

*Steven D. Grierson*

NOAS

Melvyn Sprowson # 1180740  
Lovelock Correctional Center  
1200 Prison Road  
Lovelock, Nevada 89419

Melvyn Sprowson In Pro Se

Electronically Filed  
Jun 15 2021 02:50 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

DISTRICT COURT

CLARK COUNTY, NEVADA

\* \* \* \* \*

Melvyn P. Sprowson, Jr. )  
Petitioner, )  
-vs- )  
THE STATE OF NEVADA, )  
Respondent. )

Case No. A-21829115-W  
Dept. No. XXIV

NOTICE OF APPEAL

NOTICE IS GIVEN that Petitioner, Melvyn Sprowson,  
in pro se, hereby appeals to the Nevada Supreme Court the  
Findings of Fact, Conclusions of Law and Order Denying /  
Dismissing Petition for Writ of Habeas Corpus, as filed/entered  
on or about the 26th day of May, 2021, in the above-  
entitled Court.

Dated this 1st day of June, 2021.

*M. Sprowson*  
Melvyn Sprowson # 1180740  
Lovelock Correctional Center  
1200 Prison Road  
Lovelock, Nevada 89419

Petitioner In Pro Se

LCC LL FORM 24.064

RECEIVED

JUN - 7 2021

CLERK OF THE COURT

CERTIFICATE OF SERVICE

I do certify that I mailed a true and correct copy of the foregoing NOTICE OF APPEAL to the below address(es) on this 1st day of June, 2021, by placing same in the U.S. Mail via prison law library staff:

District Attorney's Office  
c/o Karen Mishler  
200 Lewis Ave.  
P.O. Box 552212  
Las Vegas, NV 89155

Erica F. Berrett  
Deputy Attorney General  
555 E. Washington Ave.  
Suite 3900  
Las Vegas, NV 89101




Melvyn Sprowson # 1180740  
Lovelock Correctional Center  
1200 Prison Road  
Lovelock, Nevada 89419

Petitioner In Pro Se

AFFIRMATION PURSUANT TO NRS 239B.030

The undersigned does hereby affirm that the preceding NOTICE OF APPEAL filed in District Court Case No. A-21829115-W does not contain the social security number of any person.

Dated this 1st day of June, 2021.

  
Melvyn Sprowson

Petitioner In Pro Se

Nelvyn Sprowson # 1180740  
LoveLock Correctional Center  
200 Prison Road  
LoveLock, NV 89419

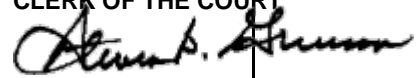
LOVELOCK CORRECTIONAL CENTER



Clerk of the Court  
200 Lewis Avenue, 3rd Fl.  
Las Vegas, NV

89155-1160

INMATE LEGAL  
MAIL CONFIDENTIAL



1 ASTA

2  
3  
4  
5  
6 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**  
7 **STATE OF NEVADA IN AND FOR**  
8 **THE COUNTY OF CLARK**

9 MELVYN SPROWSON, JR.,

10 Plaintiff(s),

11 vs.

12 GARRETT, WARDEN,

13 Defendant(s),

Case No: A-21-829115-W

Dept No: XXIV

14  
15  
16 **CASE APPEAL STATEMENT**

17  
18 1. Appellant(s): Melvyn Sprowson

19 2. Judge: Erika Ballou

20 3. Appellant(s): Melvyn Sprowson

21 Counsel:

22 Melvyn Sprowson #1180740  
23 1200 Prison Rd.  
24 Lovelock, NV 89419

25 4. Respondent (s): Garrett, Warden

26 Counsel:

27 Steven B. Wolfson, District Attorney  
28 200 Lewis Ave.  
Las Vegas, NV 89155-2212

1 5. Appellant(s)'s Attorney Licensed in Nevada: N/A  
2 Permission Granted: N/A

3 Respondent(s)'s Attorney Licensed in Nevada: Yes  
4 Permission Granted: N/A

5 6. Has Appellant Ever Been Represented by Appointed Counsel In District Court: No

6 7. Appellant Represented by Appointed Counsel On Appeal: N/A

7 8. Appellant Granted Leave to Proceed in Forma Pauperis\*\*: N/A  
8 \*\*Expires 1 year from date filed

9 Appellant Filed Application to Proceed in Forma Pauperis: No  
10 Date Application(s) filed: N/A

11 9. Date Commenced in District Court: February 9, 2021

12 10. Brief Description of the Nature of the Action: Civil Writ

13 Type of Judgment or Order Being Appealed: Civil Writ of Habeas Corpus

14 11. Previous Appeal: Yes

15 Supreme Court Docket Number(s): N/A

16 12. Child Custody or Visitation: N/A

17 13. Possibility of Settlement: Unknown

18 Dated This 11 day of June 2021.

19 Steven D. Grierson, Clerk of the Court

20 /s/ Amanda Hampton

21 Amanda Hampton, Deputy Clerk  
22 200 Lewis Ave  
23 PO Box 551601  
24 Las Vegas, Nevada 89155-1601  
25 (702) 671-0512

26  
27 cc: Melvyn Sprowson  
28

# CASE SUMMARY

## CASE NO. A-21-829115-W

Melvyn Sprowson, Jr., Plaintiff(s)  
vs.  
Garrett, Warden, Defendant(s)

§  
§  
§  
§  
§

Location: **Department 24**  
Judicial Officer: **Ballou, Erika**  
Filed on: **02/09/2021**  
Cross-Reference Case Number: **A829115**

### CASE INFORMATION

#### Related Cases

C-14-295158-1 (Writ Related Case)

Case Type: **Writ of Habeas Corpus**

Case Status: **02/09/2021 Open**

### DATE

### CASE ASSIGNMENT

#### Current Case Assignment

Case Number A-21-829115-W  
Court Department 24  
Date Assigned 02/09/2021  
Judicial Officer Ballou, Erika

### PARTY INFORMATION

#### Plaintiff

Sprowson, Melvyn, Jr.

Lead Attorneys

Pro Se

#### Defendant

Garrett, Warden

Mishler, Karen  
Retained  
702-671-2728(W)

Nevada State of

Mishler, Karen  
Retained  
702-671-2728(W)


### DATE

### EVENTS & ORDERS OF THE COURT


### INDEX

#### EVENTS


02/09/2021

 Inmate Filed - Petition for Writ of Habeas Corpus  
Party: Plaintiff Sprowson, Melvyn, Jr.  
Post Conviction


02/09/2021

 Order for Petition for Writ of Habeas Corpus  
Order for Petition for Writ of Habeas Corpus


02/10/2021

 Notice of Hearing  
Filed By: Plaintiff Sprowson, Melvyn, Jr.  
Notice of Hearing For Petition For Writ of Habeas Corpus

03/19/2021

 Order for Petition for Writ of Habeas Corpus  
Order For Petition For Writ Of Habeas Corpus

03/24/2021

 Response  
State s Response to Defendant s Petition for Post-Conviction Writ of Habeas Corpus

04/22/2021

 Reply

**CASE SUMMARY**  
**CASE NO. A-21-829115-W**

Filed by: Plaintiff Sprowson, Melvyn, Jr.

*Petitioner's Reply to the State's Response to the Petitioner's Petition for Post Conviction Writ of Habeas Corpus*

06/08/2021



Notice of Appeal

Filed By: Plaintiff Sprowson, Melvyn, Jr.

*Notice of Appeal*

06/11/2021



Case Appeal Statement

Filed By: Defendant Nevada State of

*Case Appeal Statement*

**HEARINGS**

05/24/2021



**Petition for Writ of Habeas Corpus (8:30 AM)** (Judicial Officer: Ballou, Erika)

Denied;

Journal Entry Details:

*Sarah Overly, Esq. present via Bluejeans video conference. Deft. not present. Pursuant to NRS 34.726(1) Petitioner s Writ of Habeas Corpus filed on February 9, 2021, is hereby DENIED as it is procedurally time-barred. This Court finds that Petitioner had until January 17, 2021, to find this instant petition. This instant petition was filed 23 days after the one-year deadline.*

*This Court further finds that Petitioner has failed to establish good cause for the untimely filing of his petitioner under NRS 34.726 and NRS 34.810(3). Lastly, as to Petitioner s claims for ineffective assistance of counsel, Petitioner has failed to establish prejudice that worked to his actual and substantial disadvantaged. Hogan v. Warden, 109 Nev. 952, 960, 860 P.2d 710, 716 (1993). Accordingly, it is hereby ordered that Petitioner s Writ of Habeas Corpus is hereby DENIED. CLERK'S NOTE: This Minute Order was mailed to Melvyn Sprowson Jr. #1180740, LLC, 1200 Prison Road, Lovelock, NV, 89419./05.25.2021rh;*

## DISTRICT COURT CIVIL COVER SHEET

A-21-829115-W

Dept. 24

County, Nevada

Case No. \_\_\_\_\_

(Assigned by Clerk's Office)

**I. Party Information** (provide both home and mailing addresses if different)

Plaintiff(s) (name/address/phone):

Melvyn Sprowson, Jr.

Defendant(s) (name/address/phone):

Garrett, Warden

Attorney (name/address/phone):

Attorney (name/address/phone):

**II. Nature of Controversy** (please select the one most applicable filing type below)**Civil Case Filing Types**

Real Property	Negligence	Torts
<b>Landlord/Tenant</b> <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant <b>Title to Property</b> <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Other Title to Property <b>Other Real Property</b> <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property	<input type="checkbox"/> Auto <input type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence <b>Malpractice</b> <input type="checkbox"/> Medical/Dental <input type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice	<b>Other Torts</b> <input type="checkbox"/> Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Employment Tort <input type="checkbox"/> Insurance Tort <input type="checkbox"/> Other Tort
Probate	Construction Defect & Contract	Judicial Review/Appeal
<b>Probate</b> (select case type and estate value) <input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside <input type="checkbox"/> Trust/Conservatorship <input type="checkbox"/> Other Probate <b>Estate Value</b> <input type="checkbox"/> Over \$200,000 <input type="checkbox"/> Between \$100,000 and \$200,000 <input type="checkbox"/> Under \$100,000 or Unknown <input type="checkbox"/> Under \$2,500	<b>Construction Defect</b> <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect <b>Contract Case</b> <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Building and Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Collection of Accounts <input type="checkbox"/> Employment Contract <input type="checkbox"/> Other Contract	<b>Judicial Review</b> <input type="checkbox"/> Foreclosure Mediation Case <input type="checkbox"/> Petition to Seal Records <input type="checkbox"/> Mental Competency <b>Nevada State Agency Appeal</b> <input type="checkbox"/> Department of Motor Vehicle <input type="checkbox"/> Worker's Compensation <input type="checkbox"/> Other Nevada State Agency <b>Appeal Other</b> <input type="checkbox"/> Appeal from Lower Court <input type="checkbox"/> Other Judicial Review/Appeal
Civil Writ		Other Civil Filing
<b>Civil Writ</b> <input checked="" type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrantum <input type="checkbox"/> Writ of Prohibition <input type="checkbox"/> Other Civil Writ		<b>Other Civil Filing</b> <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Other Civil Matters

Business Court filings should be filed using the Business Court civil coversheet.

February 9, 2021

Date

PREPARED BY CLERK

Signature of initiating party or representative

See other side for family-related case filings.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Writ of Habeas Corpus**

**COURT MINUTES**

**May 24, 2021**

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A-21-829115-W	Melvyn Sprowson, Jr., Plaintiff(s) vs. Garrett, Warden, Defendant(s)
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<b>May 24, 2021</b>	<b>8:30 AM</b>	<b>Petition for Writ of Habeas Corpus</b>
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**HEARD BY:** Ballou, Erika

**COURTROOM:** RJC Courtroom 12C

**COURT CLERK:** Ro'Shell Hurtado

**RECORDER:** Susan Schofield

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Overly, Sarah	Attorney
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**JOURNAL ENTRIES**

- Sarah Overly, Esq. present via Bluejeans video conference. Deft. not present.

Pursuant to NRS 34.726(1) Petitioner s Writ of Habeas Corpus filed on February 9, 2021, is hereby DENIED as it is procedurally time-barred. This Court finds that Petitioner had until January 17, 2021, to find this instant petition. This instant petition was filed 23 days after the one-year deadline. This Court further finds that Petitioner has failed to establish good cause for the untimely filing of his petitioner under NRS 34.726 and NRS 34.810(3).

Lastly, as to Petitioner s claims for ineffective assistance of counsel, Petitioner has failed to establish prejudice that worked to his actual and substantial disadvantaged. Hogan v. Warden, 109 Nev. 952, 960, 860 P.2d 710, 716 (1993). Accordingly, it is hereby ordered that Petitioner s Writ of Habeas Corpus is hereby DENIED.

CLERK'S NOTE: This Minute Order was mailed to Melvyn Sprowson Jr. #1180740, LLC, 1200 Prison Road, Lovelock, NV, 89419.//05.25.2021rh



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

**MELVYN SPROWSON #1180740**  
**1200 PRISON RD.**  
**LOVELOCK, NV 89419**

**DATE: June 11, 2021**  
**CASE: A-21-829115-W**

**RE CASE:** MELVYN SPROWSON, JR. vs. GARRETT, WARDEN

NOTICE OF APPEAL FILED: June 8, 2021

**YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.**

PLEASE NOTE: DOCUMENTS **NOT** TRANSMITTED HAVE BEEN MARKED:

- ☐ \$250 – Supreme Court Filing Fee (Make Check Payable to the Supreme Court)\*\*
  - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- ☐ \$24 – District Court Filing Fee (Make Check Payable to the District Court)\*\*
- ☐ \$500 – Cost Bond on Appeal (Make Check Payable to the District Court)\*\*
  - NRAP 7: Bond For Costs On Appeal in Civil Cases
  - *Previously paid Bonds are not transferable between appeals without an order of the District Court.*
- ☐ Case Appeal Statement
  - NRAP 3 (a)(1), Form 2
- ☒ Order
- ☒ Notice of Entry of Order

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NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. **The district court clerk shall apprise appellant of the deficiencies in writing**, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (g) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

***Please refer to Rule 3 for an explanation of any possible deficiencies.***

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***\*\*Per District Court Administrative Order 2012-01, in regards to civil litigants, "...all Orders to Appear in Forma Pauperis expire one year from the date of issuance." You must reapply for in Forma Pauperis status.***

# Certification of Copy

State of Nevada }  
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT  
DOCKET ENTRIES; CIVIL COVER SHEET; DISTRICT COURT MINUTES; NOTICE OF  
DEFICIENCY

MELVYN SPROWSON, JR.,

Plaintiff(s),

vs.

GARRETT, WARDEN,

Defendant(s),

Case No: A-21-829115-W

Dept No: XXIV

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto  
Set my hand and Affixed the seal of the  
Court at my office, Las Vegas, Nevada  
This 11 day of June 2021.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk