

FILED

MAY 16 2022

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

IN THE SUPREME COURT OF THE STATE OF NEVADA

JASON BOLEN,

Appellant,

vs.

NEVADA DEPT. OF CORRECTIONS,

Respondent.

Case No. 84293

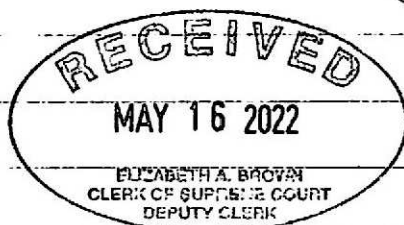
District Court No. A-21-842092-W
c-18-334635

APPELLANT'S MOTION TO CONSOLIDATE
APPEALS

COMES NOW, APPELLANT, JASON BOLEN (Appellant), by and through his proper person, and hereby respectfully moves this Court to Consolidate the Appeals' now pending before this Court. (Motion).

Appellant's Motion is made and based upon all documents, papers, and pleadings, now pending before this Court as to Case No. 84293, and Case No. 79715.

This Motion is also made and based upon Nevada Appellate Rules Procedure (NRAP), 3(b), and the argument of Appellant as to just cause, and reasons as to why this Court should apply consider consolidating the above referenced appeals'.



22-15501

ARGUMENT OF APPELLANT

Appellant currently has pending before this Court two (2), appeals. The first is Appellant's "Direct Appeal" Case No. 79715, wherein this Court has withdrawn its previous Order of Affirmance, and has allowed Appellant's counsel Ben Nadig, Esq., of the Law Offices of Benjamin Nadig, Chtd., to file "Appellant's Supplemental Brief" (A.S.B.). The same being electronically filed Apr 18 2022 06:23 P.M.

Appellant also has pending before this Court an appeal from the district court, from the denial of Appellant's Petition for Writ of Habeas Corpus (Post-Conviction) (Writ), the same was filed in this Court APR 27 2022.

Appellant respectfully seeks to consolidate these two (2) appeals pursuant to NRAP 3(b), which allows for the consolidation of appeals by order of the Supreme Court upon its own motion or upon motion of a party, Appellant is a party in both appeals, being Pro Se in Case No. 84293, and is requesting appeal Case No. 84293 to be consolidated with appeal No. 79715.

That, on Oct 28 2021 03:09 P.M. a Brief of Amici Curiae Clark County Public Defender, Clark County Special Public Defender, And Nevada Attorneys For Criminal Justice In Support of Appellant's Petition For En Banc Reconsideration (Brief), was filed.

In the A.S.B., and the Brief, this Court is called upon to consider related matters as to proceedings in the justice court e.g. justice courts have inherent authority to consider

witness credibility at preliminary hearings; Justice courts have statutory authority to consider witness credibility at preliminary hearings; and Interpreting NRS 171.206 to forbid justice courts from dismissing charges based on witness credibility would lead to absurd results.

That, the A.S.B., addresses matters from the dismissal of charges by the justice court, and the proper procedure to obtain jurisdiction to proceed in the district court by "leave of the court to file an Information," by affidavit NRS 173.035(2).

Should this Court decided in favor of Appellant on either, or both the A.S.B., or the Brief, then this Motion becomes moot.

However, should this Court deny the A.S.B., or the Brief e.g. Appellant's Direct Appeal, the judicial economy is best served by also considering Appellant's Appeal as to Case No. 84293, as the Court is called upon to consider 1. whether Appellant's Writ was improperly denied in the district court, due to Appellant not being "noticed" of proceedings continuing on Direct Appeal, by appellate counsel; 2. related issues from proceedings from the justice court to the district, as concerns whether counsel Ben Nadig, was in fact "counsel of record", or whether Appellant was denied his Sixth (6th), Amendment right to counsel of choice, and equal protection and due process thereto as guaranteed by the Fourteenth (14th), Amendment of the Constitution of the United States (COTUS). And of equal importance whether Appellant was properly arraigned in the district court before the trial was commenced, whereby the district court would be divested of subject-matter jurisdiction.

Resolution of the post-conviction appeal Case No. 84293, with the Direct Appeal Case No. 79715, will prove to be adequate, in the best interest of justice, and serve to provide judicial economy to this Court; as well as to be of considerable public interest.

CONCLUSION

Clearly, there are some considerable issues before this Court, and none are of less importance, whereby Appellant does respectfully request that this Court will consolidate appellate Case No. 84293, with appellate Case No. 79715.

Respectfully submitted

Dated this 11 day of May, 2022.


JASON BOLEN
Appellant Pro Se

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CERTIFICATE OF SERVICE BY MAILING

I, Jason Bolen, hereby certify, pursuant to NRCP 5(b), that on this 11
day of May, 2022, I mailed a true and correct copy of the foregoing, "Appellants
Motion To Consolidate Appeals"
by placing document in a sealed pre-postage paid envelope and deposited said envelope in the
United State Mail addressed to the following:

District Attorney
Clark County Nevada
200 Lewis Ave
PO Box 552212
Las Vegas NV 89155-2212

Ben Nadia, Esq.
Law Offices of Benjamin Nadia, Chd.
228 South Fourth Street, 3rd Floor
Las Vegas NV 89101

CC: FILE

DATED: this 11 day of May, 2022.

* Jason Bolen
JASON BOLEN #1032099
Appellant /In Propria Personam
Post Office Box 208, S.D.C.C.
Indian Springs, Nevada 89018
IN FORMA PAUPERIS: