

CLERK: "Please" return me a filed/stamped copy of this "NOTICE OF APPEAL" (smiley face)

Electronically Filed  
7/22/2021 11:04 AM  
Steven D. Grierson  
CLERK OF THE COURT  
*Steven D. Grierson*

1 MAEK MASON #69060  
2 Petitioner, In Propria Personam  
3 Post Office Box 208, S.D.C.C.  
4 Indian Springs, Nevada ~~89018~~ 89070-0208

Electronically Filed  
Jul 27 2021 11:41 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

5 IN THE 8th JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

6 IN AND FOR THE COUNTY OF CLARK

7  
8 MAEK MASON,  
9  
10 Petitioner ~~Plaintiff~~,  
11 vs.  
12 DIRECTOR NEVADA DEPT  
13 OF CORRECTIONS, et. al.,  
14 Respondents ~~Defendant~~.

99C161426  
Dept. 12

Case No. 6161426  
Dept. No. \_\_\_\_\_  
Docket \_\_\_\_\_

15  
16 **NOTICE OF APPEAL**

17 NOTICE IS HEREBY GIVEN, That the Petitioner/~~Defendant~~,  
18 MAEK MASON #69060, in and through his proper person, hereby  
19 appeals to the Supreme Court of Nevada from the ~~ORDER denying and/or~~  
20 ~~dismissing the~~ written ORDER dismissing Petitioner's  
21 "NRS 34.320 Petition For writ of Prohibition" on/about

RECEIVED  
JUL 22 2021  
CLERK OF THE COURT  
RECEIVED  
JUL - 6 2021  
CLERK OF THE COURT

22  
23 ~~Filed on the~~ 25th day of JUNE, 2021. (FR)

24 Dated this 16th day of JULY, 2021. (FR)

25  
26 \*PER NRS 239B.030, I  
27 certify this NOTICE OF  
28 APPEAL does not contain  
the Social Security number  
of any person.

Respectfully Submitted,  
BY: Mack Mason  
MAEK MASON #69060  
PETITIONER PRO-SE

**CERTIFICATE OF SERVICE BY MAILING**

I, MACK MASON # 69060, hereby certify, pursuant to NRCP 5(b), that on this 16th day of JULY, 2021, I mailed a true and correct copy of the foregoing, "

NOTICE OF APPEAL"

by placing document in a sealed pre-postage paid envelope and deposited said envelope in the United State Mail addressed to the following:

Clark County Court Clerk

POB 551160

LV NV 89155-1160

NV Attorney General

100 N. Carson St. #100

Carson City, NV 89101-4711

CC:FILE

DATED: this 16th day of JULY, 2021.

BY: Mack Mason

MACK MASON

# 69060

Petitioner /In Propria Personam

Post Office Box 208, S.D.C.C.

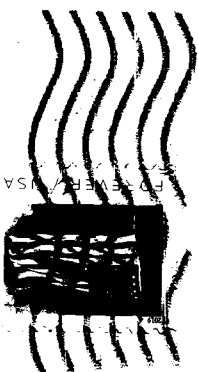
Indian Springs, Nevada 89018

IN FORMA PAUPERIS:

89070-0208

MACC MASON # 69060  
SDC 1 ROB 208  
IS NV 89070-0208

LAS VEGAS NV 890  
19 JUL 2021 PM 4 L



\*Mailed: 7-16-21 (FR)

CASE# C161426

\*LEGAL MAIL/CONFIDENTIAL

NOTICE OF APPEAL

\*Notice of Appeal re DENIAL

CLARK COUNTY COURT CLERK

of #MS34320 Prohibition

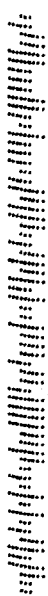
ROB 551160

Petition # Jca 6-25-21 (FR)

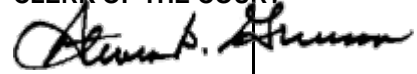
LV NV 89155-1160

Written Order

8915535589



\*LIFT TAPE to open!



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

10 STATE OF NEVADA,

11 Plaintiff(s),

12 vs.

13 MACK C. MASON,

14 Defendant(s),  
15

Case No: 99C161426

Dept No: XII

16  
17 **CASE APPEAL STATEMENT**  
18

19 1. Appellant(s): Mack Mason

20 2. Judge: Michelle Leavitt

21 3. Appellant(s): Mack Mason

22 Counsel:

23 Mack Mason #69060  
24 P.O. Box 208  
Indian Springs, NV 89070

25 4. Respondent: The State of Nevada

26 Counsel:

27 Steven B. Wolfson, District Attorney  
28 200 Lewis Ave.  
Las Vegas, NV 89101

(702) 671-2700

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

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

6. Has Appellant Ever Been Represented by Appointed Counsel In District Court: Yes

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

8. Appellant Granted Leave to Proceed in Forma Pauperis: N/A

9. Date Commenced in District Court: September 1, 1999

10. Brief Description of the Nature of the Action: Criminal

Type of Judgment or Order Being Appealed: Misc. Order

11. Previous Appeal: Yes

Supreme Court Docket Number(s): 37961, 58517, 71296, 75285

12. Child Custody or Visitation: N/A

Dated This 22 day of July 2021.

Steven D. Grierson, Clerk of the Court

/s/ Heather Ungermann

Heather Ungermann, Deputy Clerk  
200 Lewis Ave  
PO Box 551601  
Las Vegas, Nevada 89155-1601  
(702) 671-0512

cc: Mack Mason

**CASE SUMMARY****CASE NO. 99C161426****The State of Nevada vs Mack C Mason**

§ Location: **Department 12**  
 § Judicial Officer: **Leavitt, Michelle**  
 § Filed on: **09/01/1999**  
 § Case Number History:  
 § Cross-Reference Case **C161426**  
 § Number:  
 § Defendant's Scope ID #: **309692**  
 § Lower Court Case # Root: **99F07347**  
 § Lower Court Case Number: **99F07347X**  
 § Supreme Court No.: **58517**  
 § **71296**  
 § **75285**

**CASE INFORMATION**

Offense	Statute	Deg	Date	Case Type:	Felony/Gross Misdemeanor
1. BURGLARY. WITH A DEADLY WEAPON	205.060*165	F	01/01/1900	Case Status: <b>07/16/2003 Closed</b>	
2. GRAND LARCENY.	205.220	F	01/01/1900		
3. BURGLARY. WITH A DEADLY WEAPON	205.060*165	F	01/01/1900		
4. MURDER WITH USE OF A DEADLY WEAPON	200.010*165	F	01/01/1900		
5. KIDNAPPING IN SECOND DEGREE WITH A DEADLY WEAPON	200.330*165	F	01/01/1900		
6. EX-FELON NOT TO POSSESS FIREARM.	202.360	F	01/01/1900		

**Statistical Closures**


01/26/2003 USJR Reporting Statistical Closure  
 09/09/2002 USJR Reporting Statistical Closure  
 05/01/2001 USJR Reporting Statistical Closure  
 07/16/2003 USJR Reporting Statistical Closure

**DATE****CASE ASSIGNMENT****Current Case Assignment**


Case Number 99C161426  
 Court Department 12  
 Date Assigned 07/02/2018  
 Judicial Officer Leavitt, Michelle

**PARTY INFORMATION****Defendant Mason, Mack C****Plaintiff State of Nevada****Wolfson, Steven B**  
702-671-2700(W)**DATE****EVENTS & ORDERS OF THE COURT****INDEX****EVENTS**


09/01/1999

 Criminal Bindover  
 [1]
*Index #1*

09/03/1999
















 Information  
 [3]
*Index #3*

09/09/1999

 Order Appointing Counsel
*Index #4*














# CASE SUMMARY

CASE NO. 99C161426

	<i>[4] Order Appointing Counsel at the Court Appointed Hourly Rate</i>	
09/10/1999	 Reporters Transcript <i>[5] Transcript of Hearing Held on August 30, 1999</i>	Index #5
09/28/1999	 Notice of Intent to Seek Death Penalty <i>[6]</i>	Index #6
12/17/1999	 Order Appointing Counsel <i>[7]</i>	Index #7
02/16/2000	 Motion to Continue Trial <i>[8]</i>	Index #8
02/17/2000	 Receipt of Copy Filed by: Defendant Mason, Mack C <i>[9]</i>	Index #9
07/19/2000	 Notice of Expert Witnesses <i>[12] Notice of Expert Witnesses [NRS 174.234 (2)]</i>	Index #12
07/19/2000	 Notice of Witnesses <i>[13] Notice of Witnesses [NRS 174.234(1)(b)]</i>	Index #13
07/19/2000	 Reporters Transcript <i>[14] Transcript of Hearing Held on March 2, 2000</i>	Index #14
07/19/2000	 Reporters Transcript <i>[15] Transcript of Hearing Held on March 9, 2000</i>	Index #15
08/11/2000	 Notice <i>[16] Notice of Evidence in Support of Aggravating Circumstances</i>	Index #16
08/11/2000	 Supplemental Witness List <i>[17] Supplemental Notice of Expert Witnesses [NRS 174.234 (2)]</i>	Index #17
08/15/2000	 Motion to Continue Trial <i>[18] Motion to Continue Trial Setting</i>	Index #18
08/15/2000	 Motion for Discovery Filed By: Defendant Mason, Mack C <i>[20] Motion for Discovery and Evidentiary Hearing Regarding the Manner and Method of Determining in which Murder Cases the Death Penalty will be Sought</i>	Index #20
08/17/2000	 Opposition to Motion <i>[21] Opposition to Defendant's Motion for Discovery and Evidentiary Hearing Regarding the Manner and Method of Determining in which Murder Cases the Death Penalty will be Sought</i>	Index #21
10/12/2000	 Motion to Compel <i>[25] Motion to Compel Disclosure of Existence and Substance of Expectations, or Actual Receipt of Benefits or Preferential Treatment for Cooperation with Prosecution</i>	Index #25
10/12/2000		Index #26









# CASE SUMMARY

CASE NO. 99C161426

	 Motion <i>[26] Motion to Allow Jury Questionnaire</i>	
10/12/2000	 Notice of Motion <i>[27] Notice of Motion and Motion for Discovery</i>	Index #27
10/12/2000	 Notice of Motion <i>[28] Notice of Motion and Motion for Discovery of Potential Penalty Hearing</i>	Index #28
10/12/2000	 Motion <i>[29] Motion for Disclosure of Pre-Sentence Reports or, in the Alternative, for In-Camera Review</i>	Index #29
10/12/2000	 Motion to Compel Filed By: Defendant Mason, Mack C <i>[30] Motion to Compel Disclosure of Existence and Substance of Expectations, or Actual Receipt of Benefits or Preferential Treatment for Cooperation with Prosecution</i>	Index #30
10/13/2000	 Receipt of Copy Filed by: Defendant Mason, Mack C <i>[31]</i>	Index #31
10/24/2000	 Opposition to Motion <i>[32] Opposition to Motion to Compel Disclosure of Existence and Substance of Expectations, or Actual Receipt of Benefits or Preferential Treatment for Cooperation with Prosecution</i>	Index #32
10/24/2000	 Opposition to Motion <i>[33] Opposition to Defendant's Motion for Discovery</i>	Index #33
10/24/2000	 Answer (Criminal) <i>[34] Answer to Defendant's Motion for Discovery of Potential Penalty Hearing Evidence</i>	Index #34
10/24/2000	 Opposition to Motion Filed By: Defendant Mason, Mack C <i>[35] Opposition to Defendant's Motion to Submit Questionnaire to Prospective Jurors</i>	Index #35
10/24/2000	 Opposition to Motion Filed By: Defendant Mason, Mack C <i>[36] Opposition to Defendant's Motion for Disclosure of Pre-Sentence Reports or, in the Alternative for In-Camera Review</i>	Index #36
10/24/2000	 Receipt of Copy <i>[37]</i>	Index #37
11/07/2000	 Notice of Witnesses Party: Defendant Mason, Mack C <i>[40]</i>	Index #40
11/07/2000	 Order Filed By: Defendant Mason, Mack C <i>[41] Order to Produce Records</i>	Index #41
01/29/2001	 Order	Index #42
















# CASE SUMMARY

CASE NO. 99C161426

















	[42]	
01/29/2001	 Certificate [43]	Index #43
01/29/2001	 Request for Attendance of Out-Of-State Witness [44] Request for Attendance of Out-of-State Witness Patrick Braxton	Index #44
02/07/2001	 Supplemental Witness List [45] Supplemental Notice of Witnesses [NRS 174.234(1)(b)]	Index #45
02/08/2001	 Reporters Transcript [49] Transcript of Hearing Held on February 7, 2001	Index #49
02/12/2001	 Order for Production of Inmate [46] Order for Production of Inmate Cynthia Coleman, BAC #66882	Index #46
02/13/2001	 Supplemental [47] Supplemental Notice of Witnesses [NRS 174.234 (1)(b)]	Index #47
02/15/2001	 Jury List [50]	Index #50
02/15/2001	 Reporters Transcript [65] Transcript of Hearing Held on February 14, 2001	Index #65
02/16/2001	 Ex Parte Order Filed By: Defendant Mason, Mack C [51] Ex Parte Order to Transport Inmate Witness	Index #51
02/16/2001	 Ex Parte Application [52] Ex Parte Application for Order Requiring Material Witness to Post Bail	Index #52
02/16/2001	 Order [53] Order Requiring Material Witness to Post Bail or be Committed to Custody	Index #53
02/16/2001	 Reporters Transcript [66] Transcript of Hearing Held on February 15, 2001	Index #66
02/20/2001	 Order [54] Order Quashing Material Witness Warrant	Index #54
02/20/2001	 Supplemental Witness List Filed by: Defendant Mason, Mack C [55] Supplemental Notice of Witnesses	Index #55
02/20/2001	 Receipt of Copy Filed by: Defendant Mason, Mack C [56] Receipt of Copy of Two Certified Orders to Transport Inmate Witness	Index #56
02/20/2001	 Receipt of Copy Filed by: Defendant Mason, Mack C	Index #57

# CASE SUMMARY














CASE NO. 99C161426

	[57]	
02/20/2001	 Ex Parte Order Filed By: Defendant Mason, Mack C [58] Ex Parte Order to Transport Inmate Witness	Index #58
02/20/2001	 Reporters Transcript [59] Transcript of Hearing Held on February 16, 2001	Index #59
02/21/2001	 Reporters Transcript [60] Transcript of Hearing Held on February 20, 2001	Index #60
02/22/2001	 Reporters Transcript [61] Transcript of Hearing Held on February 21, 2001	Index #61
02/22/2001	 Proposed Jury Instructions Not Used At Trial [64]	Index #64
02/26/2001	 Reporters Transcript [62] Transcript of Hearing Held on February 22, 2001	Index #62
02/27/2001	 Instructions to the Jury [67]	Index #67
02/27/2001	 Verdict [68]	Index #68
03/01/2001	 Motion in Limine [69] Motion in Limine to Limit Penalty Hearing Evidence to the Notice of Evidence in Aggravation	Index #69
03/01/2001	 Proposed Jury Instructions Not Used At Trial [72]	Index #72
03/01/2001	 Opposition to Motion in Limine [73] Opposition to Defendant's Motion in Limine to Limit Penalty Hearing Evidence to the Notice of Evidence in Aggravation	Index #73
03/01/2001	 Order Shortening Time Filed By: Defendant Mason, Mack C [74] Order Shortening Time for Motion in Limine to Limit Penalty Hearing Evidence to the Notice of Evidence in Aggravation	Index #74
03/01/2001	 Receipt of Copy Filed by: Defendant Mason, Mack C [75]	Index #75
03/01/2001	 Proposed Verdict Forms Not Used at Trial [81]	Index #81
03/01/2001	 Motion in Limine Filed By: Defendant Mason, Mack C [82] Motion in Limine to Limit Penalty Hearing Evidence to the Notice of Evidence in	Index #82

**CASE SUMMARY****CASE NO. 99C161426**
















	<i>Aggravation</i>	
03/06/2001	 Instructions to the Jury [77]	Index #77
03/06/2001	 Special Verdict Form [78] <i>Special Verdict</i>	Index #78
03/06/2001	 Special Verdict Form [79] <i>Special Verdict</i>	Index #79
03/06/2001	 Verdict [80]	Index #80
03/08/2001	 Proposed Verdict Forms Not Used at Trial [71]	Index #71
03/19/2001	 Order Filed By: Defendant Mason, Mack C [83]	Index #83
03/19/2001	 Reporters Transcript [84] <i>Transcript of Hearing Held on March 5, 2001</i>	Index #84
03/19/2001	 Reporters Transcript [85] <i>Transcript of Hearing Held on March 6, 2001</i>	Index #85
03/19/2001	 Reporters Transcript [86] <i>Transcript of Hearing Held on February 26, 2001</i>	Index #86
03/19/2001	 Reporters Transcript [87] <i>Transcript of Hearing Held on February 27, 2001</i>	Index #87
04/18/2001	 Ex Parte Motion Filed By: Defendant Mason, Mack C [88] <i>Ex Parte Motion Appointing Investigator and for Excess Fees</i>	Index #88
04/19/2001	 PSI [140] <i>Pre-Sentence Investigation Report (Unfiled) Confidential</i>	Index #140
05/01/2001	 Ex Parte Filed By: Defendant Mason, Mack C [90] <i>Ex Parte Nunc Pro Tunc Order Appointing Investigator and for Excess Fees</i>	Index #90
05/02/2001	 Notice of Motion [89] <i>Notice of Motion and Motion for Return of Evidence</i>	Index #89
05/09/2001	 Judgment of Conviction [91] <i>Judgment of Conviction (Jury Trial)</i>	Index #91
05/17/2001	 Order Appointing Counsel [94]	Index #94

**CASE SUMMARY****CASE NO. 99C161426**














05/21/2001	 Order Granting Motion <i>[95] Order Granting State's Motion for Return of Evidence</i>	<i>Index #95</i>
05/23/2001	 Stipulation and Order Filed by: Defendant Mason, Mack C <i>[96] Stipulation and Order for Payment of Excess Attorneys Fees and Expenses</i>	<i>Index #96</i>
05/24/2001	 Receipt <i>[97] Receipt of Exhibits</i>	<i>Index #97</i>
05/25/2001	 Case Appeal Statement Filed By: Defendant Mason, Mack C <i>[98]</i>	<i>Index #98</i>
05/25/2001	 Notice of Appeal (Criminal) Party: Defendant Mason, Mack C <i>[99] Notice of Appeal</i>	<i>Index #99</i>
09/05/2002	 Petition for Writ of Habeas Corpus Filed by: Defendant Mason, Mack C <i>[100] Petition for Writ of Habeas Corpus (Post-Conviction) and Appointment of Counsel</i>	<i>Index #100</i>
09/10/2002	 Order for Petition for Writ of Habeas Corpus <i>[102] Order Re Petition for Writ of Habeas Corpus</i>	<i>Index #102</i>
09/16/2002	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>[104] Nevada Supreme Court Clerk's Certificate Judgment - Affirmed</i>	<i>Index #104</i>
09/24/2002	 Stipulation and Order <i>[105] Stipulation and Order for Payment of Excess Attorney Fees and Expenses</i>	<i>Index #105</i>
09/25/2002	 Request <i>[106] Petitioner's Request for Voluntary Dismissal of His Pro-Se Petition for Writ of Habeas Corpus Post Conviction Relief Pursuant to NRS 34.820 to NRCP. Rule 41</i>	<i>Index #106</i>
10/15/2002	 Order Granting <i>[107] Order Granting Petitioner's Request for Voluntary Dismissal of Pro-Se Petition for Writ of Habeas Corpus Post Conviction Relief</i>	<i>Index #107</i>
01/23/2003	 Petition for Writ of Habeas Corpus <i>[108] Petition for Writ of Habeas Corpus (Post-Conviction) and Appointment of Counsel</i>	<i>Index #108</i>
01/27/2003	 Order for Petition for Writ of Habeas Corpus <i>[109] Order Re Petition for Writ of Habeas Corpus</i>	<i>Index #109</i>
03/13/2003	 Notice of Withdrawal Filed By: Defendant Mason, Mack C <i>[110] Notice of Withdrawal as Attorney of Record</i>	<i>Index #110</i>
03/31/2003	 Motion <i>[111] Motion to Secure</i>	<i>Index #111</i>

# CASE SUMMARY

CASE NO. 99C161426















05/02/2003	 Response <i>[112] State's Response to Defendant's Petition for Writ of Habeas Corpus</i>	<i>Index #112</i>
05/08/2003	 Motion <i>[113] Motion for an Enlargement of Time</i>	<i>Index #113</i>
05/13/2003	 Response <i>[114] State's Response to Defendant's Motion for an Enlargement of Time</i>	<i>Index #114</i>
06/04/2003	 Findings of Fact, Conclusions of Law and Order <i>[116]</i>	<i>Index #116</i>
06/06/2003	 Order Denying Motion <i>[117] Order Denying Defendant's Motion for Enlargement of Time</i>	<i>Index #117</i>
06/11/2003	 Motion <i>[118] Motion for Leave to File an Amended Petition for Writ of Habeas Corpus (Post-Conviction)</i>	<i>Index #118</i>
07/16/2003	 Notice of Entry of Decision and Order <i>[119]</i>	<i>Index #119</i>
08/11/2003	 Brief Filed By: Defendant Mason, Mack C <i>[120] Appellant's Brief</i>	<i>Index #120</i>
09/21/2004	 Reporters Transcript <i>[121] Transcript of Hearing Held on May 14, 2003</i>	<i>Index #121</i>
09/21/2004	 Reporters Transcript <i>[122] Transcript of Hearing Held on June 2, 2003</i>	<i>Index #122</i>
10/01/2004	 Reporters Transcript <i>[123] Transcript of Hearing Held on April 30, 2001</i>	<i>Index #123</i>
01/31/2011	Case Reassigned to Department 20 <i>Case reassigned from Judge Kathy Hardcastle</i>	
01/31/2011	 Petition for Writ of Habeas Corpus Filed by: Defendant Mason, Mack C <i>[124] Petition for Writ of Habeas Corpus (Post-Conviction)</i>	<i>Index #124</i>
01/31/2011	 Certificate Filed By: Defendant Mason, Mack C <i>[125] Financial Certificate (Sealed)</i>	<i>Index #125</i>
01/31/2011	 Motion for Leave to Proceed in Forma Pauperis Filed By: Defendant Mason, Mack C <i>[126] Motion to Proceed in Forma Pauperis (Sealed)</i>	<i>Index #126</i>
01/31/2011	 Motion Filed By: Defendant Mason, Mack C <i>[127] Motion for Leave to File a Longer than Normal Petition for Writ of Habeas Corpus</i>	<i>Index #127</i>

**CASE SUMMARY****CASE NO. 99C161426***(Post-Conviction Relief)*

01/31/2011	 Affidavit in Support Filed By: Defendant Mason, Mack C <i>[128] Affidavit in Support of Petitioner's Ineffective Assistance of Counsel Claims</i>	<i>Index #128</i>
01/31/2011	 Transcript of Proceedings Party: Defendant Mason, Mack C <i>[129] Excerpts of Trial Transcripts</i>	<i>Index #129</i>
02/10/2011	 Order for Petition for Writ of Habeas Corpus <i>[130]</i>	<i>Index #130</i>
02/28/2011	 Response <i>[131] State's Response and Motion to Dismiss Defendant's Petition for Writ of Habeas Corpus (Post-Conviction)</i>	<i>Index #131</i>
04/20/2011	 Opposition to Motion to Dismiss Filed By: Defendant Mason, Mack C <i>[132] Opposition to Respondent's Motion to Dismiss</i>	<i>Index #132</i>
05/13/2011	 Order Denying Filed By: Plaintiff State of Nevada <i>[133] Order Denying Defendant's Petition for Writ of Habeas Corpus (Post-Conviction)</i>	<i>Index #133</i>
05/31/2011	 Petition Filed by: Defendant Mason, Mack C <i>[134] Petition for Rehearing</i>	<i>Index #134</i>
06/01/2011	 Notice of Appeal (Criminal) Party: Defendant Mason, Mack C <i>[135] Notice of Appeal</i>	<i>Index #135</i>
06/06/2011	 Notice of Entry of Decision and Order <i>[136]</i>	<i>Index #136</i>
06/07/2011	 Case Appeal Statement <i>[137]</i>	<i>Index #137</i>
06/07/2011	 Case Appeal Statement Filed By: Defendant Mason, Mack C <i>[138]</i>	<i>Index #138</i>
12/19/2011	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>[139] Nevada Supreme Court Clerk's Certificate Judgment - Affirmed</i>	<i>Index #139</i>
05/04/2015	Case Reassigned to Department 20 <i>Case reassigned from Judge Jerome Tao Dept 20</i>	
06/09/2016	 Motion Filed By: Defendant Mason, Mack C <i>[141]</i>	<i>Index #141</i>
06/28/2016		<i>Index #142</i>












# CASE SUMMARY

CASE NO. 99C161426

	 Response Filed by: Plaintiff State of Nevada <i>[142] State's Response and Motion to Dismiss Defendant's Pro Per Motion Alleging Actual Innocence</i>	
09/14/2016	 Notice of Appeal (Criminal) Party: Defendant Mason, Mack C <i>[143] Notice of Appeal</i>	Index #143
09/14/2016	 Designation of Record on Appeal Filed By: Defendant Mason, Mack C <i>[144]</i>	Index #144
09/15/2016	 Case Appeal Statement <i>[145]</i>	Index #145
09/19/2016	 Findings of Fact, Conclusions of Law and Order Filed By: Plaintiff State of Nevada <i>[146]</i>	Index #146
09/19/2016	 Certificate of Service Filed by: Plaintiff State of Nevada <i>[147]</i>	Index #147
09/22/2016	 Notice of Entry <i>[148] Notice of Entry of Findings of Fact, Conclusions of Law and Order</i>	Index #148
11/15/2016	 Petition for Writ of Habeas Corpus Filed by: Defendant Mason, Mack C <i>[149] Petition for Writ of Habeas Corpus (Post-Conviction)</i>	Index #149
11/15/2016	 Memorandum of Points and Authorities Filed By: Defendant Mason, Mack C <i>[150]</i>	Index #150
12/07/2016	 Order for Petition for Writ of Habeas Corpus <i>[151]</i>	Index #151
01/05/2017	 Opposition <i>[152] State's Opposition to Defendant's Pro Per Petition for Writ of Habeas Corpus and Motion to Dismiss</i>	Index #152
01/17/2017	 Motion Filed By: Defendant Mason, Mack C <i>[153] Motion and Order for Transportation of Inmate for Court Appearance or, in the Alternative, for Appearance by Telephone or Video Conference</i>	Index #153
02/14/2017	 Response Filed by: Defendant Mason, Mack C <i>[154] Response to State's Opposition to Petitioner's Petition for a Writ of Habeas Corpus and Motion in Support of Habeas Corpus Relief</i>	Index #154
06/20/2017	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>[155] Nevada Supreme Court Clerk's Certificate Judgment - Affirmed</i>	Index #155

# CASE SUMMARY

CASE NO. 99C161426

01/22/2018	 Findings of Fact, Conclusions of Law and Order Filed By: Plaintiff State of Nevada [156]	Index #156
01/31/2018	 Notice of Entry [157] Notice of Entry of Findings of Fact, Conclusions of Law and Order	Index #157
03/02/2018	 Notice of Appeal (Criminal) Party: Defendant Mason, Mack C [158] Notice of Appeal	Index #158
03/02/2018	 Designation of Record on Appeal Filed By: Defendant Mason, Mack C [159]	Index #159
03/05/2018	 Case Appeal Statement [160]	Index #160
07/02/2018	Case Reassigned to Department 12 Reassigned From Judge Johnson - Dept 20	
04/18/2019	 NV Supreme Court Clerks Certificate/Judgment - Affirmed [161] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Affirmed	Index #161
05/20/2021	 Petition Filed by: Defendant Mason, Mack C [162] Petition for Writ of Prohibition	Index #162
06/02/2021	 Opposition Filed By: Plaintiff State of Nevada [163] State's Opposition to Defendant's NRS 34.320 Petition for Writ of Prohibition	Index #163
06/25/2021	 Order Denying [164] Order Denying Defendant's Petition for Writ of Prohibition	Index #164
07/22/2021	 Notice of Appeal (Criminal) Notice of Appeal	Index #165
07/22/2021	 Case Appeal Statement Filed By: Defendant Mason, Mack C Case Appeal Statement	Index #166

## **DISPOSITIONS**

01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 1. BURGLARY. WITH A DEADLY WEAPON Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 2. GRAND LARCENY. Not Guilty PCN: Sequence:

**CASE SUMMARY****CASE No. 99C161426**

01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 3. BURGLARY. WITH A DEADLY WEAPON Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 4. MURDER WITH A DEADLY WEAPON Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 5. KIDNAPPING IN SECOND DEGREE WITH A DEADLY WEAPON Not Guilty PCN: Sequence:
02/27/2001	<b>Disposition</b> (Judicial Officer: User, Conversion) 2. GRAND LARCENY. Not Guilty PCN: Sequence:
03/06/2001	<b>Disposition</b> (Judicial Officer: User, Conversion) 4. MURDER WITH USE OF A DEADLY WEAPON Guilty PCN: Sequence:
03/06/2001	<b>Disposition</b> (Judicial Officer: User, Conversion)
03/06/2001	<b>Adult Adjudication</b> (Judicial Officer: User, Conversion) 4. MURDER WITH USE OF A DEADLY WEAPON 01/01/1900 (F) 200.010*165 (200.010*165) PCN: Sequence:
<hr/> Converted Disposition: Sentence# 0001: LIFE WITHOUT POSSIBILITY OF PAROLE Cons/Conc: Concurrent w/Charge Item: 0001 and Sentence#: 0001 Converted Disposition: Sentence# 0002: PROBATION WITH CONDITIONS Cons/Conc: Concurrent w/Charge Item: 0003 and Sentence#: 0001	
04/30/2001	<b>Disposition</b> (Judicial Officer: User, Conversion) 1. BURGLARY. WITH A DEADLY WEAPON Guilty PCN: Sequence:
04/30/2001	<b>Disposition</b> (Judicial Officer: User, Conversion)
04/30/2001	<b>Disposition</b> (Judicial Officer: User, Conversion) 3. BURGLARY. WITH A DEADLY WEAPON Guilty PCN: Sequence:

**CASE SUMMARY****CASE No. 99C161426**

04/30/2001	<b>Disposition</b> (Judicial Officer: User, Conversion)
04/30/2001	<b>Disposition</b> (Judicial Officer: User, Conversion) 5. KIDNAPPING IN SECOND DEGREE WITH A DEADLY WEAPON Guilty PCN: Sequence:
04/30/2001	<b>Disposition</b> (Judicial Officer: User, Conversion)
04/30/2001	<b>Disposition</b> (Judicial Officer: User, Conversion) 6. EX-FELON NOT TO POSSESS FIREARM. Dismissed PCN: Sequence:
04/30/2001	<b>Adult Adjudication</b> (Judicial Officer: User, Conversion) 1. BURGLARY. WITH A DEADLY WEAPON 01/01/1900 (F) 205.060*165 (205.060-165) PCN: Sequence:
	<hr/> Converted Disposition: Sentence# 0001: Minimum 40 Months to Maximum 180 Months Placement: NSP Converted Disposition: Sentence# 0002: CREDIT FOR TIME SERVED Minimum 719 Days to Maximum 719 Days Converted Disposition: Sentence# 0003: DNA FEE/GENETIC MARKERS ANALYSIS Amount: \$250.00 Converted Disposition: Sentence# 0004: RESTITUTION Amount: \$8519.00 Converted Disposition: Sentence# 0005: ADMINISTRATION FEE Amount: \$25.00
04/30/2001	<b>Adult Adjudication</b> (Judicial Officer: User, Conversion) 3. BURGLARY. WITH A DEADLY WEAPON 01/01/1900 (F) 205.060*165 (205.060-165) PCN: Sequence:
	<hr/> Converted Disposition: Sentence# 0001: Minimum 40 Months to Maximum 180 Months Placement: NSP Cons/Conc: Concurrent w/Charge Item: 0001 and Sentence#: 0001
04/30/2001	<b>Adult Adjudication</b> (Judicial Officer: User, Conversion) 5. KIDNAPPING IN SECOND DEGREE WITH A DEADLY WEAPON 01/01/1900 (F) 200.330*165 (200.330-165) PCN: Sequence:
	<hr/> Converted Disposition: Sentence# 0001: Minimum 40 Months to Maximum 180 Months Placement: NSP Cons/Conc: Consecutive w/Charge Item: 0004

# CASE SUMMARY

CASE No. 99C161426

and Sentence#: 0001  
 Converted Disposition:  
 Sentence# 0002:  
 Minimum 40 Months to Maximum 180 Months  
 Placement: NSP  
 Cons/Conc: Consecutive  
 w/Charge Item: 0005  
 and Sentence#: 0001

## HEARINGS

09/07/1999	<b>Initial Arraignment (9:00 AM)</b> <i>INITIAL ARRAIGNMENT Court Clerk: SUSAN BURDETTE/sb Reporter/Recorder: CATHY NELSON Heard By: Michael Douglas</i> Matter Heard; INITIAL ARRAIGNMENT Court Clerk: SUSAN BURDETTE/sb Reporter/Recorder: CATHY NELSON Heard By: Michael Douglas Journal Entry Details: <i>Stanley Walton, Esq., present for Mr. Langford on behalf of Deft. DEFENDANT MASON ARRAIGNED AND PLED NOT GUILTY. Mr. Schieck stated Deft. recognizes the work that needs to be done and waives the 60-day rule. COURT ORDERED, matter set for TRIAL. Upon Court's inquiry, Mr. O'Neale stated Count VI will be severed and reconsidered at trial. Mr. Schieck stated that Mr. Langford and he were appointed at the Justice Court level and requested that they be appointed, and COURT SO ORDERED. CUSTODY 03-02-00 9:00 AM CALENDAR CALL 03-06-00 1:30 PM JURY TRIAL ;</i>
03/02/2000	<b>Calendar Call (9:00 AM)</b> <i>CALENDAR CALL</i>
03/02/2000	<b>Motion to Continue (9:00 AM)</b> Events: 02/16/2000 Motion to Continue Trial <i>DEFT'S MOTION TO CONTINUE TRIAL Heard By: Kathy Hardcastle</i>
03/02/2000	<b>All Pending Motions (9:00 AM)</b> <i>ALL PENDING MOTIONS 03-02-00 Court Clerk: DOROTHY KELLY Reporter/Recorder: TINA SMITH Heard By: Kathy Hardcastle</i> Matter Heard; ALL PENDING MOTIONS 03-02-00 Court Clerk: DOROTHY KELLY Reporter/Recorder: TINA SMITH Heard By: Kathy Hardcastle Journal Entry Details: <i>DEFT'S MOTION TO CONTINUE TRIAL...CALENDAR CALL Mr. Schieck requested a one-week continuance for a status check to see when this trial can go forward. State concurred. COURT ORDERED, Trial date VACATED; matter CONTINUED. Court stated there will be a FIRM trial setting. CUSTODY 03-09-00 9:00 A.M. RESET TRIAL DATE ;</i>
03/06/2000	<b>CANCELED Jury Trial (1:30 PM)</b> <i>Vacated</i>
03/09/2000	<b>Conversion Hearing Type (9:00 AM)</b> <i>RESET TRIAL DATE Relief Clerk: BILLIE JO CRAIG Reporter/Recorder: TINA SMITH Heard By: Kathy Hardcastle</i> Matter Heard; RESET TRIAL DATE Relief Clerk: BILLIE JO CRAIG Reporter/Recorder: TINA SMITH Heard By: Kathy Hardcastle Journal Entry Details: <i>COURT ORDERED, matter set for trial. Court advised this is a FIRM SETTING. CUSTODY 8/23/00 9:00 AM CALENDAR CALL 8/28/00 10:30 AM JURY TRIAL ;</i>
08/23/2000	<b>Calendar Call (9:00 AM)</b> <i>CALENDAR CALL</i>
08/23/2000	<b>Motion to Continue (9:00 AM)</b> Events: 08/15/2000 Motion to Continue Trial <i>DEFT'S MOTION TO CONTINUE TRIAL SETTING Heard By: Kathy Hardcastle</i>
08/23/2000	<b>Motion (9:00 AM)</b>

# CASE SUMMARY

CASE No. 99C161426

	<i>DEFT'S MOTION FOR DISCOVERY AND EVIDENTIARY HEARING REGARDING THE MANNER</i> Heard By: Kathy Hardcastle
08/23/2000	<b>All Pending Motions (9:00 AM)</b> <i>ALL PENDING MOTIONS FOR 8/23/00 Relief Clerk: BILLIE JO CRAIG Reporter/Recorder: CARRIE HANSEN</i> Heard By: Kathy Hardcastle Matter Heard; ALL PENDING MOTIONS FOR 8/23/00 Relief Clerk: BILLIE JO CRAIG Reporter/Recorder: CARRIE HANSEN Heard By: Kathy Hardcastle Journal Entry Details: <i>DEFENDANT'S MOTION FOR DISCOVERY AND EVIDENTIARY HEARING...DEFENDANT'S MOTION TO CONTINUE TRIAL SETTING...CALENDAR CALL</i> <i>Court noted it met with counsel previously in chambers and the State had no objection to a continuance. COURT ORDERED, matter SET for Reset Trial Date and CONTINUED Defendant's Motion for Discovery and Evidentiary Hearing. CUSTODY 8/30/00 9:00 AM RESET TRIAL DATE...DEFENDANT'S MOTION FOR DISCOVERY AND EVIDENTIARY HEARING ;</i>
08/28/2000	<b>CANCELED Jury Trial (10:30 AM)</b> <i>Vacated</i>
08/30/2000	<b>Motion (9:00 AM)</b> <i>DEFT'S MOTION FOR DISCOVERY AND EVIDENTIARY HEARING REGARDING THE MANNER</i> Heard By: Kathy Hardcastle
08/30/2000	<b>Conversion Hearing Type (9:00 AM)</b> <i>RESET TRIAL DATE</i>
08/30/2000	<b>All Pending Motions (9:00 AM)</b> <i>ALL PENDING MOTIONS 08-30-00 Court Clerk: DOROTHY KELLY Reporter/Recorder: TINA SMITH</i> Heard By: Kathy Hardcastle Matter Heard; ALL PENDING MOTIONS 08-30-00 Court Clerk: DOROTHY KELLY Reporter/Recorder: TINA SMITH Heard By: Kathy Hardcastle Journal Entry Details: <i>DEFT'S MOTION FOR DISCOVERY AND EVIDENTIARY HEARING...RESET TRIAL DATE</i> <i>Court stated it reviewed the motion and does not find a basis to grant the evidentiary hearing; the standards have been met regarding the decision to seek the death penalty. COURT ORDERED, Def't's Motion for Evidentiary Hearing is DENIED. COURT FURTHER ORDERED, matter set for trial, scheduled for one (1) week. CUSTODY 11-08-00 9:00 A.M. CALENDAR CALL 11-13-00 10:30 A.M. TRIAL BY JURY ;</i>
10/25/2000	<b>Motion to Compel (9:00 AM)</b> Events: 10/12/2000 Motion to Compel <i>DEFT'S MOTION TO COMPEL DISCLOSURE OF EXISTENCE AND SUBSTANCE OF EXPECTATIONS, Heard By: Kathy Hardcastle</i>
10/25/2000	<b>Motion (9:00 AM)</b> Events: 10/12/2000 Motion <i>DEFT'S MOTION TO ALLOW JURY QUESTIONNAIRE</i>
10/25/2000	<b>Motion for Discovery (9:00 AM)</b> Events: 10/12/2000 Notice of Motion <i>DEFT'S MOTION FOR DISCOVERY</i> Heard By: Kathy Hardcastle
10/25/2000	<b>Motion for Discovery (9:00 AM)</b> Events: 10/12/2000 Notice of Motion <i>DEFT'S MOTION FOR DISCOVERY OF POTENTIALPENALTY HEARING EVIDENCE</i> Heard By: Kathy Hardcastle
10/25/2000	<b>Motion (9:00 AM)</b> Events: 10/12/2000 Motion <i>DEFT'S MOTION FOR DISCLOSURE OF PRE-SENTENCE REPORTS OR FOR IN-CAMERA RE</i> Heard By: Kathy Hardcastle

# CASE SUMMARY

CASE No. 99C161426

10/25/2000	<p><b>All Pending Motions (9:00 AM)</b>  <i>ALL PENDING MOTIONS 10-25-00 Court Clerk: DOROTHY KELLY Reporter/Recorder: TINA SMITH Heard By: Kathy Hardcastle</i>            Matter Heard; ALL PENDING MOTIONS 10-25-00 Court Clerk: DOROTHY KELLY Reporter/Recorder: TINA SMITH Heard By: Kathy Hardcastle            Journal Entry Details:  <i>DEFT'S MOTION FOR DISCLOSURE OF PRE-SENTENCE REPORTS OR, IN THE ALTERNATIVE, FOR IN-CAMERA REVIEW...DEFT'S MOTION FOR DISCOVERY OF POTENTIAL PENALTY HEARING EVIDENCE...DEFT'S MOTION FOR DISCOVERY...DEFT'S MOTION TO ALLOW JURY QUESTIONNAIRE...DEFT'S MOTION TO COMPEL DISCLOSURE OF EXISTENCE OF SUBSTANCE OF EXPECTATIONS, OR ACTUAL RECEIPT OF BENEFITS OR PREFERENTIAL TREATMENT FOR COOPERATION WITH PROSECUTION Mr. Schieck stated this is Deputy District Attorney, O'Neale's, case; he is in another Department today. He requested a continuance for his presence; COURT, SO ORDERED. Mr. Schieck advised Court he is proceeding forward with discovery. CUSTODY 11-01-00 9:00 A.M. DEFT'S MOTIONS AS LISTED ABOVE ;</i></p>
11/01/2000	<p><b>Motion to Compel (9:00 AM)</b>  <i>DEFT'S MOTION TO COMPEL DISCLOSURE OF EXISTENCE AND SUBSTANCE OF EXPECTATIONS, Heard By: Kathy Hardcastle</i></p>
11/01/2000	<p><b>Motion (9:00 AM)</b>  <i>DEFT'S MOTION TO ALLOW JURY QUESTIONNAIRE</i></p>
11/01/2000	<p><b>Motion for Discovery (9:00 AM)</b>  <i>DEFT'S MOTION FOR DISCOVERY Heard By: Kathy Hardcastle</i></p>
11/01/2000	<p><b>Motion for Discovery (9:00 AM)</b>  <i>DEFT'S MOTION FOR DISCOVERY OF POTENTIALPENALTY HEARING EVIDENCE Heard By: Kathy Hardcastle</i></p>
11/01/2000	<p><b>Motion (9:00 AM)</b>  <i>DEFT'S MOTION FOR DISCLOSURE OF PRE-SENTENCE REPORTS OR FOR IN-CAMERA RE Heard By: Kathy Hardcastle</i></p>
11/01/2000	<p><b>All Pending Motions (9:00 AM)</b>  <i>ALL PENDING MOTIONS FOR 11/1/00 Relief Clerk: BILLIE JO CRAIG Reporter/Recorder: JAMES HELLESO Heard By: Kathy Hardcastle</i>            Matter Heard; ALL PENDING MOTIONS FOR 11/1/00 Relief Clerk: BILLIE JO CRAIG Reporter/Recorder: JAMES HELLESO Heard By: Kathy Hardcastle            Journal Entry Details:  <i>DEFENDANT'S MOTION TO ALLOW JURY QUESTIONNAIRE...DEFENDANT'S MOTION FOR DISCLOSURE OF PRE-SENTENCE REPORTS OR FOR IN-CAMERA REVIEW...DEFENDANT'S MOTION TO COMPEL DISCLOSURE OF EXISTENCE AND SUBSTANCE OF EXPECTATIONS, OR ACTUAL RECEIPT OF BENEFITS OR PREFERENTIAL TREATMENT FOR COOPERATION WITH PROSECUTION...DEFENDANT'S MOTION FOR DISCOVERY...DEFENDANT'S MOTION FOR DISCOVERY OF POTENTIAL PENALTY HEARING EVIDENCE As to Deft.'s Motion to Allow Jury Questionnaire, Court advised it had not reviewed it yet but usually no problems and counsel can meet in Chambers for final approval. As to the In-Camera Review, counsel to provide documents as soon as possible for review. As to Motion to Compel, COURT ORDERED, Motion DENIED. As to Motion for Discovery, defense counsel advised there was one issue. Counsel to prepare an Order and Stipulation to the Court for signature. As to Motion for Discovery of Potential Penalty Hearing Evidence, COURT ORDERED, Motion GRANTED. COURT ORDERED, Trial Date STANDS. Counsel advised 4 days for Trial the week of 11/13/00 and 2 days for the Penalty Phase the week of 11/20/00. CUSTODY ;</i></p>
11/08/2000	<p><b>Calendar Call (9:00 AM)</b>  <i>CALENDAR CALL Court Clerk: DOROTHY KELLY Reporter/Recorder: TINA SMITH Heard By: Kathy Hardcastle</i>            Matter Heard; CALENDAR CALL Court Clerk: DOROTHY KELLY Reporter/Recorder: TINA SMITH Heard By: Kathy Hardcastle            Journal Entry Details:  <i>Court noted there was discussion in Chambers; the trial counsel is in another trial. Court</i></p>

EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY**

**CASE No. 99C161426**

*noted it is the Court's motion to continue the trial and ORDERED, Trial date VACATED and RESET. Court stated this case will be given priority on the stack. CUSTODY 02-07-01 9:00 A.M. CALENDAR CALL 02-12-01 10:30 A.M. TRIAL BY JURY ;*

11/13/2000

**CANCELED Jury Trial (10:30 AM)**  
*Vacated*

02/07/2001

**Calendar Call (9:00 AM)**  
*CALENDAR CALL Relief Clerk: BILLIE JO CRAIG Reporter/Recorder: LISA MASKOWSKI  
Heard By: Sally Loehrer  
Matter Heard; CALENDAR CALL Relief Clerk: BILLIE JO CRAIG Reporter/Recorder:  
LISA MASKOWSKI Heard By: Sally Loehrer  
Journal Entry Details:  
Colloquy regarding Trial start date. COURT ORDERED, Trial Date VACATED and RESET  
for a 5-day Trial plus penalty if convicted. The State has 22 witnesses with 2 out-of-state  
witnesses. CUSTODY 2/14/01 10:30 AM JURY TRIAL ;*

02/12/2001

**CANCELED Jury Trial (10:30 AM)**  
*Vacated*

02/14/2001

**Jury Trial (10:30 AM)**  
*TRIAL BY JURY Court Clerk: DOROTHY KELLY Heard By: Hardcastle, Kathy  
Matter Continued; TRIAL BY JURY Court Clerk: DOROTHY KELLY Heard By: Hardcastle,  
Kathy  
Journal Entry Details:  
Court convened at 11:26 A.M. Statements by Mr. O'Neale and Mr. Schieck. Voir Dire Oath  
administered to Panel. Voir Dire of Panel conducted. Court admonished and excused panel  
and recessed at 4:55 P.M. TRIAL BY JURY ;*

02/15/2001

**Jury Trial (9:00 AM)**  
*TRIAL BY JURY Court Clerk: DOROTHY KELLY Reporter/Recorder: TINA SMITH Heard  
By: Hardcastle, Kathy  
Matter Continued; TRIAL BY JURY Court Clerk: DOROTHY KELLY Reporter/Recorder:  
TINA SMITH Heard By: Hardcastle, Kathy  
Journal Entry Details:  
Court convened at 10:39 A.M. Voir Dire of Panel resumed. Twelve jurors and two alternates  
selected and sworn. Information read by the Clerk. Court read instructions to jurors. Opening  
statements by Mr. O'Neale and Mr. Schieck. After afternoon recess, Court convened  
OUTSIDE THE PRESENCE OF THE JURY. Mr. Schieck stated during the peremptory  
challenges, State exercised a challenge of Mr. Cayce, an African American. He further stated  
he requested State make an offer of Baston and they did. He continued that in light of there  
being two African Americans on the jury, the defense does not have a formal Batson to make  
on the record. Mr. O'Neale stated there may be a Petrocelli issue wherein he spoke to Mrs.  
Mason in 1998, and she informed him she missed a video camcorder and she questioned the  
deft and he told her he pawned it; she redeemed it and put it in the same area as the gun; she  
then took the camcorder to someone else's house. He said there is a reasonable inference that  
someone was looking for something else and may be looking for the camcorder again. Court  
responded the ransacking of the house is not relevant. INSIDE THE PRESENCE OF JURY:  
Witnesses sworn and testified; exhibits marked and admitted, as per worksheet. Court  
admonished and excused jurors and recessed at 5:00 P.M. Trial to resume tomorrow. TRIAL  
BY JURY ;*

02/16/2001

**Jury Trial (1:30 PM)**  
*TRIAL BY JURY Relief Clerk: GEORGETTE BYRD/GB Reporter/Recorder: TINA SMITH  
Heard By: Hardcastle, Kathy  
Matter Continued; TRIAL BY JURY Relief Clerk: GEORGETTE BYRD/GB  
Reporter/Recorder: TINA SMITH Heard By: Hardcastle, Kathy  
Journal Entry Details:  
9:06 AM outside the presence of the jury, Mr. O'Neale DDA stated he spoke with witness P.  
Braxton last night regarding a 5/99 conversation with the defendant. Mr. O'Neale requested  
the defendant say during testimony "A" instead of "another" due to State's denied motion of  
prior bad acts. Mr. Schieck stipulated, COURT SO ORDERED. Mr. O'Neale stated the State  
will rest Wednesday morning. 9:10 AM jury present followed by cross examination of witness.  
Exhibits marked per the worksheet. Objections by the Defense regarding State's exhibit #13.*

# CASE SUMMARY

CASE No. 99C161426

10:30 AM Court excused the jury for the morning break. Outside the presence of the jury, Mr. Schieck raised his objections to State's exhibit #13 indicating the photo was too gruesome and used to revoke a sympathetic action. Mr. O'Neale stated he did not think the exhibit was unfairly prejudicial. COURT ORDERED, based upon statements by the State, it will overrule Defendant's objection, exhibit #13 will be admitted. With State's witnesses scheduled for the afternoon, Court excused the jury for the lunch hour. 1:05 PM outside the presence of the jury, Mr. O'Neale stated he spoke to his witness from the K-9 Unit regarding the case. Upon questioning by the State, the witness told Mr. O'Neale he could not remember the case and refreshed his memory by reading his report. Mr. O'Neale stated he did not know there was a report, he would have admitted it prior to trial and proceeded to make copies for the Defense. Mr. O'Neal stated he does not think there are any surprises in it. Mr. Langford stated the report does not appear to have anything substantial in it. COURT ORDERED, if there is anything in the report that creates a problem, the Court will take a recess. Court proceeded with the trial. 1:12PM Jury present followed by continued testimony. Exhibits marked per the worksheet. 2:45 PM Court excused the jury for the evening until 2/20/01 at 1:30 PM. ;

02/20/2001

## Jury Trial (10:30 AM)

TRIAL BY JURY Court Clerk: DOROTHY KELLY Reporter/Recorder: TINA SMITH Heard By: Hardcastle, Kathy

Matter Continued; TRIAL BY JURY Court Clerk: DOROTHY KELLY Reporter/Recorder: TINA SMITH Heard By: Hardcastle, Kathy

### Journal Entry Details:

Court convened INSIDE THE PRESENCE OF THE JURY at 1:35 P.M. Witnesses sworn and testified, as per worksheet. OUTSIDE PRESENCE OF JURY: Mr. O'Neale stated the crime scene analyst opened a wallet containing papers in front of the Clerk; he wants to offer the pawn ticket, ID and cancellation receipt; he will not offer the miscellaneous papers; neither side has looked at these items until today. Court showed counsel a note received from a juror regarding a statement by a witness as to filing income tax. Court stated the information as to filing income tax is information known by a lot of people; the matter will be covered by jury instructions. Court stated if counsel wants something additional, they can come up with a stipulation or put it on the record tomorrow. Mr. Langford stated while walking to the Courthouse today, someone came up and smiled and he said 'hello'. He further stated it occurred to both of them, she was a juror and he the defense attorney. Mr. O'Neale stated he wanted the foregoing on the record as there may have been an affidavit in several years. Mr. Schieck stated he advised Mr. O'Neale the defense is adding more witnesses, Felicia Jackson's brother, a Vista Motel female clerk and the custodian of records from Marks Bros. Jewelry Store. Mr. O'Neale stated he will deal with that issue when the witnesses are offered. INSIDE THE PRESENCE OF THE JURY: Testimony presented; exhibits marked and admitted, as per worksheet. Court admonished and excused jury. OUTSIDE PRESENCE OF JURY: Court advised deft of his right to or not to testify. Court adjourned at 4:44 P.M. TRIAL BY JURY ;

02/21/2001

## Jury Trial (9:30 AM)

TRIAL BY JURY Court Clerk: DOROTHY KELLY Reporter/Recorder: TINA SMITH Heard By: Hardcastle, Kathy

Matter Continued; TRIAL BY JURY Court Clerk: DOROTHY KELLY Reporter/Recorder: TINA SMITH Heard By: Hardcastle, Kathy

### Journal Entry Details:

Court CONVENED OUTSIDE THE PRESENCE OF THE JURY at 10:40 A.M. Mr. O'Neale stated if defense contests voluntariness of defendant's statement, a hearing will be necessary. Mr. Schieck stated defense will not contest same. Court stated it reviewed in camera three PSI's on Dudley Thomas and did not find anything discoverable about his background. INSIDE PRESENCE OF JURY: Testimony resumed; exhibits marked and admitted, as per worksheet. State RESTED at 2:02 P.M. Defense witnesses sworn and testified, exhibits marked and admitted, as per worksheet. Court admonished and excused jury and recessed at 5:04 P.M. TRIAL BY JURY ;

02/22/2001

## Jury Trial (10:00 AM)

TRIAL BY JURY Court Clerk: DOROTHY KELLY Reporter/Recorder: TINA SMITH Heard By: Hardcastle, Kathy

Matter Continued; TRIAL BY JURY Court Clerk: DOROTHY KELLY Reporter/Recorder: TINA SMITH Heard By: Hardcastle, Kathy

### Journal Entry Details:

Court CONVENED OUTSIDE THE PRESENCE OF THE JURY at 10:26 A.M. Jury Instructions Settled. No objection by either side to verdict forms. INSIDE PRESENCE OF JURY: Testimony presented; exhibits marked and admitted, as per worksheet. Defense

# CASE SUMMARY

CASE No. 99C161426

*RESTED. State presented Rebuttal Witnesses. Both sides RESTED. Court read Jury Instructions to Jury. Closing arguments by Ms. Weckerly, Ms. Langford and Mr. Schieck. Rebuttal argument by Mr. O'Neale. Jurors left to begin deliberations at 4:22 P.M. Jury excused for the day at approximately 5 P.M. and to return tomorrow at 8:30 A.M. to resume deliberations. TRIAL BY JURY ;*

02/23/2001

**Jury Trial (10:00 AM)**

*TRIAL BY JURY Court Clerk: DOROTHY KELLY Heard By: Hardcastle, Kathy  
Matter Continued; TRIAL BY JURY Court Clerk: DOROTHY KELLY Heard By: Hardcastle, Kathy  
Journal Entry Details:  
Jury deliberated all day without reaching a verdict and were excused at 4:20 P.M. to return on Monday, February 26th. TRIAL BY JURY ;*

02/26/2001

**Jury Trial (1:45 PM)**

*TRIAL BY JURY Relief Clerk: GEORGETTE BYRD/GB Reporter/Recorder: TINA SMITH  
Heard By: Hardcastle, Kathy  
Matter Continued; TRIAL BY JURY Relief Clerk: GEORGETTE BYRD/GB  
Reporter/Recorder: TINA SMITH Heard By: Hardcastle, Kathy  
Journal Entry Details:  
4:03 PM jury foreperson brought in and questioned regarding jury misconduct as to another juror. Juror #7 brought in and questioned by the Court, and then returned to the deliberation room. Outside the presence of the jury, colloquy between Court and Counsel regarding allen charge. Jury panel brought into courtroom and read the allen charge which was added to the jury instructions as #48. Court excused the jury until 2/27/01 at 9:30 AM. ;*

02/27/2001

**Jury Trial (1:45 PM)**

*TRIAL BY JURY Court Clerk: DOROTHY KELLY Reporter/Recorder: TINA SMITH Heard By: Kathy Hardcastle  
Matter Heard; TRIAL BY JURY Court Clerk: DOROTHY KELLY Reporter/Recorder: TINA SMITH Heard By: Kathy Hardcastle  
Journal Entry Details:  
Court convened OUTSIDE THE PRESENCE OF THE JURY at 1:31 P.M. Court informed counsel the jury reached their verdicts and stated the State may be requesting to reopen the case to submit evidence of possession of firearm by ex-felon. Court stated it will bring in the Jury and review the verdicts; if the verdicts are in order, they will be read and if it is requested the jury be polled, they will be. Court further stated if the State wants to re-open the case, the Court will inform the Jury and the State may submit what evidence they have, as well as the defense, and Court will read Jury Instructions to the Jury. Mr. Schieck stated he has no objection to the Jury Instructions but objects to the procedure. He further stated as to ex-felon charges, the Supreme Court ruled in a case the charges had to be severed. He continued that he felt that meant a separate trial and jury. He further stated he does not know if the deft received adequate information from counsel as to what effect his testifying has to the ex-felon charge. He further stated if the State wants to proceed with the ex-felon charge he wants a new jury selected on that charge. Mr. O'Neale stated before the start of trial it was discussed about not reading Count VI to the Jury; that does not affect the deft's decision to or not to testify. He further stated there was never an indication the charge would be severed to a separate jury. He continued that he does not know if it will be necessary to proceed, as the verdicts have not been read; there is no error in proceeding the way the Court has indicated. Mr. Schieck stated he and Mr. Langford agree the concept of the same jury was not discussed. Court stated the purpose of siphoning the ex-felon charge is that the jury is not influenced by that charge. Court noted the procedure requested by the State has been done before; this is not something new and the procedure will be followed as outlined. Court stated Jury Instruction Numbers 49, 50, 51 and 52 will be added on and the jury will deliberate. No objection by Mr. Schieck to the Possession of Firearm by Ex-Felon Verdict Form. Jurors returned to the Courtroom and the Clerk read the following verdicts: COUNTS I,III - BURGLARY WHILE IN POSSESSION OF A FIREARM - GUILTY COUNT II - GRAND LARCENY OF A FIREARM - NOT GUILTY COUNT IV - MURDER WITH USE OF A DEADLY WEAPON (OPEN MURDER) - GUILTY COUNT V - SECOND DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON - GUILTY Jurors polled at request of counsel. Court advised jurors of the date of the penalty hearing and admonished and excused them for the day and recessed at 1:50 P.M. CUSTODY 03-05-01 10:30 A.M. PENALTY HEARING ;*

03/05/2001

**All Pending Motions (9:00 AM)**

*ALL PENDING MOTIONS 03-05-01 Court Clerk: DOROTHY KELLY Reporter/Recorder:*

# CASE SUMMARY

CASE No. 99C161426

TINA SMITH Heard By: Kathy Hardcastle

Matter Heard; ALL PENDING MOTIONS 03-05-01 Court Clerk: DOROTHY KELLY

Reporter/Recorder: TINA SMITH Heard By: Kathy Hardcastle

Journal Entry Details:

**PENALTY HEARING...DEFT'S MTM IN LIMINE TO LIMIT PENALTY HEARING**

**EVIDENCE TO THE NOTICE OF EVIDENCE IN AGGRAVATION** Argument by Mr. Schieck in support of his motion. He cited Rule 250 and Rule 250 (4) (f), and stated Subsection (4) (f) applies to character evidence and to any evidence presented at the penalty hearing. Argument by Mr. O'Neale, who stated the defense has been on notice of the evidence at issue for months. He further stated there is no due process violation and there is no harm here. Further argument by Mr. Schieck, who stated in addition to Flora Mason's statements, the State said it was going to call Steve Owens; he is not endorsed. He further stated the State has not given statutory notice. COURT ORDERED, evidence by Deputy District Attorney, Steve Owens, will not be permitted. Court stated it will take UNDER ADVISEMENT the Statement of Flora Mason regarding the 1995 incident. COURT ORDERED, testimony as to the January 27, 1999, and December 13, 1996, incidents will be allowed in; counsel may bring in that deft was convicted of a gross misdemeanor in 1995; if defense wants to bring in the Alford Plea the definition of Alford Plea will be allowed. Court informed counsel of communication received by the bailiff from one of the jurors. **INSIDE THE PRESENCE OF THE JURY:** Opening Statements by Ms. Weckerly and Mr. Schieck. Testimony presented, exhibits marked and admitted, as per worksheet. **OUTSIDE PRESENCE OF THE JURY:** Flora Mason questioned by State and defense counsel so Court could determine admissibility of her statements. COURT ORDERED, Testimony of Flora Mason will be ALLOWED. **INSIDE PRESENCE OF THE JURY:** Testimony resumed. State RESTED. Testimony presented; exhibits marked and admitted, as per worksheet. Defense RESTED. **OUTSIDE PRESENCE OF THE JURY:** Jury Instructions SETTLED. No objection by either side to Verdict Forms. **INSIDE PRESENCE OF JURY:** Court read Jury Instructions to Jury. Closing arguments by Mr. O'Neale, Mr. Schieck, Mr. Langford and Ms. Weckerly. Jury left to begin deliberations at 4:20 P.M. Jury was excused at approximately 5:00 P.M. to return tomorrow at 9:00 A.M. **PENALTY HEARING ;**

03/05/2001

## Penalty Hearing (10:30 AM)

**PENALTY HEARING** Heard By: Kathy Hardcastle

03/05/2001

## Motion in Limine (10:30 AM)

Events: 03/01/2001 Motion in Limine

**MASON'S MOTION IN LIMINE TO LIMIT PENALTY HEARING EVIDENCE TO THE NOTICE O**

03/06/2001

## Penalty Hearing (10:00 AM)

**PENALTY HEARING** Court Clerk: DOROTHY KELLY Reporter/Recorder: TINA SMITH Heard By: Kathy Hardcastle

Matter Heard; PENALTY HEARING Court Clerk: DOROTHY KELLY Reporter/Recorder:

TINA SMITH Heard By: Kathy Hardcastle

Journal Entry Details:

Jury returned at 1:30 P.M. with the following Verdicts, which were read by the Clerk. Jury IMPOSED a sentence of LIFE IN NEVADA STATE PRISON WITHOUT THE POSSIBILITY OF PAROLE in CT. IV - Murder of the First Degree With Use of a Deadly Weapon. As to the SPECIAL VERDICT, Jury DESIGNATED that the mitigating circumstance or circumstances as follows have been established: 1) The deft has conformed to the rules and regulations of his incarceration and served as a trustee in the Clark County Detention Center. 2) The deft acted under the influence of passion or emotion. 3) The deft did not physically harm Felicia Jackson. 4) The deft completed the Crossroads Bible Institute's "Great Truths of the Bible" course. 5) The age of the deft. 6) Any other mitigating circumstances. As to the Special Verdict, the Jury DESIGNATED that the Aggravating Circumstance or Circumstances, as follows, have been established beyond a reasonable doubt: 1) The murder was committed while the person was engaged in the commission of or an attempt to commit any Burglary and the deft killed the person murdered. 2) The murder was committed by a person who had previously been convicted of a felony involving the use or threat of violence to the person of another. Jurors polled as to the Verdict of Life in NSP Without the Possibility of Parole at the request of Mr. Schieck. Court thanked and excused the Jury and ORDERED, matter REFERRED to the Division of Parole and Probation for a Pre-Sentence Report and set for sentencing on the remaining counts. CUSTODY 04-30-01 9:00 A.M. SENTENCING - CTS. I-III & V (Jury Verdict) ;

04/30/2001

## Sentencing (9:00 AM)

# CASE SUMMARY

CASE No. 99C161426

SENTENCING Court Clerk: DOROTHY KELLY Reporter/Recorder: TINA SMITH Heard By: Kathy Hardcastle

Granted; SENTENCING Court Clerk: DOROTHY KELLY Reporter/Recorder: TINA SMITH Heard By: Kathy Hardcastle

Journal Entry Details:

Ken Wheaton present for the Division of Parole and Probation. Mr. Schieck stated the deft provided him with a Pro Per Motion and is requesting it be filed to preserve the record. He further stated the deft wants the conviction overturned due to insufficient evidence. Court responded that is a matter to be raised on direct appeal. After conferring with Mr. Schieck, COURT ORDERED, David Schieck is APPOINTED to represent deft on appeal. Court DENIED Mr. Schieck's request to file deft's motion at the deft's request, stating no pro per motions can be filed when deft is represented by counsel. DEFT MASON ADJUDGED GUILTY OF COUNTS I AND III, BURGLARY WHILE IN POSSESSION OF A FIREARM (F), COUNT IV, MURDER WITH USE OF A DEADLY WEAPON (OPEN MURDER) (F) AND COUNT V - SECOND DEGREE KIDNAPING WITH USE OF A DEADLY WEAPON (F). Statement by Mr. Schieck. In addition to the \$25 Administrative Assessment Fee, \$250 DNA Fee and \$8,519 RESTITUTION, COURT ORDERED, Deft SENTENCED in CT. I to a MAXIMUM term of ONE HUNDRED EIGHTY (180) MONTHS in the Nevada Department of Prisons with a MINIMUM Parole Eligibility of FORTY (40) MONTHS and is to submit to a test to determine genetic markers and in CT. III to a MAXIMUM term of ONE HUNDRED EIGHTY (180) MONTHS in the Nevada Department of Prisons with a MINIMUM Parole Eligibility of FORTY (40) MONTHS to run CONCURRENTLY with sentence in CT. I, and as to CT. IV, Court noted the Jury SENTENCED the deft to a term of LIFE, to be served CONCURRENTLY with COUNTS I and III, and as to CT. V, Deft SENTENCED to a MAXIMUM term of ONE HUNDRED EIGHTY (180) MONTHS in the Nevada Department of Prisons with a MINIMUM Parole Eligibility of FORTY (40) MONTHS plus an EQUAL and CONSECUTIVE term of a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM of FORTY (40) MONTHS for weapon enhancement to be served CONSECUTIVELY to COUNT IV, with 719 Days Credit for Time Served. CLERK'S NOTE: Clerk was advised by the Court the State was not going forward on Ct. VI - Possession of Firearm by Ex-Felon, therefore, that Count is DISMISSED. dk ;

05/14/2001

## Motion (9:00 AM)

Events: 05/02/2001 Notice of Motion

STATE'S MOTION FOR RETURN OF EVIDENCE Court Clerk: DOROTHY KELLY Reporter/Recorder: TINA SMITH Heard By: Kathy Hardcastle

Granted; STATE'S MOTION FOR RETURN OF EVIDENCE Court Clerk: DOROTHY KELLY Reporter/Recorder: TINA SMITH Heard By: Kathy Hardcastle

Journal Entry Details:

Objection by Mr. Schieck to State's motion. He stated there was a witness who indicated there was a shiny chrome pistol used; if there is any reason the defendant is able to obtain a new trial, the gun is crucial evidence. Mr. Schieck further stated he has no objection to the return of the shotgun. Argument by Mr. O'Neale, who stated that denying the motion would deprive the rightful owner of the gun. He further stated the issue of 'shiny' is a matter of fact for the jury. Court stated a similar gun could be shown and ORDERED, State's Motion for Return of Evidence is GRANTED. Mr. Schieck stated he will not waive the right to a similar gun. CUSTODY ;

10/07/2002

## Request (9:00 AM)

Events: 09/25/2002 Request

DEFT'S PRO PER REQUEST VOLUNTARY DISMISSAL/32 Court Clerk: Carole D'Aloia Reporter/Recorder: Tina Smith Heard By: Kathy Hardcastle

Granted; DEFT'S PRO PER REQUEST VOLUNTARY DISMISSAL/32 Court Clerk: Carole D'Aloia Reporter/Recorder: Tina Smith Heard By: Kathy Hardcastle

Journal Entry Details:

COURT ORDERED, motion GRANTED and future date of 11/4/02 VACATED. NDC ;

11/04/2002

## CANCELED Petition for Writ of Habeas Corpus (9:00 AM)

Vacated

03/10/2003

## Petition for Writ of Habeas Corpus (9:00 AM)

Events: 01/23/2003 Petition for Writ of Habeas Corpus

DEFT'S PRO PER PTN FOR WRIT OF HABEAS CORPUS AND APPOINTMENT OF COUNSEL/33 Court Clerk: Dorothy Kelly Reporter/Recorder: Carrie Hansen Heard By: Hardcastle, Kathy





# CASE SUMMARY

CASE No. 99C161426

	<p>Matter Continued; DEFT'S PRO PER PTN FOR WRIT OF HABEAS CORPUS AND APPOINTMENT OF COUNSEL/33 Court Clerk: Dorothy Kelly Reporter/Recorder: Carrie Hansen Heard By: Hardcastle, Kathy</p> <p>Journal Entry Details:</p> <p><i>COURT ORDERED, David Schieck's Request to Withdraw as Counsel is GRANTED. COURT FURTHER ORDERED, matter CONTINUED for the State to file an Opposition. NDC DEFT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS AND APPOINTMENT OF COUNSEL ;</i></p>
03/12/2003	<p><b>Petition for Writ of Habeas Corpus (9:00 AM)</b></p> <p><i>DEFT'S PRO PER PTN FOR WRIT OF HABEAS CORPUS AND APPOINTMENT OF COUNSEL/33 Court Clerk: Dorothy Kelly Reporter/Recorder: Carrie Hansen Heard By: Hardcastle, Kathy</i></p> <p>Matter Continued; DEFT'S PRO PER PTN FOR WRIT OF HABEAS CORPUS AND APPOINTMENT OF COUNSEL/33 Court Clerk: Dorothy Kelly Reporter/Recorder: Carrie Hansen Heard By: Hardcastle, Kathy</p> <p>Journal Entry Details:</p> <p><i>Ms. Bauer noted the State does not have a Writ yet. Court stated that one has been filed. Court stated it needs a response from the State as to appointment of counsel and ORDERED, matter CONTINUED. NDC DEFT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS (POST CONVICTION) AND APPOINTMENT OF COUNSEL ;</i></p>
04/14/2003	<p><b>Motion (9:00 AM)</b></p> <p>Events: 03/31/2003 Motion</p> <p><i>DEFT'S PRO PER MTN TO SECURE/34 Relief Clerk: Billie Jo Craig Reporter/Recorder: Carrie Hansen Heard By: Kathy Hardcastle</i></p> <p>Denied; DEFT'S PRO PER MTN TO SECURE/34 Relief Clerk: Billie Jo Craig Reporter/Recorder: Carrie Hansen Heard By: Kathy Hardcastle</p> <p>Journal Entry Details:</p> <p><i>Mr. Whicker advised no reply was filed as it is due May 14, 2003. COURT ORDERED, Defendant's Pro Per Motion to Secure is DENIED as it is untimely. NDC ;</i></p>
05/14/2003	<p><b>Petition for Writ of Habeas Corpus (9:00 AM)</b></p> <p><i>DEFT'S PRO PER PTN FOR WRIT OF HABEAS CORPUS AND APPOINTMENT OF COUNSEL/33 Court Clerk: Dorothy Kelly Reporter/Recorder: Carrie Hansen Heard By: Kathy Hardcastle</i></p> <p>Denied; DEFT'S PRO PER PTN FOR WRIT OF HABEAS CORPUS AND APPOINTMENT OF COUNSEL/33 Court Clerk: Dorothy Kelly Reporter/Recorder: Carrie Hansen Heard By: Kathy Hardcastle</p> <p>Journal Entry Details:</p> <p><i>Court stated Deft. has not set forth grounds for a basis for the Petition for the necessity of appointment of counsel; just bare allegation. COURT ORDERED, Deft's Pro Per Petition for Writ of Habeas Corpus (Post Conviction) and Appointment of Counsel. State to prepare the Order. ;</i></p>
06/02/2003	<p><b>Motion (9:00 AM)</b></p> <p>Events: 05/08/2003 Motion</p> <p><i>DEFT'S PRO PER MTN FOR AN ENLARGEMENT OF TIME/35 Court Clerk: Dorothy Kelly Reporter/Recorder: Deborah VanBlaricom Heard By: Kathy Hardcastle</i></p> <p>Denied; DEFT'S PRO PER MTN FOR AN ENLARGEMENT OF TIME/35 Court Clerk: Dorothy Kelly Reporter/Recorder: Deborah VanBlaricom Heard By: Kathy Hardcastle</p> <p>Journal Entry Details:</p> <p><i>Court stated Deft's presence is waived and ORDERED, Deft's Pro Per Motion for Enlargement of Times is DENIED. COURT FURTHER ORDERED, matter CONTINUED two weeks to look at the file and to see if everything has been decided. NDC 06-16-03 9:00 A.M. FURTHER PROCEEDINGS ;</i></p>
06/16/2003	<p><b>Further Proceedings (9:00 AM)</b></p> <p><i>FURTHER PROCEEDINGS Court Clerk: Dorothy Kelly Reporter/Recorder: Carrie Hansen Heard By: Kathy Hardcastle</i></p> <p>Matter Heard; FURTHER PROCEEDINGS Court Clerk: Dorothy Kelly Reporter/Recorder: Carrie Hansen Heard By: Kathy Hardcastle</p> <p>Journal Entry Details:</p> <p><i>Court noted it previously denied a Writ on May 14, 2003, and further noted Deft's Motion for</i></p>

# CASE SUMMARY




CASE NO. 99C161426

	<p><i>Enlargement of Time was denied. COURT ORDERED, Deft's Pro Per Motion for Leave to File an Amended Petition for Writ of Habeas Corpus scheduled to be heard on June 23rd, is DENIED on the basis it was filed untimely. June 23rd, Date is VACATED. Deft's presence is WAIVED; Case CLOSED. NDC ;</i></p>
06/23/2003	<p><b>CANCELED Motion</b> (9:00 AM)  Events: 06/11/2003 Motion  <i>Vacated</i></p>
04/19/2011	<p> <b>Petition for Writ of Habeas Corpus</b> (9:00 AM) (Judicial Officer: Tao, Jerome T.)  <b>04/19/2011, 04/28/2011</b>  <i>Post-Conviction Relief</i>  Matter Continued;  Denied;  Journal Entry Details:  <i>Court reviewed point Court FINDS, pursuant to NRS 34.726 petition is untimely and procedurally time barred as the petition was filed 8 years after remittitur was issued, making petition untimely and Defendant has failed to show good cause for the delay in filing the petition; therefore, COURT ORDERED, Petition DENIED. Ms. Storms for the Public Defender's office moved to withdraw as counsel for the record. Court stated counsel previously withdrew and Defendant was previously represented by the Special Public Defender's office. NDC CLERK'S NOTE: The above minute order has been distributed to: Mack Mason # 69060 H.D.S.P. PO Box 650 Indian Springs, NV 89018 ;</i>  Matter Continued;  Denied;  Journal Entry Details:  <i>Court noted lack of Defendant's presence as he is in custody in the Nevada Department of Corrections (NDC). COURT ORDERED, matter CONTINUED for Judge Tao's presence. NDC CONTINUED TO: 4/28/2011 9:00 AM ;</i></p>
07/05/2016	<p> <b>Motion</b> (8:30 AM) (Judicial Officer: Johnson, Eric)  <i>Defendant's Pro Per Motion</i>  Denied;  Journal Entry Details:  <i>Court noted Defendant is in prison and not present today and that this is not the proper vehicle to challenge the Judgment of Conviction, that Defendant should have filed a Writ of Habeas Corpus. So, this Court will treat the Motion as a Writ of Habeas Corpus. As such, the Writ is untimely as it was filed over 12 years after the 1 year time frame. Defendant raises claims that should have been presented in an earlier proceeding and fails to demonstrate good cause for failing to do so. Defendant does not present any new evidence and fails to demonstrate prejudice. Therefore, COURT ORDERED, Motion (Writ) DENIED. NDC CLERK'S NOTE: A copy of this Minute Order was mailed to Defendant: MACK C. MASON #69060 SOUTHER DESERT CORRECTIONAL CENTER P.O. BOX 208 INDIAN SPRINGS, NV 89070-0208 ;</i></p>
02/02/2017	<p> <b>Minute Order</b> (3:00 PM) (Judicial Officer: Johnson, Eric)  Minute Order - No Hearing Held;  Journal Entry Details:  <i>Defendant s Pro Per Motion and Order for Transportation of Inmate for Court Appearance has been taken OFF CALENDAR. This case is currently up on appeal to the Nevada Supreme Court, and thus this Court lacks jurisdiction to decide any motions. CLERK'S NOTE: A copy of this minute order shall be mailed to Mark Mason, #69060, High Desert State Prison, PO Box 208, Indian Springs, NV 89070. ndo/2/6/17;</i></p>
02/07/2017	<p><b>CANCELED Motion for Order</b> (8:30 AM) (Judicial Officer: Johnson, Eric)  <i>Vacated - per Judge</i>  <i>Defendant's Pro Per Motion And Order For Transportation Of Inmate For Court Appearance Or, In The Alternative, For Appearance By Telephone Or Video Conference</i></p>
02/08/2017	<p> <b>Minute Order</b> (3:00 PM) (Judicial Officer: Johnson, Eric)  Minute Order - No Hearing Held;  Journal Entry Details:</p>

EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY**

**CASE NO. 99C161426**

	<p><i>Defendant s Petition for Writ of Habeas Corpus has been continued to March 30, 2017 at 9:00a.m. This case is currently up on appeal to the Nevada Supreme Court, and thus this Court lacks jurisdiction to decide any motions. A copy of this minute order shall be mailed to Mark Mason, #69060, High Desert State Prison, PO Box 208, Indian Springs, NV 89070.;</i></p>	
<p>03/29/2017</p>	<p> <b>Minute Order</b> (7:30 AM) (Judicial Officer: Johnson, Eric)</p> <p>Minute Order - No Hearing Held; Journal Entry Details: <i>Per Law Clerk, COURT ORDERED, Defendant's Petition for Writ of Habeas Corpus set for March 30, 2017 at 9:00 a.m. is CONTINUED to April 25, 2017 at 8:30 a.m. as this case is currently up on appeal to the Nevada Court of Appeals and thus, this Court lacks jurisdiction to decide any motions. NDC CLERK'S NOTE: A copy of this Minute Order was mailed to Defendant: MARK MASON #69060 HIGH DESERT STATE PRISON P.O. BOX 208 INDIAN SPRINGS, NV 89070;</i></p>	
<p>04/25/2017</p>	<p> <b>Petition for Writ of Habeas Corpus</b> (8:30 AM) (Judicial Officer: Johnson, Eric)</p> <p><b>04/25/2017, 10/24/2017</b></p> <p>This case is currently up on appeal to the Nevada Court of Appeals, and thus this Court lacks jurisdiction to decide any motions Matter Continued; Denied; Journal Entry Details: <i>Upon Court's inquiry, Mr. Jones submitted on the State's opposition. Court noted Defendant was convicted and his appeal was denied by the Nevada Supreme Court with the remittitur being issued on September 3, 2002. Defendant filed an initial Petition for Writ of Habeas Corpus on September 5, 2002, however, filed a Motion to Voluntarily Dismiss the Petition and filed a new Petition on January 23, 2003. In May, 2003, this Court denied his petition and he did not appeal the denial of his second petition. In January 2011, he filed a 3rd Petition for Writ; on December 19, 2011, the Nevada Supreme Court issued an Order affirming the dismissal of Defendant's petition on the merits. On June 9 2016, Defendant filed yet another petition, this one alleging ineffectiveness of counsel and actual innocence as well as Constitutional violations. In July, the Court denied Defendant's motion with a written order issuing in September 2016 to which Defendant filed a Notice of Appeal and was denied, recently by the Nevada Supreme Court. Defendant filed his 4th Petition for Writ of Habeas Corpus on November 15, 2016 which is before the Court. This petition is time barred as Nevada Revised Statute imposes a one year time period for filing of a post-conviction petition for writ of habeas. We are clearly beyond that which would have been September 3, 2013. This is a successive petition and Defendant has failed to show good cause to justify consideration of the untimely and successive petition. Finally, the State pleads laches. Therefore, COURT ORDERED, DENIED. NDC CLERK'S NOTE: 11/2/17 A copy of this Minute Order was sent to Defendant: MACK MASON #69060 SOUTHERN DESERT CORRECTIONAL CENTER P.O. BOX 208 INDIAN SPRINGS, NV 89070-0208;</i></p> <p>This case is currently up on appeal to the Nevada Court of Appeals, and thus this Court lacks jurisdiction to decide any motions Matter Continued; Denied; Journal Entry Details: <i>Court noted Defendant is in prison and not present today and as there is an appeal before the Supreme Court, COURT ORDERED, matter CONTINUED SIX (6) MONTHS. NDC ... CONTINUED 10/24/17 8:30 AM;</i></p>	
<p>06/10/2021</p>	<p> <b>Petition</b> (11:00 AM) (Judicial Officer: Leavitt, Michelle)</p> <p><i>Petition for Writ of Prohibition</i> Denied; Petition for Writ of Prohibition Journal Entry Details: <i>Defendant not present. COURT STATED this Petition is not the appropriate avenue as this Court has no authority to issue the relief that is being requested. COURT ORDERED, Petition DENIED; State to prepare the Order. NDC;</i></p>	

DATE

FINANCIAL INFORMATION

**Defendant** Mason, Mack C  
Total Charges  
Total Payments and Credits

275.00  
2.30

**CASE SUMMARY**

**CASE NO. 99C161426**

**Balance Due as of 7/22/2021**

**272.70**

**ORDR**

STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565  
STEVEN L. WATERS  
Chief Deputy District Attorney  
Nevada Bar #006162  
200 Lewis Avenue  
Las Vegas, NV 89155-2212  
(702) 671-2500  
Attorney for Plaintiff

DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

MACK MASON,  
#309692

Defendant.

CASE NO: 99C161426

DEPT NO: XII

**ORDER DENYING DEENDANT'S PETITION FOR WRIT OF PROHIBITION**

DATE OF HEARING: June 10, 2021  
TIME OF HEARING: 11:00 A.M.

THIS MATTER having come on for hearing before the above entitled Court on the 10th day of June, 2021, the Defendant not being present, IN PROPER PERSON, the Plaintiff being represented by STEVEN B. WOLFSON, District Attorney, through STEVEN L. WATERS, Chief Deputy District Attorney, and the Court without argument, based on the pleadings and good cause appearing therefor,

///

///

///

///

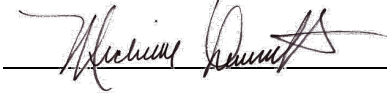
///

///

///

1 IT IS HEREBY ORDERED that the Defendant's Petition for Writ of Prohibition, shall  
2 be, and it is DENIED as this Court has no authority to issue the relief that is being requested.

3  
4 Dated this 25th day of June, 2021

5   
6

7 STEVEN B. WOLFSON  
8 Clark County District Attorney  
9 Nevada Bar #001565

57B D5B 5FEE FE43  
Michelle Leavitt  
District Court Judge

10 BY /s/ STEVEN L. WATERS  
11 STEVEN L. WATERS  
12 Chief Deputy District Attorney  
13 Nevada Bar #006162

14 CERTIFICATE OF SERVICE

15 I certify that on the 22nd day of June, 2021, I mailed a copy of the foregoing Order to:

16 MACK C. MASON, BAC #69060  
17 SOUTHERN DESERT CORRECTIONAL CENTER  
18 P. O. BOX 208  
19 INDIAN SPRINGS, NEVADA 89070-0208

20 BY /s/ J. HAYES  
21 Secretary for the District Attorney's Office  
22  
23  
24  
25  
26

27 jh/Enter Team Name  
28

1 **CSERV**

2  
3 DISTRICT COURT  
CLARK COUNTY, NEVADA

4  
5  
6 The State of Nevada vs Mack C  
Mason

CASE NO: 99C161426

7 DEPT. NO. Department 12

8  
9 **AUTOMATED CERTIFICATE OF SERVICE**

10 Electronic service was attempted through the Eighth Judicial District Court's  
11 electronic filing system, but there were no registered users on the case. The filer has been  
12 notified to serve all parties by traditional means.  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 07, 1999

99C161426

The State of Nevada vs Mack C Mason

September 07, 1999

9:00 AM

Initial Arraignment

**INITIAL  
ARRAIGNMENT**  
**Court Clerk: SUSAN  
BURDETTE/sb**  
**Reporter/Recorder:  
CATHY NELSON**  
**Heard By: Michael  
Douglas**

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Mason, Mack C

Defendant

O'Neale, Lawrence J.

Attorney

Schieck, David M.

Attorney

**JOURNAL ENTRIES**

- Stanley Walton, Esq., present for Mr. Langford on behalf of Deft. DEFENDANT MASON ARRAIGNED AND PLED NOT GUILTY. Mr. Schieck stated Deft. recognizes the work that needs to be done and waives the 60-day rule. COURT ORDERED, matter set for TRIAL. Upon Court's inquiry, Mr. O'Neale stated Count VI will be severed and reconsidered at trial. Mr. Schieck stated that Mr. Langford and he were appointed at the Justice Court level and requested that they be appointed, and COURT SO ORDERED.

CUSTODY

03-02-00 9:00 AM CALENDAR CALL

03-06-00 1:30 PM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****March 02, 2000**

99C161426

The State of Nevada vs Mack C Mason

**March 02, 2000****9:00 AM****All Pending Motions**

**ALL PENDING  
MOTIONS 03-02-00  
Court Clerk:  
DOROTHY KELLY  
Reporter/Recorder:  
TINA SMITH Heard  
By: Kathy Hardcastle**

**HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Langford, Robert L.

Attorney

Mason, Mack C

Defendant

O'Neale, Lawrence J.

Attorney

Schieck, David M.

Attorney

**JOURNAL ENTRIES**

- DEFT'S MOTION TO CONTINUE TRIAL...CALENDAR CALL

Mr. Schieck requested a one-week continuance for a status check to see when this trial can go forward. State concurred. COURT ORDERED, Trial date VACATED; matter CONTINUED. Court stated there will be a FIRM trial setting.

CUSTODY

03-09-00 9:00 A.M. RESET TRIAL DATE

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****March 09, 2000**

99C161426

The State of Nevada vs Mack C Mason

**March 09, 2000****9:00 AM****Conversion Hearing Type****RESET TRIAL DATE****Relief Clerk: BILLIE****JO CRAIG****Reporter/Recorder:****TINA SMITH Heard****By: Kathy Hardcastle****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Hehn, William A.

Attorney

Langford, Robert L.

Attorney

Mason, Mack C

Defendant

Schieck, David M.

Attorney

**JOURNAL ENTRIES**

- COURT ORDERED, matter set for trial. Court advised this is a FIRM SETTING.

CUSTODY

8/23/00 9:00 AM CALENDAR CALL

8/28/00 10:30 AM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****August 23, 2000**

99C161426

The State of Nevada vs Mack C Mason

**August 23, 2000****9:00 AM****All Pending Motions**

**ALL PENDING  
MOTIONS FOR  
8/23/00 Relief Clerk:  
BILLIE JO CRAIG  
Reporter/Recorder:  
CARRIE HANSEN  
Heard By: Kathy  
Hardcastle**

**HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Langford, Robert L.

Attorney

Mason, Mack C

Defendant

Weckerly, Pamela C.

Attorney

**JOURNAL ENTRIES**

- DEFENDANT'S MOTION FOR DISCOVERY AND EVIDENTIARY HEARING...DEFENDANT'S  
MOTION TO CONTINUE TRIAL SETTING...CALENDAR CALL

Court noted it met with counsel previously in chambers and the State had no objection to a  
continuance. COURT ORDERED, matter SET for Reset Trial Date and CONTINUED Defendant's  
Motion for Discovery and Evidentiary Hearing.

**CUSTODY**

8/30/00 9:00 AM RESET TRIAL DATE...DEFENDANT'S MOTION FOR DISCOVERY AND  
EVIDENTIARY HEARING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****August 30, 2000**

99C161426

The State of Nevada vs Mack C Mason

**August 30, 2000****9:00 AM****All Pending Motions**

**ALL PENDING  
MOTIONS 08-30-00  
Court Clerk:  
DOROTHY KELLY  
Reporter/Recorder:  
TINA SMITH Heard  
By: Kathy Hardcastle**

**HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Langford, Robert L.

Attorney

Mason, Mack C

Defendant

Schieck, David M.

Attorney

Weckerly, Pamela C.

Attorney

**JOURNAL ENTRIES**

- DEFT'S MOTION FOR DISCOVERY AND EVIDENTIARY HEARING...RESET TRIAL DATE  
Court stated it reviewed the motion and does not find a basis to grant the evidentiary hearing; the standards have been met regarding the decision to seek the death penalty. COURT ORDERED, Deft's Motion for Evidentiary Hearing is DENIED. COURT FURTHER ORDERED, matter set for trial, scheduled for one (1) week.

**CUSTODY**

11-08-00 9:00 A.M. CALENDAR CALL

11-13-00 10:30 A.M. TRIAL BY JURY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 25, 2000

99C161426

The State of Nevada vs Mack C Mason

October 25, 2000

9:00 AM

All Pending Motions

**ALL PENDING  
MOTIONS 10-25-00  
Court Clerk:  
DOROTHY KELLY  
Reporter/Recorder:  
TINA SMITH Heard  
By: Kathy Hardcastle**

**HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Langford, Robert L.

Attorney

Mason, Mack C

Defendant

Schieck, David M.

Attorney

Villegas, Victoria A.

Attorney

**JOURNAL ENTRIES**

- DEFT'S MOTION FOR DISCLOSURE OF PRE-SENTENCE REPORTS OR, IN THE ALTERNATIVE, FOR IN-CAMERA REVIEW...DEFT'S MOTION FOR DISCOVERY OF POTENTIAL PENALTY HEARING EVIDENCE...DEFT'S MOTION FOR DISCOVERY...DEFT'S MOTION TO ALLOW JURY QUESTIONNAIRE...DEFT'S MOTION TO COMPEL DISCLOSURE OF EXISTENCE OF SUBSTANCE OF EXPECTATIONS, OR ACTUAL RECEIPT OF BENEFITS OR PREFERENTIAL TREATMENT FOR COOPERATION WITH PROSECUTION

Mr. Schieck stated this is Deputy District Attorney, O'Neale's, case; he is in another Department today. He requested a continuance for his presence; COURT, SO ORDERED. Mr. Schieck advised Court he is proceeding forward with discovery.

**CUSTODY**

11-01-00 9:00 A.M. DEFT'S MOTIONS AS LISTED ABOVE



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 01, 2000

99C161426

The State of Nevada vs Mack C Mason

November 01, 2000

9:00 AM

All Pending Motions

**ALL PENDING  
MOTIONS FOR  
11/1/00 Relief Clerk:  
BILLIE JO CRAIG  
Reporter/Recorder:  
JAMES HELLESO  
Heard By: Kathy  
Hardcastle**

**HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Langford, Robert L.

Attorney

Mason, Mack C

Defendant

O'Neale, Lawrence J.

Attorney

Schieck, David M.

Attorney

**JOURNAL ENTRIES**

- DEFENDANT'S MOTION TO ALLOW JURY QUESTIONNAIRE...DEFENDANT'S MOTION FOR DISCLOSURE OF PRE-SENTENCE REPORTS OR FOR IN-CAMERA REVIEW...DEFENDANT'S MOTION TO COMPEL DISCLOSURE OF EXISTENCE AND SUBSTANCE OF EXPECTATIONS, OR ACTUAL RECEIPT OF BENEFITS OR PREFERENTIAL TREATMENT FOR COOPERATION WITH PROSECUTION...DEFENDANT'S MOTION FOR DISCOVERY...DEFENDANT'S MOTION FOR DISCOVERY OF POTENTIAL PENALTY HEARING EVIDENCE

As to Deft.'s Motion to Allow Jury Questionnaire, Court advised it had not reviewed it yet but usually no problems and counsel can meet in Chambers for final approval. As to the In-Camera Review, counsel to provide documents as soon as possible for review. As to Motion to Compel, COURT ORDERED, Motion DENIED. As to Motion for Discovery, defense counsel advised there

was one issue. Counsel to prepare an Order and Stipulation to the Court for signature. As to Motion for Discovery of Potential Penalty Hearing Evidence, COURT ORDERED, Motion GRANTED. COURT ORDERED, Trial Date STANDS. Counsel advised 4 days for Trial the week of 11/13/00 and 2 days for the Penalty Phase the week of 11/20/00.  
CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 08, 2000

99C161426

The State of Nevada vs Mack C Mason

November 08, 2000

9:00 AM

Calendar Call

**CALENDAR CALL****Court Clerk:****DOROTHY KELLY****Reporter/Recorder:****TINA SMITH Heard****By: Kathy Hardcastle****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Mason, Mack C

Defendant

Schieck, David M.

Attorney

Weckerly, Pamela C.

Attorney

**JOURNAL ENTRIES**

- Court noted there was discussion in Chambers; the trial counsel is in another trial. Court noted it is the Court's motion to continue the trial and ORDERED, Trial date VACATED and RESET. Court stated this case will be given priority on the stack.

**CUSTODY**

02-07-01 9:00 A.M. CALENDAR CALL

02-12-01 10:30 A.M. TRIAL BY JURY

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****February 07, 2001**

99C161426

The State of Nevada vs Mack C Mason

**February 07, 2001****9:00 AM****Calendar Call****CALENDAR CALL  
Relief Clerk: BILLIE  
JO CRAIG  
Reporter/Recorder:  
LISA MASKOWSKI  
Heard By: Sally  
Loehrer****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**Mason, Mack C  
O'Neale, Lawrence J.  
Schieck, David M.  
Weckerly, Pamela C.Defendant  
Attorney  
Attorney  
Attorney**JOURNAL ENTRIES**

- Colloquy regarding Trial start date. COURT ORDERED, Tridal Date VACATED and RESET for a 5-day Trial plus penalty if convicted. The State has 22 witnesses with 2 out-of-state witnesses.

CUSTODY

2/14/01 10:30 AM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****February 14, 2001**

---

99C161426

The State of Nevada vs Mack C Mason

---

**February 14, 2001****10:30 AM****Jury Trial****TRIAL BY JURY****Court Clerk:****DOROTHY KELLY****Heard By: Hardcastle,  
Kathy****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Langford, Robert L.

Attorney

Mason, Mack C

Defendant

O'Neale, Lawrence J.

Attorney

Schieck, David M.

Attorney

Weckerly, Pamela C.

Attorney

**JOURNAL ENTRIES**

- Court convened at 11:26 A.M. Statements by Mr. O'Neale and Mr. Schieck. Voir Dire Oath administered to Panel. Voir Dire of Panel conducted. Court admonished and excused panel and recessed at 4:55 P.M.

**TRIAL BY JURY**

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 15, 2001

99C161426

The State of Nevada vs Mack C Mason

February 15, 2001

9:00 AM

Jury Trial

**TRIAL BY JURY**

Court Clerk:

**DOROTHY KELLY**

Reporter/Recorder:

**TINA SMITH Heard**

By: Hardcastle, Kathy

**HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Langford, Robert L.

Attorney

Mason, Mack C

Defendant

O'Neale, Lawrence J.

Attorney

Schieck, David M.

Attorney

Weckerly, Pamela C.

Attorney

**JOURNAL ENTRIES**

- Court convened at 10:39 A.M. Voir Dire of Panel resumed. Twelve jurors and two alternates selected and sworn. Information read by the Clerk. Court read instructions to jurors. Opening statements by Mr. O'Neale and and Mr. Schieck. After afternoon recess, Court convened OUTSIDE THE PRESENCE OF THE JURY. Mr. Schieck stated during the peremptory challenges, State exercised a challenge of Mr. Cayce, an African American. He further stated he requested State make an offer of Baston and they did. He continued that in light of there being two African Americans on the jury, the defense does not have a formal Batson to make on the record. Mr. O'Neale stated there may be a Petrocelli issue wherein he spoke to Mrs. Mason in 1998, and she informed him she missed a video camcorder and she questioned the deft and he told her he pawned it; she redeemed it and put it in the same area as the gun; she then took the camcorder to someone else's house. He said there is a reasonable inference that someone was looking for something else and may be looking for the

camcorder again. Court responded the ransacking of the house is not relevant. INSIDE THE PRESENCE OF JURY: Witnesses sworn and testified; exhibits marked and admitted, as per worksheet. Court admonished and excused jurors and recessed at 5:00 P.M. Trial to resume tomorrow.

TRIAL BY JURY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****February 16, 2001**

99C161426

The State of Nevada vs Mack C Mason

**February 16, 2001****1:30 PM****Jury Trial****TRIAL BY JURY****Relief Clerk:****GEORGETTE****BYRD/GB****Reporter/Recorder:****TINA SMITH Heard****By: Hardcastle, Kathy****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Langford, Robert L.

Attorney

Mason, Mack C

Defendant

O'Neale, Lawrence J.

Attorney

Schieck, David M.

Attorney

Weckerly, Pamela C.

Attorney

**JOURNAL ENTRIES**

- 9:06 AM outside the presence of the jury, Mr. O'Neale DDA stated he spoke with witness P. Braxton last night regarding a 5/99 conversation with the defendant. Mr. O'Neale requested the defendant say during testimony "A" instead of "another" due to State's denied motion of prior bad acts. Mr. Schieck stipulated, COURT SO ORDERED. Mr. O'Neale stated the State will rest Wednesday morning.

9:10 AM jury present followed by cross examination of witness. Exhibts marked per the worksheet. Objections by the Defense regarding State's exhibit #13. 10:30 AM Court excused the jury for the morning break. Outside the presence of the jury, Mr. Schieck raised his objections to State's exhibit #13 indicating the photo was too gruesome and used to revoke a sympathetic action. Mr. O'Neale stated he did not think the exhibit was unfairly prejudicial. COURT ORDERED, based upon

statements by the State, it will overrule Defendant's objection, exhibit #13 will be admitted. With State's witnesses scheduled for the afternoon, Court excused the jury for the lunch hour. 1:05 PM outside the presence of the jury, Mr. O'Neale stated he spoke to his witness from the K-9 Unit regarding the case. Upon questioning by the State, the witness told Mr. O'Neale he could not remember the case and refreshed his memory by reading his report. Mr. O'Neale stated he did not know there was a report, he would have admitted it prior to trial and proceeded to make copies for the Defense. Mr. O'Neal stated he does not think there are any surprises in it. Mr. Langford stated the report does not appear to have anything substantial in it. COURT ORDERED, if there is anything in the report that creates a problem, the Court will take a recess. Court proceeded with the trial. 1:12PM Jury present followed by continued testimony. Exhibits marked per the worksheet. 2:45 PM Court excused the jury for the evening until 2/20/01 at 1:30 PM.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 20, 2001

99C161426

The State of Nevada vs Mack C Mason

February 20, 2001

10:30 AM

Jury Trial

**TRIAL BY JURY**

Court Clerk:

**DOROTHY KELLY**

Reporter/Recorder:

**TINA SMITH Heard**

By: Hardcastle, Kathy

**HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Langford, Robert L.

Attorney

Mason, Mack C

Defendant

O'Neale, Lawrence J.

Attorney

Schieck, David M.

Attorney

Weckerly, Pamela C.

Attorney

**JOURNAL ENTRIES**

- Court convened **INSIDE THE PRESENCE OF THE JURY** at 1:35 P.M. Witnesses sworn and testified, as per worksheet. **OUTSIDE PRESENCE OF JURY:** Mr. O'Neale stated the crime scene analyst opened a wallet containing papers in front of the Clerk; he wants to offer the pawn ticket, ID and cancellation receipt; he will not offer the miscellaneous papers; neither side has looked at these items until today. Court showed counsel a note received from a juror regarding a statement by a witness as to filing income tax. Court stated the information as to filing income tax is information known by a lot of people; the matter will be covered by jury instructions. Court stated if counsel wants something additional, they can come up with a stipulation or put it on the record tomorrow. Mr. Langford stated while walking to the Courthouse today, someone came up and smiled and he said 'hello'. He further stated it occurred to both of them, she was a juror and he the defense attorney. Mr. O'Neale stated he wanted the foregoing on the record as there may have been an affidavit in

several years. Mr. Schieck stated he advised Mr. O'Neale the defense is adding more witnesses, Felicia Jackson's brother, a Vista Motel female clerk and the custodian of records from Marks Bros. Jewelry Store. Mr. O'Neale stated he will deal with that issue when the witnesses are offered. INSIDE THE PRESENCE OF THE JURY: Testimony presented; exhibits marked and admitted, as per worksheet. Court admonished and excused jury. OUTSIDE PRESENCE OF JURY: Court advised deft of his right to or not to testify. Court adjourned at 4:44 P.M.  
TRIAL BY JURY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 21, 2001

99C161426

The State of Nevada vs Mack C Mason

February 21, 2001

9:30 AM

Jury Trial

**TRIAL BY JURY**

Court Clerk:

**DOROTHY KELLY**

Reporter/Recorder:

**TINA SMITH Heard**

By: Hardcastle, Kathy

**HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Langford, Robert L.

Attorney

Mason, Mack C

Defendant

O'Neale, Lawrence J.

Attorney

Schieck, David M.

Attorney

Weckerly, Pamela C.

Attorney

**JOURNAL ENTRIES**

- Court CONVENED OUTSIDE THE PRESENCE OF THE JURY at 10:40 A.M. Mr. O'Neale stated if defense contests voluntariness of defendant's statement, a hearing will be necessary. Mr. Schieck stated defense will not contest same. Court stated it reviewed in camera three PSI's on Dudley Thomas and did not find anything discoverable about his background. INSIDE PRESENCE OF JURY: Testimony resumed; exhibits marked and admitted, as per worksheet. State RESTED at 2:02 P.M. Defense witnesses sworn and testified, exhibits marked and admitted, as per worksheet. Court admonished and excused jury and recessed at 5:04 P.M.

TRIAL BY JURY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 22, 2001

99C161426

The State of Nevada vs Mack C Mason

February 22, 2001

10:00 AM

Jury Trial

**TRIAL BY JURY**

Court Clerk:

**DOROTHY KELLY**

Reporter/Recorder:

**TINA SMITH Heard**

By: Hardcastle, Kathy

**HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Langford, Robert L.

Attorney

Mason, Mack C

Defendant

O'Neale, Lawrence J.

Attorney

Schieck, David M.

Attorney

Weckerly, Pamela C.

Attorney

**JOURNAL ENTRIES**

- Court CONVENED OUTSIDE THE PRESENCE OF THE JURY at 10:26 A.M. Jury Instructions Settled. No objection by either side to verdict forms. INSIDE PRESENCE OF JURY: Testimony presented; exhibits marked and admitted, as per worksheet. Defense RESTED. State presented Rebuttal Witnesses. Both sides RESTED. Court read Jury Instructions to Jury. Closing arguments by Ms. Weckerly, Ms. Langford and Mr. Schieck. Rebuttal argument by Mr. O'Neale. Jurors left to begin deliberations at 4:22 P.M. Jury excused for the day at approximately 5 P.M. and to return tomorrow at 8:30 A.M. to resume deliberations.

TRIAL BY JURY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****February 23, 2001**

---

99C161426

The State of Nevada vs Mack C Mason

---

**February 23, 2001****10:00 AM****Jury Trial****TRIAL BY JURY****Court Clerk:****DOROTHY KELLY****Heard By: Hardcastle,  
Kathy****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

**JOURNAL ENTRIES**

- Jury deliberated all day without reaching a verdict and were excused at 4:20 P.M. to return on Monday, February 26th.

**TRIAL BY JURY**

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****February 26, 2001**

99C161426

The State of Nevada vs Mack C Mason

**February 26, 2001****1:45 PM****Jury Trial****TRIAL BY JURY****Relief Clerk:****GEORGETTE****BYRD/GB****Reporter/Recorder:****TINA SMITH Heard****By: Hardcastle, Kathy****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Langford, Robert L.

Attorney

Mason, Mack C

Defendant

O'Neale, Lawrence J.

Attorney

Schieck, David M.

Attorney

Weckerly, Pamela C.

Attorney

**JOURNAL ENTRIES**

- 4:03 PM jury foreperson brought in and questioned regarding jury misconduct as to another juror. Juror #7 brought in and questioned by the Court, and then returned to the deliberation room. Outside the presence of the jury, colloquy between Court and Counsel regarding allen charge. Jury panel brought into courtroom and read the allen charge which was added to the jury instructions as #48. Court exused the jury until 2/27/01 at 9:30 AM.

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****February 27, 2001**

99C161426

The State of Nevada vs Mack C Mason

**February 27, 2001****1:45 PM****Jury Trial****TRIAL BY JURY****Court Clerk:****DOROTHY KELLY****Reporter/Recorder:****TINA SMITH Heard****By: Kathy Hardcastle****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Langford, Robert L.

Attorney

Mason, Mack C

Defendant

O'Neale, Lawrence J.

Attorney

Schieck, David M.

Attorney

Weckerly, Pamela C.

Attorney

**JOURNAL ENTRIES**

- Court convened OUTSIDE THE PRESENCE OF THE JURY at 1:31 P.M. Court informed counsel the jury reached their verdicts and stated the State may be requesting to reopen the case to submit evidence of possession of firearm by ex-felon. Court stated it will bring in the Jury and review the verdicts; if the verdicts are in order, they will be read and if it is requested the jury be polled, they will be. Court further stated if the State wants to re-open the case, the Court will inform the Jury and the State may submit what evidence they have, as well as the defense, and Court will read Jury Instructions to the Jury. Mr. Schieck stated he has no objection to the Jury Instructions but objects to the procedure. He further stated as to ex-felon charges, the Supreme Court ruled in a case the charges had to be severed. He continued that he felt that meant a separate trial and jury. He further stated he does not know if the deft received adequate information from counsel as to what effect his testifying has to the ex-felon charge. He further stated if the State wants to proceed with the ex-felon

charge he wants a new jury selected on that charge. Mr. O'Neale stated before the start of trial it was discussed about not reading Count VI to the Jury; that does not affect the deft's decision to or not to testify. He further stated there was never an indication the charge would be severed to a separate jury. He continued that he does not know if it will be necessary to proceed, as the verdicts have not been read; there is no error in proceeding the way the Court has indicated. Mr. Schieck stated he and Mr. Langford agree the concept of the same jury was not discussed. Court stated the purpose of siphoning the ex-felon charge is that the jury is not influenced by that charge. Court noted the procedure requested by the State has been done before; this is not something new and the procedure will be followed as outlined. Court stated Jury Instruction Numbers 49, 50, 51 and 52 will be added on and the jury will deliberate. No objection by Mr. Schieck to the Possession of Firearm by Ex-Felon Verdict Form. Jurors returned to the Courtroom and the Clerk read the following verdicts: COUNTS I,III - BURGLARY WHILE IN POSSESSION OF A FIREARM - GUILTY COUNT II - GRAND LARCENY OF A FIREARM - NOT GUILTY COUNT IV - MURDER WITH USE OF A DEADLY WEAPON (OPEN MURDER) - GUILTY COUNT V - SECOND DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON - GUILTY

Jurors polled at request of counsel. Court advised jurors of the date of the penalty hearing and admonished and excused them for the day and recessed at 1:50 P.M.

CUSTODY

03-05-01 10:30 A.M. PENALTY HEARING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 05, 2001

99C161426

The State of Nevada vs Mack C Mason

March 05, 2001

9:00 AM

All Pending Motions

**ALL PENDING  
MOTIONS 03-05-01  
Court Clerk:  
DOROTHY KELLY  
Reporter/Recorder:  
TINA SMITH Heard  
By: Kathy Hardcastle**

**HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Langford, Robert L.

Attorney

Mason, Mack C

Defendant

O'Neale, Lawrence J.

Attorney

Schieck, David M.

Attorney

Weckerly, Pamela C.

Attorney

**JOURNAL ENTRIES**

- PENALTY HEARING...DEFT'S MTM IN LIMINE TO LIMIT PENALTY HEARING EVIDENCE TO THE NOTICE OF EVIDENCE IN AGGRAVATION Argument by Mr. Schieck in support of his motion. He cited Rule 250 and Rule 250 (4) (f), and stated Subsection (4) (f) applies to character evidence and to any evidence presented at the penalty hearing. Argument by Mr. O'Neale, who stated the defense has been on notice of the evidence at issue for months. He further stated there is no due process violation and there is no harm here. Further argument by Mr. Schieck, who stated in addition to Flora Mason's statements, the State said it was going to call Steve Owens; he is not endorsed. He further stated the State has not given statutory notice. COURT ORDERED, evidence by Deputy District Attorney, Steve Owens, will not be permitted. Court stated it will take UNDER ADVISEMENT the Statement of Flora Mason regarding the 1995 incident. COURT ORDERED,

testimony as to the January 27, 1999, and December 13, 1996, incidents will be allowed in; counsel may bring in that debt was convicted of a gross misdemeanor in 1995; if defense wants to bring in the Alford Plea the definition of Alford Plea will be allowed. Court informed counsel of communication received by the bailiff from one of the jurors. INSIDE THE PRESENCE OF THE JURY: Opening Statements by Ms. Weckerly and Mr. Schieck. Testimony presented, exhibits marked and admitted, as per worksheet. OUTSIDE PRESENCE OF THE JURY: Flora Mason questioned by State and defense counsel so Court could determine admissibility of her statements. COURT ORDERED, Testimony of Flora Mason will be ALLOWED. INSIDE PRESENCE OF THE JURY: Testimony resumed. State RESTED. Testimony presented; exhibits marked and admitted, as per worksheet. Defense RESTED. OUTSIDE PRESENCE OF THE JURY: Jury Instructions SETTLED. No objection by either side to Verdict Forms. INSIDE PRESENCE OF JURY: Court read Jury Instructions to Jury. Closing arguments by Mr. O'Neale, Mr. Schieck, Mr. Langford and Ms. Weckerly. Jury left to begin deliberations at 4:20 P.M. Jury was excused at approximately 5:00 P.M. to return tomorrow at 9:00 A.M.

PENALTY HEARING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 06, 2001

99C161426

The State of Nevada vs Mack C Mason

March 06, 2001

10:00 AM

Penalty Hearing

**PENALTY  
HEARING Court  
Clerk: DOROTHY  
KELLY  
Reporter/Recorder:  
TINA SMITH Heard  
By: Kathy Hardcastle**

**HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Langford, Robert L.	Attorney
Mason, Mack C	Defendant
O'Neale, Lawrence J.	Attorney
Schieck, David M.	Attorney
Weckerly, Pamela C.	Attorney

**JOURNAL ENTRIES**

- Jury returned at 1:30 P.M. with the following Verdicts, which were read by the Clerk. Jury IMPOSED a sentence of LIFE IN NEVADA STATE PRISON WITHOUT THE POSSIBILITY OF PAROLE in CT. IV - Murder of the First Degree With Use of a Deadly Weapon. As to the SPECIAL VERDICT, Jury DESIGNATED that the mitigating circumstance or circumstances as follows have been established: 1) The deft has conformed to the rules and regulations of his incarceration and served as a trustee in the Clark County Detention Center. 2) The deft acted under the influence of passion or emotion. 3) The deft did not physically harm Felicia Jackson. 4) The deft completed the Crossroads Bible Institute's "Great Truths of the Bible" course. 5) The age of the deft. 6) Any other mitigating circumstances.

As to the Special Verdict, the Jury DESIGNATED that the Aggravating Circumstance or

Circumstances, as follows, have been established beyond a reasonable doubt: 1) The murder was committed while the person was engaged in the commission of or an attempt to commit any Burglary and the deft killed the person murdered. 2) The murder was committed by a person who had previously been convicted of a felony involving the use or threat of violence to the person of another. Jurors polled as to the Verdict of Life in NSP Without the Possibility of Parole at the request of Mr. Schieck. Court thanked and excused the Jury and ORDERED, matter REFERRED to the Division of Parole and Probation for a Pre-Sentence Report and set for sentencing on the remaining counts. CUSTODY

04-30-01 9:00 A.M. SENTENCING - CTS. I-III & V (Jury Verdict)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 30, 2001

99C161426

The State of Nevada vs Mack C Mason

April 30, 2001

9:00 AM

Sentencing

**SENTENCING****Court Clerk:****DOROTHY KELLY****Reporter/Recorder:****TINA SMITH Heard****By: Kathy Hardcastle****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Mason, Mack C

Defendant

O'Neale, Lawrence J.

Attorney

Schieck, David M.

Attorney

**JOURNAL ENTRIES**

- Ken Wheaton present for the Division of Parole and Probation. Mr. Schieck stated the deft provided him with a Pro Per Motion and is requesting it be filed to preserve the record. He further stated the deft wants the conviction overturned due to insufficient evidence. Court responded that is a matter to be raised on direct appeal. After conferring with Mr. Schieck, COURT ORDERED, David Schieck is APPOINTED to represent deft on appeal. Court DENIED Mr. Schieck's request to file deft's motion at the deft's request, stating no pro per motions can be filed when deft is represented by counsel. DEFT MASON ADJUDGED GUILTY OF COUNTS I AND III, BURGLARY WHILE IN POSSESSION OF A FIREARM (F), COUNT IV, MURDER WITH USE OF A DEADLY WEAPON (OPEN MURDER) (F) AND COUNT V - SECOND DEGREE KIDNAPING WITH USE OF A DEADLY WEAPON (F). Statement by Mr. Schieck. In addition to the \$25 Administrative Assessment Fee, \$250 DNA Fee and \$8,519 RESTITUTION, COURT ORDERED, Deft SENTENCED in CT. I to a MAXIMUM term of ONE HUNDRED EIGHTY (180) MONTHS in the Nevada Department of Prisons with a MINIMUM Parole Eligibility of FORTY (40) MONTHS and is to submit to a test to determine genetic markers and in CT.

III to a MAXIMUM term of ONE HUNDRED EIGHTY (180) MONTHS in the Nevada Department of Prisons with a MINIMUM Parole Eligibility of FORTY (40) MONTHS to run CONCURRENTLY with sentence in CT. I, and as to CT. IV, Court noted the Jury SENTENCED the deft to a term of LIFE, to be served CONCURRENTLY with COUNTS I and III, and as to CT. V, Deft SENTENCED to a MAXIMUM term of ONE HUNDRED EIGHTY (180) MONTHS in the Nevada Department of Prisons with a MINIMUM Parole Eligibility of FORTY (40) MONTHS plus an EQUAL and CONSECUTIVE term of a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM of FORTY (40) MONTHS for weapon enhancement to be served CONSECUTIVELY to COUNT IV, with 719 Days Credit for Time Served.

CLERK'S NOTE: Clerk was advised by the Court the State was not going forward on Ct. VI - Possession of Firearm by Ex-Felon, therefore, that Count is DISMISSED. dk

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 14, 2001

99C161426

The State of Nevada vs Mack C Mason

May 14, 2001

9:00 AM

Motion

**STATE'S MOTION  
FOR RETURN OF  
EVIDENCE Court  
Clerk: DOROTHY  
KELLY  
Reporter/Recorder:  
TINA SMITH Heard  
By: Kathy Hardcastle**

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Mason, Mack C

Defendant

O'Neale, Lawrence J.

Attorney

Schieck, David M.

Attorney

**JOURNAL ENTRIES**

- Objection by Mr. Schieck to State's motion. He stated there was a witness who indicated there was a shiny chrome pistol used; if there is any reason the defendant is able to obtain a new trial, the gun is crucial evidence. Mr. Schieck further stated he has no objection to the return of the shotgun. Argument by Mr. O'Neale, who stated that denying the motion would deprive the rightful owner of the gun. He further stated the issue of 'shiny' is a matter of fact for the jury. Court stated a similar gun could be shown and ORDERED, State's Motion for Return of Evidence is GRANTED. Mr. Schieck stated he will not waive the right to a similar gun.

CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****October 07, 2002**

---

99C161426

The State of Nevada vs Mack C Mason

---

**October 07, 2002****9:00 AM****Request****DEFT'S PRO PER  
REQUEST  
VOLUNTARY  
DISMISSAL/32  
Court Clerk: Carole  
D'Aloia  
Reporter/Recorder:  
Tina Smith Heard  
By: Kathy Hardcastle****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Hehn, William A.

Attorney

**JOURNAL ENTRIES**

- COURT ORDERED, motion GRANTED and future date of 11/4/02 VACATED.  
NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****March 10, 2003**

99C161426

The State of Nevada vs Mack C Mason

**March 10, 2003****9:00 AM****Petition for Writ of Habeas  
Corpus**

**DEFT'S PRO PER  
PTN FOR WRIT OF  
HABEAS CORPUS  
AND  
APPOINTMENT OF  
COUNSEL/33 Court  
Clerk: Dorothy Kelly  
Reporter/Recorder:  
Carrie Hansen Heard  
By: Hardcastle, Kathy**

**HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Miller, James J.  
Schieck, David M.

Attorney  
Attorney

**JOURNAL ENTRIES**

- COURT ORDERED, David Schieck's Request to Withdraw as Counsel is GRANTED. COURT FURTHER ORDERED, matter CONTINUED for the State to file an Opposition.  
NDC

DEFT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS AND APPOINTMENT OF  
COUNSEL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****March 12, 2003**

99C161426

The State of Nevada vs Mack C Mason

**March 12, 2003****9:00 AM****Petition for Writ of Habeas  
Corpus**

**DEFT'S PRO PER  
PTN FOR WRIT OF  
HABEAS CORPUS  
AND  
APPOINTMENT OF  
COUNSEL/33 Court  
Clerk: Dorothy Kelly  
Reporter/Recorder:  
Carrie Hansen Heard  
By: Hardcastle, Kathy**

**HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Bauer, Elizabeth B.

Attorney

**JOURNAL ENTRIES**

- Ms. Bauer noted the State does not have a Writ yet. Court stated that one has been filed. Court stated it needs a response from the State as to appointment of counsel and ORDERED, matter CONTINUED.

NDC

DEFT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS (POST CONVICTION) AND  
APPOINTMENT OF COUNSEL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****April 14, 2003**

---

99C161426

The State of Nevada vs Mack C Mason

---

**April 14, 2003****9:00 AM****Motion**

**DEFT'S PRO PER  
MTN TO SECURE/34  
Relief Clerk: Billie Jo  
Craig  
Reporter/Recorder:  
Carrie Hansen Heard  
By: Kathy Hardcastle**

**HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Roger, David J.

Attorney

Whicker, Dennis G.

Attorney

**JOURNAL ENTRIES**

- Mr. Whicker advised no reply was filed as it is due May 14, 2003. COURT ORDERED, Defendant's Pro Per Motion to Secure is DENIED as it is untimely.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 14, 2003

99C161426

The State of Nevada vs Mack C Mason

May 14, 2003

9:00 AM

Petition for Writ of Habeas  
Corpus

DEFT'S PRO PER  
PTN FOR WRIT OF  
HABEAS CORPUS  
AND  
APPOINTMENT OF  
COUNSEL/33 Court  
Clerk: Dorothy Kelly  
Reporter/Recorder:  
Carrie Hansen Heard  
By: Kathy Hardcastle

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Bauer, Elizabeth B.

Attorney

**JOURNAL ENTRIES**

- Court stated Deft. has not set forth grounds for a basis for the Petition for the necessity of appointment of counsel; just bare allegation. COURT ORDERED, Deft's Pro Per Petition for Writ of Habeas Corpus (Post Conviction) and Appointment of Counsel. State to prepare the Order.

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****June 02, 2003**

---

99C161426

The State of Nevada vs Mack C Mason

---

**June 02, 2003****9:00 AM****Motion****DEFT'S PRO PER  
MTN FOR AN  
ENLARGEMENT  
OFOF TIME/35  
Court Clerk: Dorothy  
Kelly  
Reporter/Recorder:  
Deborah  
VanBlaricom Heard  
By: Kathy Hardcastle****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Miller, James J.

Attorney

**JOURNAL ENTRIES**

- Court stated Deft's presence is waived and ORDERED, Deft's Pro Per Motion for Enlargement of Times is DENIED. COURT FURTHER ORDERED, matter CONTINUED two weeks to look at the file and to see if everything has been decided.

NDC

06-16-03 9:00 A.M. FURTHER PROCEEDINGS

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****June 16, 2003**

---

99C161426

The State of Nevada vs Mack C Mason

---

**June 16, 2003****9:00 AM****Further Proceedings**

**FURTHER  
PROCEEDINGS  
Court Clerk: Dorothy  
Kelly  
Reporter/Recorder:  
Carrie Hansen Heard  
By: Kathy Hardcastle**

**HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Fattig, John T

Attorney

**JOURNAL ENTRIES**

- Court noted it previously denied a Writ on May 14, 2003, and further noted Deft's Motion for Enlargement of Time was denied. COURT ORDERED, Deft's Pro Per Motion for Leave to File an Amended Petition for Writ of Habeas Corpus scheduled to be heard on June 23rd, is DENIED on the basis it was filed untimely. June 23rd, Date is VACATED. Deft's presence is WAIVED; Case CLOSED.  
NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****April 19, 2011**

---

99C161426

The State of Nevada vs Mack C Mason

---

**April 19, 2011****9:00 AM****Petition for Writ of Habeas  
Corpus****HEARD BY:** Barker, David**COURTROOM:** RJC Courtroom 10D**COURT CLERK:** Tia Everett**RECORDER:** Sara Richardson**REPORTER:****PARTIES****PRESENT:**

Fattig, John T

Attorney

Attorney

State of Nevada

Plaintiff

**JOURNAL ENTRIES**

- Court noted lack of Defendant's presence as he is in custody in the Nevada Department of Corrections (NDC). COURT ORDERED, matter CONTINUED for Judge Tao's presence.

NDC

CONTINUED TO: 4/28/2011 9:00 AM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 28, 2011

99C161426

The State of Nevada vs Mack C Mason

**April 28, 2011****9:00 AM****Petition for Writ of Habeas  
Corpus****HEARD BY:** Tao, Jerome T.**COURTROOM:** RJC Courtroom 10D**COURT CLERK:** Tia Everett**RECORDER:** Sara Richardson**REPORTER:****PARTIES****PRESENT:**Kramer, Kristen B.  
State of NevadaAttorney  
Plaintiff**JOURNAL ENTRIES**

- Court reviewed point

Court FINDS, pursuant to NRS 34.726 petition is untimely and procedurally time barred as the petition was filed 8 years after remittitur was issued, making petition untimely and Defendant has failed to show good cause for the delay in filing the petition; therefore, COURT ORDERED, Petition DENIED. Ms. Storms for the Public Defender's office moved to withdraw as counsel for the record. Court stated counsel previously withdrew and Defendant was previously represented by the Special Public Defender's office.

NDC

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

Mack Mason # 69060

H.D.S.P.

PO Box 650

Indian Springs, NV 89018

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****July 05, 2016**

---

99C161426

The State of Nevada vs Mack C Mason

---

**July 05, 2016****8:30 AM****Motion****HEARD BY:** Johnson, Eric**COURTROOM:** RJC Courtroom 10D**COURT CLERK:** Linda Skinner**RECORDER:****REPORTER:** Amber McClane**PARTIES****PRESENT:**Lexis, Chad N.  
State of NevadaAttorney  
Plaintiff**JOURNAL ENTRIES**

- Court noted Defendant is in prison and not present today and that this is not the proper vehicle to challenge the Judgment of Conviction, that Defendant should have filed a Writ of Habeas Corpus. So, this Court will treat the Motion as a Writ of Habeas Corpus. As such, the Writ is untimely as it was filed over 12 years after the 1 year time frame. Defendant raises claims that should have been presented in an earlier proceeding and fails to demonstrate good cause for failing to do so. Defendant does not present any new evidence and fails to demonstrate prejudice. Therefore, COURT ORDERED, Motion (Writ) DENIED.

NDC

CLERK'S NOTE: A copy of this Minute Order was mailed to Defendant:

MACK C. MASON #69060  
SOUTHER DESERT CORRECTIONAL CENTER  
P.O. BOX 208  
INDIAN SPRINGS, NV 89070-0208

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****February 02, 2017**

---

99C161426

The State of Nevada vs Mack C Mason

---

**February 02, 2017****3:00 PM****Minute Order****HEARD BY:** Johnson, Eric**COURTROOM:** RJC Courtroom 12A**COURT CLERK:** Natalie Ortega**RECORDER:****REPORTER:****PARTIES****PRESENT:**

**JOURNAL ENTRIES**

- Defendant s Pro Per Motion and Order for Transportation of Inmate for Court Appearance has been taken OFF CALENDAR. This case is currently up on appeal to the Nevada Supreme Court, and thus this Court lacks jurisdiction to decide any motions.

CLERK'S NOTE: A copy of this minute order shall be mailed to Mark Mason, #69060, High Desert State Prison, PO Box 208, Indian Springs, NV 89070. ndo/2/6/17

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****February 08, 2017**

---

99C161426

The State of Nevada vs Mack C Mason

---

**February 08, 2017****3:00 PM****Minute Order****HEARD BY:** Johnson, Eric**COURTROOM:** RJC Courtroom 12A**COURT CLERK:** Natalie Ortega**RECORDER:****REPORTER:****PARTIES****PRESENT:****JOURNAL ENTRIES**

- Defendant s Petition for Writ of Habeas Corpus has been continued to March 30, 2017 at 9:00a.m. This case is currently up on appeal to the Nevada Supreme Court, and thus this Court lacks jurisdiction to decide any motions. A copy of this minute order shall be mailed to Mark Mason, #69060, High Desert State Prison, PO Box 208, Indian Springs, NV 89070.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****March 29, 2017**

---

99C161426

The State of Nevada vs Mack C Mason

---

**March 29, 2017****7:30 AM****Minute Order****HEARD BY:** Johnson, Eric**COURTROOM:** RJC Courtroom 12A**COURT CLERK:** Linda Skinner**RECORDER:****REPORTER:****PARTIES****PRESENT:**

**JOURNAL ENTRIES**

- Per Law Clerk, COURT ORDERED, Defendant's Petition for Writ of Habeas Corpus set for March 30, 2017 at 9:00 a.m. is CONTINUED to April 25, 2017 at 8:30 a.m. as this case is currently up on appeal to the Nevada Court of Appeals and thus, this Court lacks jurisdiction to decide any motions.

NDC

CLERK'S NOTE: A copy of this Minute Order was mailed to Defendant:

MARK MASON #69060  
HIGH DESERT STATE PRISON  
P.O. BOX 208  
INDIAN SPRINGS, NV 89070

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****April 25, 2017**

---

99C161426

The State of Nevada vs Mack C Mason

---

**April 25, 2017****8:30 AM****Petition for Writ of Habeas  
Corpus****HEARD BY:** Johnson, Eric**COURTROOM:** RJC Courtroom 12A**COURT CLERK:** Linda Skinner**RECORDER:** Angie Calvillo**REPORTER:****PARTIES****PRESENT:**Albritton, Alicia A.  
State of NevadaAttorney  
Plaintiff**JOURNAL ENTRIES**

- Court noted Defendant is in prison and not present today and as there is an appeal before the Supreme Court, COURT ORDERED, matter CONTINUED SIX (6) MONTHS.

NDC

... CONTINUED 10/24/17 8:30 AM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****October 24, 2017**

99C161426

The State of Nevada vs Mack C Mason

**October 24, 2017****8:30 AM****Petition for Writ of Habeas  
Corpus****HEARD BY:** Johnson, Eric**COURTROOM:** RJC Courtroom 12A**COURT CLERK:** Linda Skinner**RECORDER:** Angie Calvillo**REPORTER:****PARTIES****PRESENT:**Jones, Jr., John T.  
State of NevadaAttorney  
Plaintiff**JOURNAL ENTRIES**

- Upon Court's inquiry, Mr. Jones submitted on the State's opposition. Court noted Defendant was convicted and his appeal was denied by the Nevada Supreme Court with the remittitur being issued on September 3, 2002. Defendant filed an initial Petition for Writ of Habeas Corpus on September 5, 2002, however, filed a Motion to Voluntarily Dismiss the Petition and filed a new Petition on January 23, 2003. In May, 2003, this Court denied his petition and he did not appeal the denial of his second petition. In January 2011, he filed a 3rd Petition for Writ; on December 19, 2011, the Nevada Supreme Court issued an Order affirming the dismissal of Defendant's petition on the merits.

On June 9 2016, Defendant filed yet another petition, this one alleging ineffectiveness of counsel and actual innocence as well as Constitutional violations. In July, the Court denied Defendant's motion with a written order issuing in September 2016 to which Defendant filed a Notice of Appeal and was denied, recently by the Nevada Supreme Court. Defendant filed his 4th Petition for Writ of Habeas Corpus on November 15, 2016 which is before the Court. This petition is time barred as Nevada Revised Statute imposes a one year time period for filing of a post-conviction petition for writ of habeas. We are clearly beyond that which would have been September 3, 2013.

This is a successive petition and Defendant has failed to show good cause to justify consideration of the untimely and successive petition. Finally, the State pleads laches. Therefore, COURT

**99C161426**

ORDERED, DENIED.

NDC

CLERK'S NOTE: 11/2/17 A copy of this Minute Order was sent to Defendant:

MACK MASON #69060  
SOUTHERN DESERT CORRECTIONAL CENTER  
P.O. BOX 208  
INDIAN SPRINGS, NV 89070-0208

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****June 10, 2021**

---

99C161426

The State of Nevada vs Mack C Mason

---

**June 10, 2021****11:00 AM****Petition****Petition for Writ of  
Prohibition****HEARD BY:** Leavitt, Michelle**COURTROOM:** RJC Courtroom 14D**COURT CLERK:** Haly Pannullo**RECORDER:** Sara Richardson**REPORTER:****PARTIES****PRESENT:**

State of Nevada

Plaintiff

Waters, Steven L

Attorney

**JOURNAL ENTRIES**

- Defendant not present. COURT STATED this Petition is not the appropriate avenue as this Court has no authority to issue the relief that is being requested. COURT ORDERED, Petition DENIED; State to prepare the Order.

NDC

CASE NO. C 161426DEPT. NO. TVJURY TRIAL DATE: 2-14-01JUDGE: Kathy HardcastleCLERK: Christy KellyREPORTER: Jana SmithCOUNSEL FOR THE PLAINTIFF: L. J. O'Neale & Pam MckerlyCOUNSEL FOR THE DEFENDANT: David Schick & Robert LangfordState of Nevada  
PLAINTIFFVS.  
Mack C. Mason

DEFENDANT

STATE'S EXHIBITS

OFFERED ADMITTED

- |  |             |   |   |
|--|-------------|---|---|
| 1. Photo of .38 Revolver                           | 2/15/01     | <input checked="" type="checkbox"/> ready | <input checked="" type="checkbox"/> 2/15/01 |
| 2. Certified Copy of Gun Registration              | 2/15/01     | <input checked="" type="checkbox"/> ready | <input checked="" type="checkbox"/> 2/15/01 |
| 3. Shotgun   | 2/15/01     | <input checked="" type="checkbox"/> ready | <input checked="" type="checkbox"/> 2/15/01 |
| 4. Poster - Street Diagram                         | 2/15/01     | <input checked="" type="checkbox"/> ready | <input checked="" type="checkbox"/> 2/15/01 |
| 5. Pawn Ticket                                     | 2/15/01     | <input checked="" type="checkbox"/> ready | <input checked="" type="checkbox"/> 2/15/01 |
| 6. Top Half of Pawn Ticket                         | 2/15/01     | <input checked="" type="checkbox"/> ready | <input checked="" type="checkbox"/> 2/15/01 |
| 7. POSTER - STREET aerial photo depicting pawnshop | 2/15/01     | <input checked="" type="checkbox"/> ready | <input checked="" type="checkbox"/> 2/15/01 |
| 8. ZEROX Copy OF Receipt                           | 2/15/01     | <input checked="" type="checkbox"/> ready | <input checked="" type="checkbox"/> 2/15/01 |
| 9. Copy OF Consent TO Search Form                  | 2/15/01     | <input checked="" type="checkbox"/> ready | <input checked="" type="checkbox"/> 2/15/01 |
| 10. Large Aerial Poster                            | FEB 16 2001 | <input checked="" type="checkbox"/>       | FEB 16 2001                                 |
| 11 Photo house                                     | FEB 16 2001 | <input checked="" type="checkbox"/>       | FEB 16 2001                                 |
| 12 Photo Vista motel                               | FEB 16 2001 | <input checked="" type="checkbox"/>       | FEB 16 2001                                 |
| 13 photo Victim                                    | FEB 16 2001 | <input checked="" type="checkbox"/> obj   | FEB 16 2001                                 |
| 14) Photo Victim                                   | FEB 16 2001 | <input checked="" type="checkbox"/> obj   | FEB 16 2001                                 |
| 15) Photo Victim                                   | FEB 16 2001 | <input checked="" type="checkbox"/>       | FEB 16 2001                                 |
| 16) Photo Victim                                   | FEB 16 2001 | <input checked="" type="checkbox"/>       | FEB 16 2001                                 |
| 17) Photo x-Ray of Victim                          | FEB 16 2001 | <input checked="" type="checkbox"/>       | FEB 16 2001                                 |
| 18) Photo x-Ray of Victim                          | FEB 16 2001 | <input checked="" type="checkbox"/>       | FEB 16 2001                                 |
| 19) Envelope (Evidence)                            | FEB 16 2001 | <input checked="" type="checkbox"/>       | FEB 16 2001                                 |
| 20) Bullet fragments from envelope                 | FEB 16 2001 | <input checked="" type="checkbox"/>       | FEB 16 2001                                 |

OFFERED ADMITTED

20) Photo of Address # 903	FEB 16 2001	FEB 16 2001
21) Photo of Address # 3	FEB 16 2001	FEB 16 2001
22) Photo of Apt. Room + documents	FEB 16 2001	FEB 16 2001
23) Photo of Paper documents	FEB 16 2001	FEB 16 2001
24) Photo Clothes near Bed	FEB 16 2001	FEB 16 2001
25) Photo Clothes	FEB 16 2001	FEB 16 2001
26) Photo money	FEB 16 2001	FEB 16 2001
27) Large Poster of Room Diagram	FEB 16 2001	FEB 16 2001
28) Photo of <del>Bed</del> T.V.	FEB 16 2001	FEB 16 2001
29) Photo of Bed	FEB 16 2001	FEB 16 2001
30. Photo - Motel	2/20/01	2/20/01
31. " - Vent	✓	✓
32. " - Hole in wall in Room 205	✓	✓
33. " - " " " " "	✓	✓
34. " - Room 204 - Hole in wall	✓	✓
35. " - dark Colored wallet w/ paperwork	✓	✓
36. " - Closeup of wallet w/ ID of deft.	✓	✓
37. " - interior view of Room 204	✓	✓
38. " - Closeup view of Vent	✓	✓
39. " - " " " " (Room 104) location in vent	✓	✓
40. " - " " " " Showing revolver	✓	✓
41. " - Close up of Smith & Wesson pistol	✓	✓
42. " - " " " " " "	✓	✓
43 - Evidence Envelope	2/20/01	2/20/01
43 a - * Wallet containing papers	2/20/01	2/20/01

\* - wallet admitted; not all papers admitted

State's

OFFERED ADMITTED

43B. - NV ID Card - Mack C Mason	7/20/01	<input checked="" type="checkbox"/>	no obj	<input checked="" type="checkbox"/>	7/20/01
43C. - Pawn Receipt for Shotgun	7/20/01	<input checked="" type="checkbox"/>	no obj	<input checked="" type="checkbox"/>	7/20/01
43D. - Marks Bros. Jewelers Receipt	7/20/01	<input checked="" type="checkbox"/>	no obj	<input checked="" type="checkbox"/>	7/20/01
44. - Box Containing Revolver	2/21/01	<input checked="" type="checkbox"/>	no obj	<input checked="" type="checkbox"/>	2/21/01
44A. Plastic Bag Containing 6 envelopes containing cartridges	7/20/01	<input checked="" type="checkbox"/>	no obj	<input checked="" type="checkbox"/>	7/20/01
44B. Gun	7/20/01	<input checked="" type="checkbox"/>	no obj	<input checked="" type="checkbox"/>	7/20/01
45. Photo - Rm 205 - mattress & wallet	7/20/01	<input checked="" type="checkbox"/>	no obj	<input checked="" type="checkbox"/>	7/20/01
46. " - personal property <sup>2 black shoes</sup> liquor bottle	7/20/01	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	7/20/01
47. " dresser w/ shoe boxes, white bag, gin bottle, black bag	7/20/01	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	7/20/01
48. Poster -	7/21/01	<input checked="" type="checkbox"/>	no obj	<input checked="" type="checkbox"/>	7/21/01
49. Card - LVMPD (Rights of Persons Arrested)	7/21/01	<input checked="" type="checkbox"/>	no obj	<input checked="" type="checkbox"/>	7/21/01
50. Card w/ receipt # 291333 stapled	7/21/01	<input checked="" type="checkbox"/>	no obj	<input checked="" type="checkbox"/>	7/21/01
51. Poster depicting Motel	7/21/01	<input checked="" type="checkbox"/>	no obj	<input checked="" type="checkbox"/>	7/21/01
52. Poster depicting Pawn Shop	7/21/01	<input checked="" type="checkbox"/>	no obj	<input checked="" type="checkbox"/>	7/21/01
53. Colored Photo - Office of Vista Motel	7/22/01	<input checked="" type="checkbox"/>	no obj	<input checked="" type="checkbox"/>	7/22/01
54. " " - Office of Vista Motel	7/22/01	<input checked="" type="checkbox"/>	no obj	<input checked="" type="checkbox"/>	7/22/01
55. " " - Hallways & stairs	7/22/01	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	7/22/01
56. " " - " " " "	7/22/01	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	7/22/01
57. " " - " " " "	7/22/01	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	7/22/01
58. Photo of black bag, white bag, TV, bottle <i>Certified Copy of</i>	7/22/01	<input checked="" type="checkbox"/>	no obj	<input checked="" type="checkbox"/>	7/22/01
59. CCDC Inventory Sheet	7/22/01	<input checked="" type="checkbox"/>	no obj	<input checked="" type="checkbox"/>	7/22/01

PENALTY HEARING

60. <i>Certified Copy</i> from State of Texas reflecting custody of Mack Mason	7/1/01	<input checked="" type="checkbox"/>	no obj	<input checked="" type="checkbox"/>	3/5/01
61. Judgment of Conviction (Mack Mason) filed 9-21-95	7/1/01	<input checked="" type="checkbox"/>	no obj	<input checked="" type="checkbox"/>	3/5/01
62. Amended Information filed 9/14/95 (Mack C. Mason)	7/1/01	<input checked="" type="checkbox"/>	no obj	<input checked="" type="checkbox"/>	3/5/01

CASE NO. C161426DEPT. NO. IVJury  
TRIAL DATE: 2-14-01JUDGE: Larry HardcastleCLERK: Deborah LedyREPORTER: Ana SmithL.J. O'Male & Pam Mckersley  
COUNSEL FOR THE PLAINTIFFDavid Schick & Robert Simpson  
COUNSEL FOR THE DEFENDANTState of Nevada  
PLAINTIFF

VS.

Mark C. Mason

DEFENDANT

DEFENDANT'S EXHIBITS

OFFERED ADMITTED

A Photo of Vista Motel	FEB 16 2001	<input checked="" type="checkbox"/>	FEB 16 2001
B Photo house	FEB 16 2001	<input checked="" type="checkbox"/>	FEB 16 2001
C Photo house	FEB 16 2001	<input checked="" type="checkbox"/>	FEB 16 2001
D Photo	FEB 16 2001	<input checked="" type="checkbox"/>	FEB 16 2001
E Photo	FEB 16 2001	<input checked="" type="checkbox"/>	FEB 16 2001
F. Photo - Ted, Radio, phone, Beer Bottle		<input type="checkbox"/>	<input type="checkbox"/>
G. <sup>copy</sup> MARKS BROS. JEWELERS RECEIPT	2/2/01	<input checked="" type="checkbox"/> no obj	2/2/01
H. <sup>copy</sup> " " " "	2/2/01	<input checked="" type="checkbox"/> no obj	2/2/01
I. <sup>copy</sup> " " " "	2/2/01	<input checked="" type="checkbox"/> no obj	2/2/01
J. <sup>copy</sup> " " " "	2/2/01	<input checked="" type="checkbox"/> no obj	2/2/01

PEMBLY HEARING

K. Crossroad Bible Institute Certificate	3/5/01	<input checked="" type="checkbox"/> no obj	3/5/01
--	--------	--	--------

COURT'S EXHIBITS

001. Note from Juror	<input type="checkbox"/>	<input type="checkbox"/>
002. Note from foreperson (Hamilton)	<input type="checkbox"/>	<input type="checkbox"/>
003. Note from foreperson (Hamilton)	<input type="checkbox"/>	<input type="checkbox"/>
004. note from Juror Mary Fjelsta	<input type="checkbox"/>	<input type="checkbox"/>
005. Note from Juror Cindy Horwitz	<input type="checkbox"/>	<input type="checkbox"/>
006. Note from Al Fitzgerald, Bailiff Re: Juror No. 7	<input type="checkbox"/>	<input type="checkbox"/>
007. Note from Judge Hardcastle, Responding to Juror's question (attached)		



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

**MACK MASON #69060**  
**P.O. BOX 208**  
**INDIAN SPRINGS, NV 89070**

**DATE: July 22, 2021**  
**CASE: 99C161426**

**RE CASE:** STATE OF NEVADA vs. MACK C. MASON

NOTICE OF APPEAL FILED: July 22, 2021

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

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

☐

Case Appeal Statement

- NRAP 3 (a)(1), Form 2

☐

Order

☒

Notice of Entry of Order

---

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.

# 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; ORDER DENYING DEFENDANT'S PETITION FOR WRIT OF PROHIBITION;  
DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

STATE OF NEVADA,

Plaintiff(s),

vs.

MACK C. MASON,

Defendant(s).

Case No: 99C161426

Dept No: XII

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 22 day of July 2021.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk