

**SUPREME COURT OF THE STATE OF NEVADA**

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CHRISTOPHER E. PIGEON, )

ID #90582, )

Appellant, )

) Dept.: **IX**

v. )

STATE OF NEVADA, )

)

Respondent. )

\_\_\_\_\_) )

Electronically Filed  
Jul 29 2021 01:22 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

Supreme Court No: **83232**

D.C. case no.: **C-13-290261-1**

**E-filed**

**DOCKETING STATEMENT - CRIMINAL APPEALS**

1. Eighth Judicial District, County of Clark, Judge Cristina D. Silva, District  
Court Case number: C-13-290261-1.

2. If the Defendant was given a sentence,

(a.) what is the sentence?

Defendant was sentenced to Life without parole.

(b.) has the sentence been stayed pending appeal? No.

(c.) was defendant admitted to bail pending appeal? No.

3. Was counsel in the district court appointed or retained? **APPOINTED.**

4. Attorney filing this docketing statement:

Attorney: Terrence M. Jackson Telephone: 702.386.0001

Firm: Law Office of Terrence M. Jackson

624 South Ninth Street

Las Vegas, Nevada 89101

Client: Christopher Edward Pigeon

5. Is appellate counsel appointed or retained? APPOINTED.

6. Attorney(s) representing respondent(s):

Attorney: Steven B. Wolfson Telephone: 702.671.2500

Firm: Clark County District Attorney

200 East Lewis Avenue

Las Vegas, Nevada 89155-2212

Client: State of Nevada

Attorney: Bryan S. Schwartz Telephone: 702.671.0908

Firm: Chief Deputy District Attorney

200 East Lewis Avenue

Las Vegas, Nevada 89155-2212

7. Nature of disposition: Judgment after jury verdict.

8. Does this appeal raise issues concerning any of the following:

☐ death sentence

☐ juvenile offender

☒ life sentence

☐ pretrial proceedings

9. Expedited appeals: The court may decide to expedite the appellate process in this matter. Are you in favor of proceeding in such manner? No.

10. Pending and prior proceedings in this court: 67083, 74831

11. Pending and prior proceedings in other courts: 12/01/2017 NSC affirmance 67083, 74831

12. Nature of action. Briefly describe the nature of the action and the result below:

On November 20, 2020, the Defendant filed a Motion to Vacate his Habitual Criminal Sentence or Modify Sentence in District Court. After the State filed its Opposition and the Defendant filed a Reply Brief, after a hearing on April 12, 2021, the District Court denied the Defendant's Motion. The Court entered an Order denying Defendant's Motion to Vacate or Reduce Habitual Criminal Sentence on July 2, 2021.

13. Issues on Appeal. State specifically all issues in this appeal:

1. Whether the District Court abused its discretion when it sentenced the Defendant as an habitual criminal to life without the possibility of parole;

2. Whether the sentence of life without parole was so excessively harsh and disproportionate that it violates the Eighth Amendment's cruel and unusual

punishment clause;

3. Whether the District Court, erred in granting Defendant's *Faretta* Motion.

Whether this error was so prejudicial it requires reversal of Defendant' sentence;

4. Appellant respectfully requests the right to add additional issues to his Opening Brief if warranted by further research.

14. Constitutional issues: If the State is not a party and if this appeal challenges the constitutionality of a statute or municipal ordinance, have you notified the clerk of this court and the attorney general in accordance with NRAP 44 and NRS 30.130?

[X] N/A

15. Assignment to the Court of Appeals or retention in the Supreme Court. Briefly set forth whether the matter is presumptively retained by the Supreme Court or assigned to the Court of Appeals under NRAP 17, and cite the subparagraph(s) of the Rule under which the matter falls. If appellant believes that the Supreme Court should retain the case despite its presumptive assignment to the Court of Appeals, identify the specific issue(s) or circumstance(s) that warrant retaining the case, and include an explanation of their importance or significance:

Although this Appeal only challenges the sentence rather than the conviction, because Defendant was convicted of a Category A felony and sentenced to life without possibility of parole, the Supreme Court should retain this case pursuant to

NRAP 17(b) 3.

16. Issues of first impression or of public interest. Does this appeal present a substantial legal issue of first impression in this jurisdiction or one affecting an important public interest?

First impression: ☐ Yes ☒ No.

Public interest: ☒ Yes ☐ No.

17. Length of trial. If this action proceeded to trial or evidentiary hearing in the district court, how many days did the trial or evidentiary hearing last?

Two (2) days.

18. Oral argument. Would you object to submission of this appeal for disposition without oral argument? ☒ Yes ☐ No.

19. Date district court announced decision, sentence or order appealed from:

June 12, 2021.

20. Date of entry of written judgment or order appealed from: July 2, 2021.

21. If this appeal is from an order granting or denying a petition for a writ of habeas corpus, indicate the date written notice of entry of judgment or order was served by the district court: N/A

(a.) Was service by delivery ☐ or by mail ☐.

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22. If the time for filing the notice of appeal was tolled by a post judgment motion:

N/A

23. Date notice of appeal filed: July 14, 2021.

24. Specify statute or rule governing the time limit for filing notice of appeal:

NRS 177.015(2)

25. Specify statute, rule or other authority that grants this court jurisdiction to review from: NRS 177.015(1)(b).

### **VERIFICATION**

**I certify that the information provided in this docketing statement is true and complete to the best of my knowledge, information and belief.**

Christopher Edward Pigeon

Name of Appellant

Terrence M. Jackson, Esq.

Name of Counsel of Record

July 29, 2021

Date

//s// Terrence M. Jackson

Signature of counsel of record

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### **CERTIFICATE OF SERVICE**

I certify that on the 29th day of July, 2021, I served a copy of this completed docketing statement upon all counsel of record:

[ X ] Via Electronic Service (eFlex) to the Nevada Supreme Court;

[ X ] and by United States first class mail with postage affixed to the Nevada Attorney General and to the Defendant as follows:

STEVEN B. WOLFSON

Clark County District Attorney

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By: /s/ Ila C. Wills

Assistant to T. M. Jackson, Esq.