAGGS

KEVIN P. NAUGHTON, ESQ. for STATE OF
NEVADA

BIRAY DOGAN, ESQ. for CHARLES ANTHONY
SKAGGS

JOHN REESE PETTY, ESQ. for CHARLES
ANTHONY SKAGGS

JENNIFER P. NOBLE, ESQ. for STATE OF
NEVADA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

KRISTA D. MEIER, ESQ.

1 CODE: 3370
2
34 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
5 IN AND FOR THE COUNTY OF WASHOE
6

7 CHARLES SKAGGS,

8 Petitioner,

9 v.

10 STATE OF NEVADA,

11 Respondent.
12

Case No.: CR18-2148

CR18-2149

Dept. No.: 9

13 **ORDER GRANTING MOTION TO DISMISS IN PART**14 The Court is in receipt of the Respondent THE STATE OF NEVADA's (hereafter "State")
15 resubmitted *Motion to Dismiss in Part* filed August 31, 2021. No response has been filed by
16 CHARLES SKAGGS (hereafter "Petitioner"). Upon review of the record, with good cause
17 appearing, the Court GRANTS the State's *Motion to Dismiss in Part*.18 **PROCEDURAL HISTORY**19 In case number CR18-2148, Petitioner CHARLES SKAGGS (hereafter "Petitioner") pled
20 guilty and was convicted of Attempted Assault with the Use of a Deadly Weapon. Petitioner was
21 sentenced to 12 to 32 months in prison. In case number CR18-2149, Petitioner pled guilty and was
22 convicted of Possession of a Trafficking Quantity of a Controlled Substance and sentenced to 48 to
23 120 months in prison, to run consecutive to the sentence in CR18-2148.24 Petitioner filed notice of appeal in both of his cases but later voluntarily withdrew his
25 appeals. On October 22, 2019, Petitioner filed a post-conviction *Petition for Writ of Habeas Corpus*
26 ("Petition") in both of his cases and sought the appointment of counsel. Counsel, Lyn Beggs, Esq.,
27 was appointed on April 23, 2020.
28

1 On May 8, 2020, Petitioner filed a *Motion to Correct Illegal Sentence and/or Modify*
2 *Sentence* in both cases. The State opposed the motions, and they were denied in an order filed July
3 23, 2020.

4 On August 24, 2020, Ms. Beggs filed a *Motion to Withdraw as Counsel*. The motions were
5 granted, and Ms. Beggs was withdrawn as counsel pursuant to the Court's *Order* filed October 26,
6 2020. On November 25, 2020, Petitioner filed a *Supplemental Petition for Writ of Habeas Corpus*
7 (*Post-Conviction*) (hereafter "Supplemental Petition")

8 On January 21, 2021, Petitioner, acting pro per, filed a *Motion to Withdraw Plea of Guilty on*
9 *Charge of Assault with a Deadly Weapon*. The State filed an *Opposition* on February 1, 2021. On
10 January 25, 2021, the State filed a *Motion to Dismiss in Part* seeking to dismiss portions of the
11 Petition and Supplemental Petition. Petitioner filed a *Response and Objection to Motion to Dismiss*
12 on February 8, 2021.

13 On January 26, 2021, Petitioner filed a *Motion for Discovery* in both cases. The State filed an
14 *Opposition* on February 1, 2021 in both cases. On April 1, 2021, the Court denied the *Petitioner's*
15 *Motion for Discovery* in both cases. On or about April 21, 2021, Petitioner CHARLES SKAGGS
16 ("Petitioner") filed a *Notice of Appeal*. As a result of that Notice, this Court issued its Order staying
17 the above-captioned matters until the said appeal was resolved.

18 On or about May 11, 2021, the Supreme Court issued its *Order Dismissing Appeals*.
19 Following that Order, Petitioner filed a *Motion to Lift the Stay* on June 7, 2021. Petitioner thereafter
20 filed a *Motion for Judicial Action on Petition* on June 18, 2021. This Court issued its *Order*
21 *Granting Motion to Lift the Stay* on August 31, 2021 in both cases, and *ordered* all parties that they
22 need to "*resubmit any and all motions ripe for review to this Court for consideration.*" As of this
23 date, only the State has resubmitted its *Motion to Dismiss in Part*, filed August 31, 2021. Petitioner
24 has apparently chosen to abandoned his claims as no new submissions have been timely made
25 pursuant to the Courts Order.

26 ///

27 ///

28 ///

STANDARD OF REVIEW

Nev. R. Civ. P. 36(a)(3) provides that a party has 30 days to respond after being served. If a party fails to file any responsive pleadings within 30 days, it is deemed an admission on behalf of the non-moving party. *Id.* Any matter admitted pursuant to NRC P 36 is “conclusively established.” *Id.* at (b). As such, admissions deemed admitted under these circumstances serve as the basis for final judgement. *Allen v. Nelson*, 126 Nev. 688 (2010). Finally, “the fact that a party is proceeding in proper person does not excuse that party's failure to comply with applicable court rules.” *Id.* (emphasis added).

DISCUSSION

Upon review of the record this Court finds that the Petitioner has failed to file a response to the State's *Motion* and has not timely resubmitted any of his previous motions in both cases as ordered by the Court. At this date, over 60 days have passed since the Courts Order for resubmission. Since well over 30 days have passed, and the Petitioner has failed to respond, this Court finds that Petitioner has abandoned his claims and opposition to the State's *Motion* in both cases pursuant to NRCp 36.

THEREFORE, IT IS ORDERED, the State's *Motion to Dismiss in Part* is GRANTED.

DATED: this 9th day of November, 2021.

DISTRICT JUDGE

CERTIFICATE OF SERVICE

Pursuant to NRCp 5(b), I certify that I am an employee of the Second Judicial District Court of the State of Nevada, County of Washoe; that on this 9th day of November, 2021, I deposited for mailing with the United States Postal Service in Reno, Nevada, a true copy of the attached document addressed to:

Charles Skaggs, #111743
NNCC
P.O. Box 7000
Carson City, NV 89702

Further, I certify that on the 9th day of November, 2021, I electronically filed the foregoing with the Clerk of the Court electronic filing system, which will send notice of electronic filing to the following:

KRISTA MEIER, ESQ.
JENNIFER NOBLE, ESQ. for STATE OF NEVADA
JOHN PETTY, ESQ. for CHARLES ANTHONY SKAGGS
JOANNA ROBERTS, ESQ. for CHARLES ANTHONY SKAGGS
DIV. OF PAROLE & PROBATION
BIRAY DOGAN, ESQ. for CHARLES ANTHONY SKAGGS
KEVIN NAUGHTON, ESQ. for STATE OF NEVADA
JEFF HOPPE, ESQ. for STATE OF NEVADA



Judicial Assistant

Return Of NEF**Recipients**

JENNIFER NOBLE, ESQ. - Notification received on 2021-11-09 15:31:35.234.
KRISTA MEIER, ESQ. - Notification received on 2021-11-09 15:31:35.307.
JOANNA ROBERTS, ESQ. - Notification received on 2021-11-09 15:31:33.875.
BIRAY DOGAN, ESQ. - Notification received on 2021-11-09 15:31:33.842.
KEVIN NAUGHTON, ESQ. - Notification received on 2021-11-09 15:31:35.341.
JOHN PETTY, ESQ. - Notification received on 2021-11-09 15:31:35.818.
AMANDA SAGE, ESQ. - Notification received on 2021-11-09 15:31:35.269.
DIV. OF PAROLE & PROBATION - Notification received on 2021-11-09 15:31:35.19.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****

PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR18-2148

Judge:

HONORABLE SCOTT N. FREEMAN

Official File Stamp:

11-09-2021:15:30:06

Clerk Accepted:

11-09-2021:15:30:48

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. CHARLES ANTHONY SKAGGS (TN)
(D9)

Document(s) Submitted:

Ord Grant Partial Dismissal

Filed By:

Judicial Asst. BWard

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

The following people were served electronically:

AMANDA C. SAGE, ESQ. for STATE OF
NEVADA

KRISTA D. MEIER, ESQ.

DIV. OF PAROLE & PROBATION

JOANNA L. ROBERTS, ESQ. for CHARLES
ANTHONY SKAGGS

KEVIN P. NAUGHTON, ESQ. for STATE OF
NEVADA

BIRAY DOGAN, ESQ. for CHARLES ANTHONY
SKAGGS

JOHN REESE PETTY, ESQ. for CHARLES
ANTHONY SKAGGS

JENNIFER P. NOBLE, ESQ. for STATE OF
NEVADA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

CODE 2540

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

STATE OF NEVADA,

Plaintiff,

Case No: CR18-2148

vs.

CR18-2149

Dept. No: 9

CHARLES ANTHONY SKAGGS,

Defendant.

_____ /

NOTICE OF ENTRY OF ORDER

PLEASE TAKE NOTICE that on November 9, 2021, the Court entered a decision or order in this matter, a true and correct copy of which is attached hereto.

Dated November 10, 2021.

ALICIA LERUD

Clerk of the Court

/s/N. Mason

N. Mason-Deputy Clerk

CERTIFICATE OF SERVICE

Case No. CR18-2148, CR18-2149

Pursuant to NRCP 5 (b), I certify that I am an employee of the Second Judicial District Court; that on November 10, 2021, I electronically filed the Notice of Entry of Order with the Court System which will send a notice of electronic filing to the following:

AMANDA C. SAGE, ESQ. for STATE OF NEVADA
KRISTA D. MEIER, ESQ.
DIV. OF PAROLE & PROBATION
JOANNA L. ROBERTS, ESQ. for CHARLES ANTHONY SKAGGS
KEVIN P. NAUGHTON, ESQ. for STATE OF NEVADA
BIRAY DOGAN, ESQ. for CHARLES ANTHONY SKAGGS
JOHN REESE PETTY, ESQ. for CHARLES ANTHONY SKAGGS
JENNIFER P. NOBLE, ESQ. for STATE OF NEVADA

I further certify that on November 10, 2021, I deposited in the Washoe County mailing system for postage and mailing with the U.S. Postal Service in Reno, Nevada, a true copy of the attached document, addressed to:

Attorney General's Office
100 N. Carson Street
Carson City, NV 89701-4717

Charles Skaggs (#1117743)
N. Nevada Correctional Center
P. O. Box 7000
Carson City, NV 89702

The undersigned does hereby affirm that pursuant to NRS 239B.030 and NRS 603A.040, the preceding document does not contain the personal information of any person.

Dated November 10, 2021.

/s/N. Mason
N. Mason- Deputy Clerk

1 CODE: 3370
2
34 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
5 IN AND FOR THE COUNTY OF WASHOE
6

7 CHARLES SKAGGS,

8 Petitioner,

9 v.

10 STATE OF NEVADA,

11 Respondent.
12

Case No.: CR18-2148

CR18-2149

13 Dept. No.: 9

14 **ORDER GRANTING MOTION TO DISMISS IN PART**15 The Court is in receipt of the Respondent THE STATE OF NEVADA's (hereafter "State")
16 resubmitted *Motion to Dismiss in Part* filed August 31, 2021. No response has been filed by
17 CHARLES SKAGGS (hereafter "Petitioner"). Upon review of the record, with good cause
appearing, the Court GRANTS the State's *Motion to Dismiss in Part*.18 **PROCEDURAL HISTORY**19 In case number CR18-2148, Petitioner CHARLES SKAGGS (hereafter "Petitioner") pled
20 guilty and was convicted of Attempted Assault with the Use of a Deadly Weapon. Petitioner was
21 sentenced to 12 to 32 months in prison. In case number CR18-2149, Petitioner pled guilty and was
22 convicted of Possession of a Trafficking Quantity of a Controlled Substance and sentenced to 48 to
23 120 months in prison, to run consecutive to the sentence in CR18-2148.24 Petitioner filed notice of appeal in both of his cases but later voluntarily withdrew his
25 appeals. On October 22, 2019, Petitioner filed a post-conviction *Petition for Writ of Habeas Corpus*
26 ("Petition") in both of his cases and sought the appointment of counsel. Counsel, Lyn Beggs, Esq.,
27 was appointed on April 23, 2020.
28

1 On May 8, 2020, Petitioner filed a *Motion to Correct Illegal Sentence and/or Modify*
2 *Sentence* in both cases. The State opposed the motions, and they were denied in an order filed July
3 23, 2020.

4 On August 24, 2020, Ms. Beggs filed a *Motion to Withdraw as Counsel*. The motions were
5 granted, and Ms. Beggs was withdrawn as counsel pursuant to the Court's *Order* filed October 26,
6 2020. On November 25, 2020, Petitioner filed a *Supplemental Petition for Writ of Habeas Corpus*
7 (*Post-Conviction*) (hereafter "Supplemental Petition")

8 On January 21, 2021, Petitioner, acting pro per, filed a *Motion to Withdraw Plea of Guilty on*
9 *Charge of Assault with a Deadly Weapon*. The State filed an *Opposition* on February 1, 2021. On
10 January 25, 2021, the State filed a *Motion to Dismiss in Part* seeking to dismiss portions of the
11 Petition and Supplemental Petition. Petitioner filed a *Response and Objection to Motion to Dismiss*
12 on February 8, 2021.

13 On January 26, 2021, Petitioner filed a *Motion for Discovery* in both cases. The State filed an
14 *Opposition* on February 1, 2021 in both cases. On April 1, 2021, the Court denied the *Petitioner's*
15 *Motion for Discovery* in both cases. On or about April 21, 2021, Petitioner CHARLES SKAGGS
16 ("Petitioner") filed a *Notice of Appeal*. As a result of that Notice, this Court issued its Order staying
17 the above-captioned matters until the said appeal was resolved.

18 On or about May 11, 2021, the Supreme Court issued its *Order Dismissing Appeals*.
19 Following that Order, Petitioner filed a *Motion to Lift the Stay* on June 7, 2021. Petitioner thereafter
20 filed a *Motion for Judicial Action on Petition* on June 18, 2021. This Court issued its *Order*
21 *Granting Motion to Lift the Stay* on August 31, 2021 in both cases, and *ordered* all parties that they
22 need to "*resubmit any and all motions ripe for review to this Court for consideration.*" As of this
23 date, only the State has resubmitted its *Motion to Dismiss in Part*, filed August 31, 2021. Petitioner
24 has apparently chosen to abandoned his claims as no new submissions have been timely made
25 pursuant to the Courts Order.

26 ///

27 ///

28 ///

STANDARD OF REVIEW

Nev. R. Civ. P. 36(a)(3) provides that a party has 30 days to respond after being served. If a party fails to file any responsive pleadings within 30 days, it is deemed an admission on behalf of the non-moving party. *Id.* Any matter admitted pursuant to NRCP 36 is “conclusively established.” *Id.* at (b). As such, admissions deemed admitted under these circumstances serve as the basis for final judgement. *Allen v. Nelson*, 126 Nev. 688 (2010). Finally, “the fact that a party is proceeding in proper person does not excuse that party's failure to comply with applicable court rules.” *Id.* (emphasis added).

DISCUSSION

Upon review of the record this Court finds that the Petitioner has failed to file a response to the State's *Motion* and has not timely resubmitted any of his previous motions in both cases as ordered by the Court. At this date, over 60 days have passed since the Courts Order for resubmission. Since well over 30 days have passed, and the Petitioner has failed to respond, this Court finds that Petitioner has abandoned his claims and opposition to the State's *Motion* in both cases pursuant to NRCp 36.

THEREFORE, IT IS ORDERED, the State's *Motion to Dismiss in Part* is GRANTED.

DATED: this 9th day of November, 2021.

DISTRICT JUDGE

CERTIFICATE OF SERVICE

Pursuant to NRCp 5(b), I certify that I am an employee of the Second Judicial District Court of the State of Nevada, County of Washoe; that on this 9th day of November, 2021, I deposited for mailing with the United States Postal Service in Reno, Nevada, a true copy of the attached document addressed to:

Charles Skaggs, #111743
NNCC
P.O. Box 7000
Carson City, NV 89702

Further, I certify that on the 9th day of November, 2021, I electronically filed the foregoing with the Clerk of the Court electronic filing system, which will send notice of electronic filing to the following:

KRISTA MEIER, ESQ.
JENNIFER NOBLE, ESQ. for STATE OF NEVADA
JOHN PETTY, ESQ. for CHARLES ANTHONY SKAGGS
JOANNA ROBERTS, ESQ. for CHARLES ANTHONY SKAGGS
DIV. OF PAROLE & PROBATION
BIRAY DOGAN, ESQ. for CHARLES ANTHONY SKAGGS
KEVIN NAUGHTON, ESQ. for STATE OF NEVADA
JEFF HOPPE, ESQ. for STATE OF NEVADA



Judicial Assistant

Return Of NEF**Recipients**

JENNIFER NOBLE, ESQ. - Notification received on 2021-11-10 14:05:54.644.
KRISTA MEIER, ESQ. - Notification received on 2021-11-10 14:05:54.861.
JOANNA ROBERTS, ESQ. - Notification received on 2021-11-10 14:05:53.949.
BIRAY DOGAN, ESQ. - Notification received on 2021-11-10 14:05:53.913.
KEVIN NAUGHTON, ESQ. - Notification received on 2021-11-10 14:05:55.418.
JOHN PETTY, ESQ. - Notification received on 2021-11-10 14:05:55.764.
AMANDA SAGE, ESQ. - Notification received on 2021-11-10 14:05:54.679.
DIV. OF PAROLE & PROBATION - Notification received on 2021-11-10 14:05:54.299.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR18-2148

Judge:

HONORABLE SCOTT N. FREEMAN

Official File Stamp:

11-10-2021:14:03:20

Clerk Accepted:

11-10-2021:14:04:46

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. CHARLES ANTHONY SKAGGS (TN)
(D9)

Document(s) Submitted:

Notice of Entry of Ord

Filed By:

Deputy Clerk NMason

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

The following people were served electronically:

AMANDA C. SAGE, ESQ. for STATE OF
NEVADA

KRISTA D. MEIER, ESQ.

DIV. OF PAROLE & PROBATION

JOANNA L. ROBERTS, ESQ. for CHARLES
ANTHONY SKAGGS

KEVIN P. NAUGHTON, ESQ. for STATE OF
NEVADA

BIRAY DOGAN, ESQ. for CHARLES ANTHONY
SKAGGS

JOHN REESE PETTY, ESQ. for CHARLES
ANTHONY SKAGGS

JENNIFER P. NOBLE, ESQ. for STATE OF
NEVADA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

Charles Skaggs
 NVCC PO Box 7000
 Carson City NV 89702

SECOND JUDICIAL DISTRICT COURT
 County of Washoe

ALICIA M. RUD
 CLERK OF THE COURT
 BY *[Signature]*
 DEPUTY

STATE OF NEVADA
 Plaintiff

Cases: CR 18-2148

CR 18-2149

v

Dept: 9

Charles Anthony Skaggs
 Defendant

Motion to Reconsider

Now comes petitioner of habeas corpus
 to request reconsider the Order Granting
 Motion to Dismiss in Part as having
 been improvidently granted for reasons stated
 in the following Memorandum of Points and
 notice of lack of authority to require litigant
 to duplicate pleadings which have been properly
 filed and submitted for consideration by Court;

Memorandum of Points and Lack of Authority

I. Petitioner Has Not Failed to Comply
 with Applicable Court Rules.

1. The petitioner has looked high and low for
 any court rule that says a judge can
 order a second filing of what has already

1. continued
been properly filed; the petitioner satisfied NRCP 34(a)(3)
on Feb. 8 2021, Transaction 8283580 when
his Response and Objections to Motion to Dismiss
on Cases CR-18-2148 and CR18-2149,
2. therefore the court's "order" to file a
"resubmit any and all motions" is not
based on any court rule, case law or
any rule of reason; the court does not
provide any rule that justifies its "order
to resubmit" nor explains why that re-
submission was necessary, such as that
maybe the court lost the Response and
Objections petitioner filed 02-08-2021.
3. Therefore, the court's conclusion that "the
petitioner has failed to file a response to the
States Motion" is a patent misrepresentation
of reality which works to the prejudice of
the Petitioner;

II This Tactic of Making up Rules on the
Fly Likely Designed to Clear COVID
Related Backlog and Plaintiff
Objects

- 4 The media reports that the courts are severely
backlogged; therefore it can be inferred by

Mot. Response-Ord. = 2 - CR 18-2148
Granted Dismissed CR 18-2149

4.) continued

by the courts extraordinary conduct of demanding a Re-submission so clearly made unnecessary by the existence of a priorly filed response, that the state executive branch prosecutor and the judicial branch are attempting to circumvent NRS 34 et seq in adjudicating fairly my response to the motion to dismiss, in violation of my Federal rights to due process;

III. NRS 34.830 Violated By Circumvention of Duty to Provide Finding of Fact and Law

5.) the ~~petitioner's~~ Response and Objection filed 02-08-2021 and subsequent Submission by the State dtd 02-19-21 trigger state law for the court to provide findings of fact per NRS 34.830 which it has not done,

Wherefore the court is requested to reverse its order and take the Response and Objection to Motion to Dismiss under advisement to make its Findings of Fact and Conclusions of Law; the petitioner received the Notice of Entry of Order on November 17 2021 at about 8pm

The foregoing is signed under penalty of perjury per NRS 209.165 to be true. PEP NRS 239B.030 No person's SS# is in this Document

Charles Skaggs
Charles Skaggs

January 19 2021
Motion for Order Grant = 3 =
Dismissal

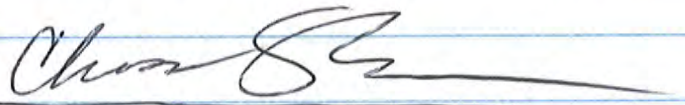
OR 18-2148
CR 18-2149

Certificate of Service

The foregoing Motion for Reconsideration
has been served by US Mail on the

Washoe County District Attorney
1 South Sierra
Reno NV 89501

on the 19th day of November 2021


Charles Skaggs

INDEX OF EXHIBITS

Exhibit Number 1 Number of Pages 11
Exhibit Description Response and Objections of Service paper

Exhibit Number _____ Number of Pages _____
Exhibit Description _____

Exhibit Number _____ Number of Pages _____
Exhibit Description _____

Exhibit Number _____ Number of Pages _____
Exhibit Description _____

Exhibit Number _____ Number of Pages _____
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Exhibit Description _____

Exhibit Number _____ Number of Pages _____
Exhibit Description _____

Exhibit Number _____ Number of Pages _____
Exhibit Description _____

EXHIBIT 1

Copy of Response and Objections

Filed 02-08-2021

Trans. # 4283572

FILED
Electronically
CR18-2148
2021-02-08 08:31:21 AM
Jacqueline Bryant
Clerk of the Court
Transaction # 8283572 :

Charles Skaggs
(Name)

(I.D. No.)
Northern Nevada Correctional Center
Post Office Box 7000
Carson City, NV 89702

Movant, In Proper Person

SECOND JUDICIAL DISTRICT COURT
County of Washoe

Charles Skaggs
Plaintiff/Movant

CR18-2148
Case No.: CR18-2149

vs.
STATE OF NEVADA
Defendant/Respondent

Response and Objections
to Motion to Dismiss

COMES NOW, Charles Skaggs, in proper person and herein
above respectfully moves this Honorable Court for a(n) Order Denying
Motion to Dismiss by virtue of this response
and objection to States Motion to Dismiss in part;

The instant motion is made and based upon all papers and pleadings on file herein as well
as the following Memorandum of Points and Authorities and attached exhibits (where
applicable). Per NRS 239B.030 there is no information about any other
person in this pleading

Charles Skaggs
Charles Skaggs
Date: 1-31-21

MEMORANDUM OF POINTS AND AUTHORITIES

- I. Objections to State's Applicable Authority Arguments
- a) The Prosecutor Response is Biased Application of Undue Pressure on the Scales of True Justice
 - 1) The state's response violates its duty to do justice rather than save face, save a "win", or appear to its constituents infallible; in doing so it violates Nevada Rules of Professional Conduct, Advocate Rule 8 in a variety of ways:
 - A. Over-Emphasis on Strickland v. Washington
 - 2) The state's overemphasis on Strickland v. Washington's 2-prong approach is to vitiate the confrontation of petitioner on the government caused ineffective assistance of council; the facts allege serious systemic malfunctions which makes the Washoe County Second District a perverse sham of justice as envisioned in the Anglo-American system subscribed to by the U.S. and Nevada constitutions; the proper standard is, for government-cause violation of effective assistance clause is U.S. v. ^{Crowe} Crowe which identifies exceptions to the Strickland two-step standard; for example:
 - i) In Ground Ten alleges that the Public Defenders Office is under fiscal control of the prosecutor, creating an ingrained conflict of interest at the level of the government; NRS 176.156 clearly shifts the responsibility of challenges to the DA and PD, who in most cases ignore the law in collusion; the DA, PD, and Court

A, 2, i - cont.

the petitioner invoked the NPAP 4(c) rule request untimely appeal and the prosecutor misleads the court by ignoring the request in its motion; the prosecutor misinforms fraudulently ~~by~~ omitting the fact the petitioner sent a letter on 03/25/20 notifying of the error in charging documents and subsequently in the pre-sentence report; the state concedes the petitioner's request for untimely appeal, thereby conceding the petitioner's right to seek relief of untimely appeal; on this clerical error, the petitioner has ~~file~~ Motion to Make Correction dated 01/17/21 he has also filed Motion for Discovery dtd 01/20/21; the state has failed to respond to either

ii) the state's use of the two-step Strickland standard is nothing but a meaningless talismanic incantation to put a spell on the court's rational faculties, especially at MotD-pg 3 line 12 where the sorcerer doesn't mention a word about the "prevailing professional norms" anywhere in the motion; the prevailing "norms" are that the prosecutor can convict a hamburger on whatever charge she pleases, and because the DA pays the PD, the divided loyalty insures the PD's "silent consent;" the DA leads the court itself around by the nose, because the judgeship in Nevada is elected, putting two hats on the bench --

Resp. to Mot. Dismiss -3- O CR-18-2149 ~ 2148 JDC

iii) the plaintiff objects to another incantation
 "court's review must be highly deferential
 to [defense] counsel's performance."
 Yeah. How convenient. The pre-approval
 carte blanche license to act as co-counsel
 to the prosecutor is sanctioned by
Strockland, but not by Cronce; there
 is no logical fallacy called "distorting
 effect of hindsight" and can be only another
 witchdoctor spell to vitiate the court's
 true duty to act as an obstacle to the
 overgrowth of the powerful influence of
 the police power of the executive branch;
 the presumption of adequate assistance
 can be shown by the omissions in the record
 and the court is reminded of the petitioners
 Motion For Discovery per NRS 34.780;

iv) the law which makes counsel's strategy,
 and tactical decision ~~is bad~~ ^{unchallenged} ~~unassailable~~
~~as~~ [at pg. 3 M. Dismiss line 24] absent
 extraordinary circumstances is bad
 law which identifies Nevada as ~~a~~ a
 failed state for its totalitarian nature;
 the Chronoe decision is omitted to dupe
 the court -- ~~Ch~~ Cronce and its progeny
 defines what "extraordinary" circumstances are;
 the motion to dismiss is silent on defining
 the term to the court, which evokes sinister intent;

Resp. Mot to Dismiss

- 4 - CR-18-2148 ~ 2149 2JDC

B.) Actual Prejudice Need Not Be Shown
Where There Is Evidence of Conflict-of-Interest
and Other Structural Errors

- 3) had the public defender's office any independence from its fiscal ties to the office of district attorney, the performance standards would not be controlled by the district prosecutor but by an independent agency;
- 4) the Washoe County Commission's biennial budget clearly shows the public defender's office in the district attorney's budget of income and expenditures; the DA's motion concedes this by not denying it with evidence otherwise, see pg. 10 line 5;
- 5) the Public Defender's office does not receive a budget for Continuing Legal Education (CLE) while the prosecutors enjoy the bolstering centralized power of the State legislature in the statutorily mandated Advisory Council for Prosecuting Attorneys, which offers training opportunities to CLEs; see NRS 241A et seq.
- 6) the right-wing's war-on-crime politicians of the 2nd JDC have placed an open hand on the scales of justice in Washoe County to a criminal degree.

Resp. to Mot Dismiss

-5- CR 18-2148~2149 2JDC

II. All Counts of Original and Supplemental Petition Should Receive Opportunity For Discovery, or Provide Counsel to Run an Evidentiary Investigation

- 7.) Ground ~~Two~~ One raised "divided loyally conflicts of interest" at page 20. The petitioner request an order from court to order district attorney to subpoena the witnesses stated in ground one 'to an evidentiary hearing as ~~the~~ the supportive basis of an IAC claim, or assign counsel with specific instructions to do so, and argue the Cronic standard;
 - 8.) Ground Two the petitioner argued the Cronic standard at pg 27 of Original petition, and the petitioner requests an Order to DA. to answer charges on that basis, not Strickland, or assign counsel with instructions;
 - 9.) Ground Three - although the petitioner read the Agreement, he was prejudiced by the undue influence of conflicted PD, and never had chance to discuss this with a zealous advocate, but only with an attorney on payroll and wearing the hat of the ~~PD~~ prosecutor; the ~~conf~~ lawyers first duty is to the common good, and it is in the public interest that tax paid government agents are not conflicted into nonfeasance;
- Resp. to Mot. Dismiss - 6- CR 18 2148 ~ 2149 25DC

10.) ~~Ground Four~~ The state argues is a reiteration of Ground Three, and the petitioner agrees to conjoin the two but object to the statement "the claim Skaggs was unaware of the provision of paragraph is clearly belied by the record" without any reference to what part of the record belies the claim! Perhaps the context-rich winking and nodding and broad statements of "Facts not in evidence" is brazen misconduct that infects a corrupt system. The plaintiff seeks an order of the court that the DA identify with specificity the "multiple ways" uttered at pg 8 line 8; Petitioner requests discovery on the Chronos and Visitors Log from the Sheriff's office;

11.) The petitioner seeks order for discovery to support allegations of being in a "dazed state" that made his waivers and pleas "unknowing" without which he would have gone to trial.

~~For~~ Ground Five, as he has no attorney, and hereby invokes NRS 34.280;

12.) ~~Ground Six~~ -- the petitioner stated a conflict of interest claim, and he seeks an Order from Court telling the DA to answer on that basis, not the Strickland basis; Petitioner seek order for discovery or assignment of attorney with instructions;

Resp. to M. Olson

- 7 - CR 18-2148-2149 2JDC

13.) Ground Seven

the states "bolstering" allegation should have been brought ~~on~~ on direct appeal this is brought up as ineffective assistance of Appellate Counsel at Count Nine, and these two Counts should be conflated; the petitioner requests an Untimely Appeal per WRAP 4(c);

14.) Ground Eight brings a conflict of interest charge and I seek order to DA to answer on Cronic standard, not Strickland; being a "second prosecutor" is clear structural error waiving any prejudice showing.

15.) Supplemental Ground Nine was not answered as to its request for untimely appeal; seek courts order to DA to Answer on that basis, and allow reply;

16.) Supplemental Ground Ten this is misrepresented by the DA, and that is intentional fraud on the court; a Motion to Correct Clerical Error is on file; or these errors in all court documents and PSI can be sent as untimely appeal ~~on~~ with Grounds Seven and Nine WRAP 4(c) ~~that~~ or it could be stipulated to per NRS 176.156 et seq. with DA;

17.) Supplemental Ground Eleven -- the DA did not address issues raised regards statutory right to 176.156 relief -- please order response;

Resp. to Mot Dismiss

-8- CR 18-2148 & 2149 2JDE

18.) Supplemental Ground Twelve -- the DA imposes on the court the magical thinking that ~~leg~~ legal standards are restricted to the substantive grounds which the legal standard was enunciated; that is absurd political grandstanding; making up an ad hoc rule against "mixing legal standards;" Yet, tellingly, the government does not point to any legal authority which offers such a cramped vision of legal standards; nice try though; the District Attorney's victimology doctrines are an invention of the Nevada Advisory Council for Prosecuting Attorneys and the radical gender ideology held by the LGBT "community;" paying jurors and victims to make victim statements which are induced and groomed by brainwashing radicals is not "reasonably expressed" -- she may have an absolute right to lie and disown her own part in a failing relational event -- but ~~that~~ that right does not give the government the absolute right to leverage the undue influence of inducements. She's not on trial; government victim-adulating misconduct is on trial; I seek an order of Discovery for all evidence disclosing operation of this government intrusion on family affairs;

Resp. Mot. Dismiss

9 - CR 18-2148 ~ 2149 2JDC

Certificate of Service

The foregoing Response and Objections ~~are~~ to
States Answer Motion to Dismiss the
Petition for Writ of Habeas Corpus
in Cs 18-2148 and 18-2149 was
served by U.S. Mail on the Washoe
County District Attorney on Feb. 2
2021 at 1 South Center St Reno NV
89501.

Charles Skaggs
Charles Skaggs

Charles Skaggs
 (Name)
117243
 (I.D. No.)

Northern Nevada Correctional Center
 Post Office Box 7000
 Carson City, Nevada 89702

FILED

2021 DEC -3 PM 2:16

ALICIA L. LERUD
 CLERK OF THE COURT
 BY [Signature]
 DEPUTY

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

Charles Skaggs
 Petitioner/~~Plaintiff~~,
 vs.
STATE OF NEVADA
 Respondent/~~Defendant~~

CR 18 - 2148
 Case No.: CR 18 - 2149
 Dept. No. 9

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that I, Charles Skaggs appeal the
 Judgment / Order entered on the 9th day of November, 2021 by this
 court, regarding Order Granting Partial Motion to Dismiss
Petition for writ of Habeas Corpus
 Dated this 1st day of December, 2021.

Charles Skaggs
Charles Skaggs
 (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 1st day of December, 2021, I mailed a true and correct copy of the foregoing NOTICE OF APPEAL to the following:
NOTICE OF APPEAL OF ORDER Dkt No. 9 2021

Washoe County District Attorney

One So Sierra
Reno NV 89501



(Signature)

AFFIRMATION PURSUANT TO NRS 239B.030

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

12-1-21
(Date)


(Signature)

Code 1350

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

CHARLES SKAGGS,

Petitioner,

vs.

THE STATE OF NEVADA,

Respondent.

Case No. CR18-2148
CR18-2149

Dept. No. 9

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 6TH day of December, 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 6th day of December , 2021.

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

Code 1310

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

CHARLES SKAGGS,

Petitioner,

vs.

**Case No. CR18-2148
CR18-2149**

THE STATE OF NEVADA,

Dept. No. 9

Respondent.

CASE APPEAL STATEMENT

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

1. Appellant is Charles Skaggs.
2. This appeal is from an order entered by the Honorable Judge Scott Freeman.
3. Appellant is representing himself in Proper Person on appeal. The Appellant's address is:

Charles Skaggs, #111743
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 represented by appointed counsel in District Court.
7. Appellant is not represented by appointed counsel on appeal.
8. Appellant was granted leave to proceed in forma pauperis in the District Court on December 2nd, 2019.
9. Proceeding commenced by the filing of an Information filed on December 20th, 2018.
10. This is a criminal proceeding and the Appellant is appealing the Order Granting Motion to Dismiss in Part filed on November 9th, 2021.
11. The case has been the subject of a previous appeal to the Supreme Court.
Supreme Court No.: 78845, 82812
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 6th day of December, 2021.

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

Return Of NEF**Recipients**

JENNIFER NOBLE, ESQ. - Notification received on 2021-12-06 09:08:47.394.
KRISTA MEIER, ESQ. - Notification received on 2021-12-06 09:08:47.448.
JOANNA ROBERTS, ESQ. - Notification received on 2021-12-06 09:08:47.338.
BIRAY DOGAN, ESQ. - Notification received on 2021-12-06 09:08:47.267.
KEVIN NAUGHTON, ESQ. - Notification received on 2021-12-06 09:08:47.476.
JOHN PETTY, ESQ. - Notification received on 2021-12-06 09:08:47.503.
AMANDA SAGE, ESQ. - Notification received on 2021-12-06 09:08:47.421.
DIV. OF PAROLE & PROBATION - Notification received on 2021-12-06 09:08:47.366.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR18-2148

Judge:

HONORABLE SCOTT N. FREEMAN

Official File Stamp:

12-06-2021:09:07:38

Clerk Accepted:

12-06-2021:09:08:13

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. CHARLES ANTHONY SKAGGS (TN)
(D9)

Document(s) Submitted:

Certificate of Clerk
Case Appeal Statement

Filed By:

Deputy Clerk AZamora

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

The following people were served electronically:

AMANDA C. SAGE, ESQ. for STATE OF
NEVADA

KRISTA D. MEIER, ESQ.

DIV. OF PAROLE & PROBATION

JOANNA L. ROBERTS, ESQ. for CHARLES
ANTHONY SKAGGS

KEVIN P. NAUGHTON, ESQ. for STATE OF
NEVADA

JOHN REESE PETTY, ESQ. for CHARLES
ANTHONY SKAGGS

BIRAY DOGAN, ESQ. for CHARLES ANTHONY
SKAGGS

JENNIFER P. NOBLE, ESQ. for STATE OF
NEVADA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

**IN THE SUPREME COURT OF THE STATE OF NEVADA
OFFICE OF THE CLERK**

CHARLES ANTHONY SKAGGS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

Supreme Court No. 83888
District Court Case No. CR182148

RECEIPT FOR DOCUMENTS

TO: Charles Anthony Skaggs
Washoe County District Attorney \ Jennifer P. Noble
Alicia L. Lerud, Washoe District Court Clerk

You are hereby notified that the Clerk of the Supreme Court has received and/or filed the following:

12/09/2021	Appeal Filing Fee waived. Criminal. (SC)
12/09/2021	Filed Notice of Appeal/Proper Person. Appeal docketed in the Supreme Court this day. (SC)

DATE: December 09, 2021

Elizabeth A. Brown, Clerk of Court
lh

Return Of NEF**Recipients**

JENNIFER NOBLE, ESQ. - Notification received on 2021-12-14 12:19:41.793.
KRISTA MEIER, ESQ. - Notification received on 2021-12-14 12:19:41.858.
JOANNA ROBERTS, ESQ. - Notification received on 2021-12-14 12:19:41.736.
BIRAY DOGAN, ESQ. - Notification received on 2021-12-14 12:19:41.704.
KEVIN NAUGHTON, ESQ. - Notification received on 2021-12-14 12:19:41.886.
JOHN PETTY, ESQ. - Notification received on 2021-12-14 12:19:41.914.
AMANDA SAGE, ESQ. - Notification received on 2021-12-14 12:19:41.83.
DIV. OF PAROLE & PROBATION - Notification received on 2021-12-14 12:19:41.763.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****

PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR18-2148

Judge:

HONORABLE SCOTT N. FREEMAN

Official File Stamp:

12-14-2021:12:18:31

Clerk Accepted:

12-14-2021:12:19:11

Court:

Second Judicial District Court - State of Nevada

Criminal

Case Title:

STATE VS. CHARLES ANTHONY SKAGGS (TN)
(D9)

Document(s) Submitted:

Supreme Court Receipt for Doc

Filed By:

Deputy Clerk AZamora

You may review this filing by clicking on the following link to take you to your cases.

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If service is not required for this document (e.g., Minutes), please disregard the below language.

The following people were served electronically:

AMANDA C. SAGE, ESQ. for STATE OF
NEVADA

KRISTA D. MEIER, ESQ.

DIV. OF PAROLE & PROBATION

JOANNA L. ROBERTS, ESQ. for CHARLES
ANTHONY SKAGGS

KEVIN P. NAUGHTON, ESQ. for STATE OF
NEVADA

BIRAY DOGAN, ESQ. for CHARLES ANTHONY
SKAGGS

JOHN REESE PETTY, ESQ. for CHARLES
ANTHONY SKAGGS

JENNIFER P. NOBLE, ESQ. for STATE OF
NEVADA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHARLES ANTHONY SKAGGS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 83888

CHARLES ANTHONY SKAGGS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 83889

FILED

JAN 21 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

*ORDER CONSOLIDATING APPEALS, DIRECTING TRANSMISSION
OF RECORDS, AND REGARDING BRIEFING*

These are pro se appeals from a single district court order granting motions to dismiss in part, postconviction petitions for writs of habeas corpus. In the interest of judicial economy, these appeals are consolidated for all appellate purposes. *See* NRAP 3(b)(2).

Having reviewed the documents on file in these pro se appeals, this court has concluded that its review of the complete records is warranted. *See* NRAP 10(a)(1). Accordingly, the clerk of the district court shall have 30 days from the date of this order to transmit to the clerk of this court certified copies of the complete trial court records of these appeals. *See* NRAP 11(a)(2). The records shall include copies of documentary exhibits submitted in the district court proceedings, but shall not include any physical, non-documentary exhibits or the original documentary exhibits. The records shall also include any presentence investigation

reports submitted in a sealed envelope identifying the contents and marked confidential. See NRS 176.156(5).

Within 120 days, appellant may file either (1) a single brief that complies with the requirements in NRAP 28(a) and NRAP 32; or (2) the "Informal Brief Form for Pro Se Parties" provided by the supreme court clerk. NRAP 31(a)(1). If no brief is submitted, these consolidated appeals may be decided on the records on appeal. NRAP 34(g). Respondent need not file a response to any brief filed by appellant, unless ordered to do so by this court. NRAP 46A(c). This court generally will not grant relief without providing an opportunity to file a response. *Id.*

It is so ORDERED.

 C.J.

cc: Charles Anthony Skaggs
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk

Return Of NEF**Recipients**

JENNIFER NOBLE, ESQ. - Notification received on 2022-01-25 15:26:49.529.
KRISTA MEIER, ESQ. - Notification received on 2022-01-25 15:26:49.585.
JOANNA ROBERTS, ESQ. - Notification received on 2022-01-25 15:26:49.184.
BIRAY DOGAN, ESQ. - Notification received on 2022-01-25 15:26:49.155.
KEVIN NAUGHTON, ESQ. - Notification received on 2022-01-25 15:26:49.613.
JOHN PETTY, ESQ. - Notification received on 2022-01-25 15:26:49.922.
AMANDA SAGE, ESQ. - Notification received on 2022-01-25 15:26:49.558.
DIV. OF PAROLE & PROBATION - Notification received on 2022-01-25 15:26:49.213.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
PROOF OF SERVICE OF ELECTRONIC FILING

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A filing has been submitted to the court RE: CR18-2148

Judge:

HONORABLE SCOTT N. FREEMAN

Official File Stamp:

01-25-2022:15:25:06

Clerk Accepted:

01-25-2022:15:26:02

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. CHARLES ANTHONY SKAGGS (TN)
(D9)

Document(s) Submitted:

Supreme Ct Order Directing

Filed By:

Deputy Clerk YViloria

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KRISTA D. MEIER, ESQ.

DIV. OF PAROLE & PROBATION

JOANNA L. ROBERTS, ESQ. for CHARLES
ANTHONY SKAGGS

KEVIN P. NAUGHTON, ESQ. for STATE OF
NEVADA

BIRAY DOGAN, ESQ. for CHARLES ANTHONY
SKAGGS

JOHN REESE PETTY, ESQ. for CHARLES
ANTHONY SKAGGS

JENNIFER P. NOBLE, ESQ. for STATE OF
NEVADA

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