

# IN THE SUPREME COURT OF THE STATE OF NEVADA

Electronically Filed  
Jul 16 2021 08:58 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

BARRON HAMM,  
Appellant(s),

vs.

THE STATE OF NEVADA,  
Respondent(s),

Case No: 09C256384

Docket No: 83087

# RECORD ON APPEAL VOLUME 4

**ATTORNEY FOR APPELLANT**  
BARRON HAMM # 1052277,  
PROPER PERSON  
P.O. BOX 650  
INDIAN SPRINGS, NV 89070P

**ATTORNEY FOR RESPONDENT**  
STEVEN B. WOLFSON,  
DISTRICT ATTORNEY  
200 LEWIS AVE.  
LAS VEGAS, NV 89155-2212

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**August 10, 2011**

09C256384

The State of Nevada vs Barron Hamm

**August 10, 2011**

**8:45 AM**

**Motion for Order**

**HEARD BY:** Bonaventure, Joseph T.

**COURTROOM:** RJC Courtroom 15C

**COURT CLERK:** Tina Hurd

**RECORDER:** Renee Vincent

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- Frank Ponticello, DDA, present for the State of Nevada.

- Deft. Hamm not present, in Proper Person.

Mr. Ponticello submitted to the Court's discretion. Court advised this is a closed appeal, however, he would prefer a written Opposition. Mr. Ponticello requested thirty days. COURT ORDERED, matter CONTINUED.

NDC

CONTINUED TO: 9-14-11 8:45 AM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**September 14, 2011**

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09C256384

The State of Nevada vs Barron Hamm

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**September 14, 2011    8:45 AM**

**Motion for Order**

**HEARD BY:** Bell, Linda Marie

**COURTROOM:** RJC Courtroom 15C

**COURT CLERK:** Tina Hurd

**RECORDER:** Renee Vincent

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- Brian Kochevar, DDA, present for the State of Nevada.

- Deft. Hamm not present, in Proper Person.

Court advised Deft. Hamm has failed to provide any reason why he needs the transcripts and ORDERED, motion DENIED WITHOUT PREJUDICE. Court advised she will reconsider if Deft. provides a reason he needs the transcripts.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**February 24, 2012**

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09C256384

The State of Nevada vs Barron Hamm

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**February 24, 2012**

**8:45 AM**

**Motion to Withdraw Plea**

**HEARD BY:** Bell, Linda Marie

**COURTROOM:** RJC Courtroom 15C

**COURT CLERK:** Tina Hurd

**RECORDER:** Renee Vincent

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- Maria Lavell, DDA, present for the State of Nevada.

- Deft. Hamm not present, in Proper Person.

Court advised she read the motion and the State's opposition and no oral argument will be taken. Court stated it appears the motion would have been more properly brought as a post-conviction petition and, even then, it would be untimely. Under the circumstances of the case, there does not appear to be any basis to grant the motion. COURT ORDERED, motion DENIED. State to prepare the Order.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**December 10, 2012**

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09C256384

The State of Nevada vs Barron Hamm

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**December 10, 2012     9:00 AM**

**Motion for Clarification**

**HEARD BY:** Cory, Kenneth

**COURTROOM:** RJC Courtroom 10C

**COURT CLERK:** Athena Trujillo

**RECORDER:** Yvette G. Sison

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- Jonathan Cooper, Deputy District Attorney, present for the State of Nevada.  
Defendant Hamm not present.

Court noted the Defendant s request for counsel is premature and advised the Writ of Habeas Corpus is scheduled for 01/10/13. COURT ORDERED, matter CONTINUED.

NDC

CONTINUED TO: 01/10/13 9:00 AM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**December 19, 2012**

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09C256384

The State of Nevada vs Barron Hamm

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**December 19, 2012      9:00 AM**

**Motion**

**HEARD BY:** Barker, David

**COURTROOM:** RJC Courtroom 11B

**COURT CLERK:** Athena Trujillo

**RECORDER:** Yvette G. Sison

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- Frank Ponticello, Deputy District Attorney, present for the State of Nevada.  
Defendant Hamm not present.

COURT ORDERED, motion DENIED, hearing set for 01/10/13 STANDS.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**December 24, 2012**

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09C256384

The State of Nevada vs Barron Hamm

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**December 24, 2012      9:00 AM      Motion**

**HEARD BY:** Togliatti, Jennifer

**COURTROOM:** RJC Courtroom 10C

**COURT CLERK:** Athena Trujillo

**RECORDER:** Yvette G. Sison

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- Sam Martinez, Deputy Public Defender, present for the State of Nevada.  
Defendant Hamm not present.

COURT noted Defendant's Motion is premature and ORDERED, matter CONTINUED.

NDC

CONTINUED TO: 01/10/13 9:00 AM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****January 10, 2013**

09C256384

The State of Nevada vs Barron Hamm

**January 10, 2013****9:00 AM****All Pending Motions****HEARD BY:** Togliatti, Jennifer**COURTROOM:** RJC Courtroom 10D**COURT CLERK:** Athena Trujillo**RECORDER:** Yvette G. Sison**REPORTER:****PARTIES****PRESENT:**

**JOURNAL ENTRIES**

- Jonathan Cooper, Deputy District Attorney, present for the State of Nevada.  
Defendant Hamm not present.

DEFENDANT'S PRO SE ORDER FOR TRANSPORTATION OF INMATE FOR COURT  
APPEARANCE OR, IN THE ALTERNATIVE, BY TELEPHONE OR VIDEO CONFERENCE ...  
PETITION FOR WRIT OF HABEAS CORPUS ... DEFENDANT'S PRO SE MOTION FOR  
CLARIFICATION

COURT noted the Defendant was not transported because it does not entertain oral arguments on these matters and ORDERED, Defendant s presence WAIVED. COURT noted the Defendant requested to be transported, but as it does not entertain oral argument in these matters, ORDERED, Defendant's Pro Se Order for Transportation of Inmate for Court Appearance, or in the Alternative, by Telephone or Video Conference DENIED. With respect to the Petition for Writ of Habeas Corpus, State advised the Court of the Defendant's birth date. COURT noted the reasons listed are insufficient and the Defendant was not a minor and ORDERED, Motion DENIED. COURT FURTHER ORDERED, Motion for Clarification DENIED.

NDC

PRINT DATE: 07/15/2021

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Minutes Date: July 22, 2009



CLERK'S NOTE: A copy of this minute order has been mailed to:

Barron Hamm #1052277  
High Desert State Prison  
PO Box 650 HDSP  
Indian Springs, NV 89070

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**March 18, 2013**

09C256384

The State of Nevada vs Barron Hamm

**March 18, 2013**

**9:00 AM**

**Motion to Reconsider**

**HEARD BY:** Gonzalez, Elizabeth

**COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Dulce Romea

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

**PRESENT:**

Hayes, Trevor  
State of Nevada

Attorney  
Plaintiff

**JOURNAL ENTRIES**

- Deft not present, in custody at the Nevada Department of Corrections.

Court stated it will not be taking any argument, and ORDERED, the Court currently has no jurisdiction to entertain the Motion as the appeal has already been filed of the Order which is being sought for reconsideration.

NDC

CLERK'S NOTE: Minutes distributed to Barron Hamm, Defendant, ID #1052277, High Desert State Prison, P.O. Box 650, Indian Springs, NV 89070. / dr 3-20-13

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****May 05, 2014**

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09C256384

The State of Nevada vs Barron Hamm

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**May 05, 2014****9:00 AM****Motion to Withdraw Plea****HEARD BY:** Gonzalez, Elizabeth**COURTROOM:** RJC Courtroom 14C**COURT CLERK:** Dulce Romea  
Ying Pan**RECORDER:** Jill Hawkins**REPORTER:****PARTIES****PRESENT:** Fattig, John T Attorney  
State of Nevada Plaintiff**JOURNAL ENTRIES**

- Deft not present, in custody at the Nevada Department of Corrections.

No oral argument taken. Court finds no cognizable claim has been presented and ORDERS, Defendant's Pro Per Motion to Withdraw Plea is DENIED. State to prepare the Order.

NDC

CLERK'S NOTE: A copy of the above minute order was mailed to: Barron Hamm, Deft in Pro Se, ID # 1052277, High Desert State Prison, P.O. Box 650, Indian Springs, NV 89070. / dr

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**October 27, 2014**

09C256384

The State of Nevada vs Barron Hamm

**October 27, 2014**

**9:00 AM**

**Motion for Order**

**HEARD BY:** Togliatti, Jennifer

**COURTROOM:** RJC Courtroom 16C

**COURT CLERK:** Tia Everett  
Dania Batiste

**RECORDER:** Debbie Winn

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- Brett Keeler, Deputy District Attorney, present on behalf of the State. Defendant not present in custody with the Nevada Department of Corrections.

Based on the pleadings and without argument, Court FINDS, Defendant has made a vague four (4) sentence request for transcripts, failing to make a specific claim as to what the transcripts are need for; therefore, COURT ORDERED, Motion DENIED WITHOUT PREJUDICE. Court noted Defendant will be permitted to file a new motion detailing the issues and/or claims.

NDC

CLERK'S NOTE: The above minute order has been distributed to:

BARRON HAMM #1052277  
HIGH DESERT STATE PRISON  
P.O. BOX 650  
INDIAN SPRINGS, NV 89018

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****March 30, 2015**

09C256384

The State of Nevada vs Barron Hamm

**March 30, 2015****9:00 AM****Motion**

**Defendant's Pro Per  
Motion Requesting  
of the Sentencing  
Court to Issue its  
Order Granting the  
Petitioner a Copy of  
his Plea Canvassing  
and Sentencing  
Transcripts Pursuant  
to NRS 7.40 et seq  
and 7.055**

**HEARD BY:** Gonzalez, Elizabeth**COURTROOM:** RJC Courtroom 14C**COURT CLERK:** April Watkins**RECORDER:** Jill Hawkins**REPORTER:****PARTIES****PRESENT:**

Jobe, Michelle Y.  
State of Nevada

Attorney  
Plaintiff

**JOURNAL ENTRIES**

- COURT ORDERED, motion GRANTED. Deft. can be provided copies of transcripts.

NDC

CLERK'S NOTE: The above minute order has been distributed to: Barron Hamm #1052277, High Desert State Prison, P.O. Box 650, Indian Springs, NV 89018. aw

PRINT DATE: 07/15/2021

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Minutes Date: July 22, 2009

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****July 15, 2015**

09C256384

The State of Nevada vs Barron Hamm

**July 15, 2015****9:00 AM****Motion to Vacate Sentence****HEARD BY:** Gonzalez, Elizabeth**COURTROOM:** RJC Courtroom 14C**COURT CLERK:** Dulce Romea**RECORDER:** Jill Hawkins**REPORTER:****PARTIES****PRESENT:**Laurent, Christopher J  
State of NevadaAttorney  
Plaintiff**JOURNAL ENTRIES**

- Deft not present, in custody at the Nevada Department of Corrections.

No oral argument taken. COURT FINDS no new information has been provided, and there is no reason to grant this motion; therefore, motion is DENIED on the same basis the Court denied it previously. State to prepare the order.

Court further noted Ms. Renee Vincent is in the process of preparing the previously requested sentencing transcript which will be sent to the Deft.

NDC

CLERK'S NOTE: A copy of the above minute order was mailed to Barron Hamm, Pro Se, ID #1052277, High Desert State Prison, P.O. Box 650, Indian Springs, NV 89070. / dr 7-16-15

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**July 24, 2017**

09C256384

The State of Nevada vs Barron Hamm

**July 24, 2017**

**9:00 AM**

**Petition for Writ of Habeas  
Corpus**

**HEARD BY:** Cory, Kenneth

**COURTROOM:** RJC Courtroom 16A

**COURT CLERK:** Michele Tucker

**RECORDER:** Gail Reiger

**REPORTER:**

**PARTIES**

**PRESENT:**

Demonte, Noreen C.  
State of Nevada

Attorney  
Plaintiff

**JOURNAL ENTRIES**

- Defendant Hamm NOT PRESENT IN CUSTODY.

COURT ORDERED, Defendant's Petition for Writ of Habeas Corpus DENIED for the reasons urged by the State. State to prepare the Order.

CLERK'S NOTE: The above minute order has been distributed to: /mlt

BARRON HAMM, BAC #1152965  
HIGH DESERT STATE PRISON  
22010 COLD CREEK RD  
P.O. BOX 650  
INDIAN SPRINGS, NV, 89070

PRINT DATE: 07/15/2021

Page 28 of 32

Minutes Date: July 22, 2009

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****February 24, 2021**

09C256384

The State of Nevada vs Barron Hamm

**February 24, 2021****11:00 AM****Motion to Withdraw Plea**

**Defendant's Pro Per  
Petition Requesting  
the Defendant's  
Sentencing Be Set  
Aside and His Guilty  
Plea Agreement be  
Withdrawn From  
Record**

**HEARD BY:** Israel, Ronald J.**COURTROOM:** RJC Courtroom 15C**COURT CLERK:** Kathy Thomas**RECORDER:** Judy Chappell**REPORTER:****PARTIES****PRESENT:**

State of Nevada

Plaintiff

Zadrowski, Bernard B.

Attorney

**JOURNAL ENTRIES**

- Deft. HAMM not present, in the Nevada Department of Corrections (NDC). There being limited time and the courts congested calendar, State requested the matter be continued 90 days. COURT ORDERED, Matter CONTINUED. State to prepare an order to transport Deft. or for a video appearance.

NDC

05/26/2021 11:00 AM DEFENDANT'S PRO PER PETITION REQUESTING THE DEFENDANT'S SENTENCING BE SET ASIDE AND HIS GUILTY PLEA AGREEMENT BE WITHDRAWN FROM RECORD

PRINT DATE: 07/15/2021

Page 29 of 32

Minutes Date: July 22, 2009



**09C256384**

CLERK'S NOTE: corrected date to reflect 90 days (5/26/21). A copy of this minute order was mailed to Deft. Barron Hamm #1052277, 1200 Prison Road, Love Lock, Nv, 89419. DA- emailed. kt 2/24/21

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**April 05, 2021**

09C256384

The State of Nevada vs Barron Hamm

**April 05, 2021**

**11:00 AM**

**Motion to Dismiss**

**HEARD BY:** Israel, Ronald J.

**COURTROOM:** RJC Courtroom 15C

**COURT CLERK:** Kathryn Hansen-McDowell

**RECORDER:** Judy Chappell

**REPORTER:**

**PARTIES**

**PRESENT:**

Iskan, Ercan E  
State of Nevada

Attorney  
Plaintiff

**JOURNAL ENTRIES**

- Deft. not present, in Nevada Department of Corrections.

COURT ORDERED, matter CONTINUED to hear both the State and the Defendant's Motions at the same time. Court noted an order to transport the Defendant should be filed for 5/26/2021.

NDC

CONTINUED TO: 05/26/2021 11:00 AM

CLERK'S NOTE: The above minute order has been distributed to: Barron Hamm #1052277, 1200 Prison Road, Love Lock, Nevada 89419. 4/14/21km

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****May 26, 2021**

09C256384

The State of Nevada vs Barron Hamm

**May 26, 2021****11:00 AM****All Pending Motions****HEARD BY:** Israel, Ronald J.**COURTROOM:** RJC Courtroom 15C**COURT CLERK:** Rem Lord**RECORDER:** Judy Chappell**REPORTER:****PARTIES****PRESENT:**

Hamm, Barron

Defendant

State of Nevada

Plaintiff

Waters, Steven L

Attorney

**JOURNAL ENTRIES**

- STATE'S RESPONSE AND MOTION TO DISMISS PETITIONER'S THIRD PETITION FOR WRIT OF HABEAS CORPUS... DEFENDANT'S PRO PER PETITION REQUESTING THE DEFENDANT'S SENTENCING BE SET ASIDE AND HIS GUILTY PLEA AGREEMENT BE WITHDRAWN FROM RECORD

Upon the Court's inquiry the Defendant and Mr. Waters submitted on their pleadings. COURT stated findings and ORDERED, Defendant's Pro Per Petition Requesting the Defendant's Sentence Be Set Aside and His Guilty Plea Agreement Be Withdrawn From Record DENIED; Mr. Waters to prepare and submit the Order.

NDC

# Certification of Copy and Transmittal of Record

State of Nevada }  
County of Clark } SS:

Pursuant to the Supreme Court order dated June 28, 2021, I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, do hereby certify that the foregoing is a true, full and correct copy of the complete trial court record for the case referenced below. The record comprises four volumes with pages numbered 1 through 708.

STATE OF NEVADA,

Plaintiff(s),

vs.

BARRON HAMM,

Defendant(s),

Case No: 09C256384

Dept. No: XXVIII

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 16 day of July 2021.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk

