

Please send
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Electronically Filed
08/10/2022

Heather A. Brown
CLERK OF THE COURT

Kenneth Patton
Petitioner

- v -

Nevada Board of
Parole Commissioners
Defendants

District court
Clerk County Nevada
CASE # A-20-821-300-W
Dept No: 22

Electronically Filed
Aug 16 2022 03:27 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

Hearing Requested

Come NOW, Petitioner Kenneth Patton, IN
His proper person, and gives: Hearing Requested to
this court, this is the thrid time Patton
have miss Court hearing Because this court
has not Put in request to this Prison for
me to be transported. I request to appeal
Before this court at each and every hearing
on this matter of the of Reversal and Remand
Issued by the Nevada Supreme Court. I
Further request that I am served with
each and every documnt filed by the
name Respondent's and that I Begiven
the proper opportunity to answer, Reply
or other wise Respond to all documents
In adversary of my Position.

RECEIVED

JUL 11 2022

CLERK OF THE COURT

Petitioner, without counsel and
Intends to appeal any adverse Ruler
to the Nevada Supreme Court

This hearing Requested
is made in Good Faith

Date: 6-24-22

Kenneth Patton

Kenneth Patton #39982

HDSP-6-0-10

P.O. Box 650

Indian Springs NV,

89070

IN pro-se



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 KENNETH PATTON,

11 Plaintiff(s),

12 vs.

13 NEVADA BOARD OF PAROLE
14 COMMISSIONERS,

15 Defendant(s),
16

Case No: A-20-821300-W

Dept No: XXII

17 **CASE APPEAL STATEMENT**
18

19 1. Appellant(s): Kenneth Patton

20 2. Judge: Susan Johnson

21 3. Appellant(s): Kenneth Patton

22 Counsel:

23 Kenneth Patton #1039982
24 P.O. Box 650
25 Indian Springs, NV 89070

26 4. Respondent (s): Nevada Board of Parole Commissioners

27 Counsel:

28 Aaron D. Ford, Attorney General
555 E. Washington Ave., Ste. 3900

Las Vegas, NV 89101-1068

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: No

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

8. Appellant Granted Leave to Proceed in Forma Pauperis**: Yes, September 16, 2020
***Expires 1 year from date filed* (Expired)

Appellant Filed Application to Proceed in Forma Pauperis: Yes,
Date Application(s) filed: August 10, 2022

9. Date Commenced in District Court: September 16, 2020

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

Type of Judgment or Order Being Appealed: Misc. Order

11. Previous Appeal: Yes

Supreme Court Docket Number(s): 82921

12. Child Custody or Visitation: N/A

13. Possibility of Settlement: Unknown

Dated This 15 day of August 2022.

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: Kenneth Patton

CASE SUMMARY

CASE NO. A-20-821300-W

Kenneth Patton, Plaintiff(s)

vs.

Nevada Board of Parole Commissioners, Defendant(s)

§
§
§
§
§
§

Location: Department 22

Judicial Officer: Johnson, Susan

Filed on: 09/16/2020

Cross-Reference Case A821300

Number:

Supreme Court No.: 82921

CASE INFORMATION

Statistical Closures

04/20/2021 Motion to Dismiss by the Defendant(s)

Case Type: Writ of Mandamus

Case Status: 06/16/2022 Reopened

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number A-20-821300-W
Court Department 22
Date Assigned 09/16/2020
Judicial Officer Johnson, Susan

PARTY INFORMATION





		Lead Attorneys
Plaintiff	Patton, Kenneth	Pro Se
Defendant	Adamendel.com Removed: 04/20/2021 Dismissed	
	ChristopherDericco.com Removed: 04/20/2021 Dismissed	
	Nevada Board of Parole Commissioners	Honey, Adam D. Retained 702-486-8922(W)
	SusanJackson.com Removed: 04/20/2021 Dismissed	

DATE

EVENTS & ORDERS OF THE COURT

INDEX















EVENTS

09/16/2020	 Inmate Filed - Petition for Writ of Habeas Corpus [1] Pursuant to NRS 34.150, 34.170, 39.150 or 34.185 Petition for Writ of Mandamus
09/16/2020	 Motion for Appointment [2] Motion to Appoint Counsel
09/16/2020	 Motion [3] Motion to Extend Prison Copywork Limit
09/16/2020	 Application to Proceed in Forma Pauperis [4] Application to Proceed Informa Pauperis (Confidential)

CASE SUMMARY
CASE NO. A-20-821300-W

09/16/2020	 Notice of Motion [5]
09/16/2020	 Order to Proceed In Forma Pauperis [6] <i>Order to Proceed in Forma Pauperis (Confidential)</i>
01/26/2021	 Order for Petition for Writ of Habeas Corpus [7]
01/26/2021	 Order Denying Motion [8] <i>Order Denying Petitioner's Motion to Extend Prison Copywork Limit</i>
01/26/2021	 Order Denying Motion [9] <i>Order Denying Petitioner's Motion to Appoint Counsel</i>
03/12/2021	 Motion to Dismiss Filed By: Defendant Nevada Board of Parole Commissioners; Defendant ChristopherDericco.com; Defendant SusanJackson.com; Defendant Adamendel.com [10] <i>Motion to Dismiss Petitioner's Petition for Writ of Mandamus</i>
03/15/2021	 Clerk's Notice of Hearing [11] <i>Notice of Hearing</i>
03/15/2021	 Motion Filed By: Plaintiff Patton, Kenneth [12] <i>Motion for Extension of Time.</i>
03/17/2021	 Certificate of Service Filed by: Defendant Nevada Board of Parole Commissioners; Defendant ChristopherDericco.com; Defendant SusanJackson.com; Defendant Adamendel.com [13]
03/22/2021	 Motion Filed By: Plaintiff Patton, Kenneth [14] <i>Motion for Default Under the General Rule</i>
04/13/2021	 Response Filed by: Plaintiff Patton, Kenneth [15] <i>Respond's to Order for Writ of Mandamus (Reconsideration)</i>
04/20/2021	 Order Granting Motion [16] <i>Order Granting Respondents' Motion to Dismiss</i>
05/12/2021	 Notice of Appeal Filed By: Plaintiff Patton, Kenneth [17] <i>Appealing, Order Granting Respondent's Motion to Dismiss of Petitioner Writ of Mandamus.</i>
05/13/2021	 Case Appeal Statement Filed By: Plaintiff Patton, Kenneth [18]

CASE SUMMARY
CASE NO. A-20-821300-W

02/22/2022	 NV Supreme Court Clerks Certificate/Judgment -Remanded <i>[19] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Reversed and Remand</i>
03/02/2022	 Order Scheduling Status Check <i>[20] Order Scheduling Status Check</i>
03/18/2022	 Motion Filed By: Plaintiff Patton, Kenneth <i>[21] Motion</i>
03/18/2022	 Clerk's Notice of Hearing <i>[22] Notice of Hearing</i>
03/18/2022	 Notice of Hearing <i>[23] Instructions for BlueJeans Videoconferencing</i>
03/18/2022	 Motion Filed By: Plaintiff Patton, Kenneth <i>[24] Motion for Status Check</i>
03/23/2022	 Motion Filed By: Plaintiff Patton, Kenneth <i>[25] Motion and Order for Transportation of Inmate for Court Appearance, or in the Alternative, for Appearance by Telephone or Video Conference</i>
03/23/2022	 Notice of Motion Filed By: Plaintiff Patton, Kenneth <i>[26] Notice of Motion</i>
04/18/2022	 Notice of Hearing <i>[27] Instructions for BlueJeans Videoconferencing</i>
05/10/2022	 Notice Filed By: Plaintiff Patton, Kenneth <i>[28] Judicial Notice</i>
05/12/2022	 Motion Filed By: Plaintiff Patton, Kenneth <i>[29] Motion for Status Check</i>
05/12/2022	 Motion Filed By: Plaintiff Patton, Kenneth <i>[30] Motion for Statues Check</i>
05/23/2022	 Motion Filed By: Plaintiff Patton, Kenneth <i>[31] Motion</i>
05/23/2022	 Clerk's Notice of Hearing <i>[32] Notice of Hearing</i>
05/23/2022	 Certificate of Service Filed by: Defendant Nevada Board of Parole Commissioners

CASE SUMMARY
CASE NO. A-20-821300-W

[33] Certificate of Service

05/23/2022



Response

Filed by: Defendant Nevada Board of Parole Commissioners

[34] Response to Petition for Writ of Mandamus or Alternatively Motion to Dismiss

06/10/2022



Notice

Filed By: Plaintiff Patton, Kenneth

[35] Judicial Notice

06/10/2022



Reply

Filed by: Plaintiff Patton, Kenneth

[36] Reply to : Response to Petition for Writ of Mandamus or Alternatively Motion to Dismiss

06/10/2022



Motion for Appointment of Attorney

Filed By: Plaintiff Patton, Kenneth

[37] Motion for Appointment of Counsel

06/10/2022



Clerk's Notice of Hearing

[38] Notice of Hearing

06/16/2022



Notice of Hearing

[39] Instructions for Department 22 Hearing Appearances

06/16/2022



Order Denying Motion

[40] Order Denying Petitioner's Motion for Appointment of Counsel

06/16/2022



Order for Petition for Writ of Habeas Corpus

[41] Order for Petition for Writ of Habeas Corpus

07/15/2022



Motion

Filed By: Plaintiff Patton, Kenneth

[42] Motion and Order for Transportation of Inmate for Court Appearance or, in the Alternative for Appearance by Telephone or Video Conference

07/15/2022



Notice of Motion

Filed By: Plaintiff Patton, Kenneth

[43] Notice of Motion

07/29/2022



Response

Filed by: Defendant Nevada Board of Parole Commissioners

[44] Response to Petition for Writ of Mandamus or Alternatively Motion to Dismiss

08/05/2022



Order

[45] Order Granting Petitioner's Motion for Appearance by Telephone or Video Conference

08/08/2022



Notice of Intent

Filed By: Defendant Nevada Board of Parole Commissioners

[46] Notice of Intent to Appear By Simultaneous Audiovisual Transmission Equipment













08/09/2022



Notice

[47] Notice of Department 22 Courtesy Copy & Appearance Instructions

CASE SUMMARY
CASE NO. A-20-821300-W

08/10/2022	 Application to Proceed in Forma Pauperis Filed By: Plaintiff Patton, Kenneth <i>[48] Motion to Proceed in Forma Pauperis</i>
08/10/2022	 Motion Filed By: Plaintiff Patton, Kenneth <i>[49] Motion for Court Minutes, Journal Entries</i>
08/10/2022	 Notice of Appeal Filed By: Plaintiff Patton, Kenneth <i>[50] Notice of Appeal</i>
08/10/2022	 Notice Filed By: Plaintiff Patton, Kenneth <i>[51] Judicial Notice</i>
08/10/2022	 Motion for Appointment of Attorney Filed By: Plaintiff Patton, Kenneth <i>[52] Motion for Appointment of Counsel</i>
08/10/2022	 Notice of Motion Filed By: Plaintiff Patton, Kenneth <i>[53] Notice of Motion</i>
08/10/2022	 Motion Filed By: Plaintiff Patton, Kenneth <i>[54] Motion and Order for Transportation of Inmate for Court Appearance or in the Alternative for Appearance by Telephone or Video Conference</i>
08/10/2022	 Motion Filed By: Plaintiff Patton, Kenneth <i>[55] Motion to Extend Prison Copywork Limit</i>
08/11/2022	 Order Denying Motion <i>[56] Order</i>
08/11/2022	 Motion Filed By: Plaintiff Patton, Kenneth <i>[57] Motion for Default Under the General Rule</i>
08/11/2022	 Response Filed by: Plaintiff Patton, Kenneth <i>[58] Response to Respondents to Petition for Writ of Mandamus or, Alternatively Motion to Dismiss</i>
08/15/2022	 Case Appeal Statement <i>Case Appeal Statement</i>

DISPOSITIONS

04/20/2021	Order of Dismissal Without Prejudice (Judicial Officer: Johnson, Susan) Debtors: Nevada Board of Parole Commissioners (Defendant), ChristopherDericco.com (Defendant), SusanJackson.com (Defendant), Adamendel.com (Defendant) Creditors: Kenneth Patton (Plaintiff) Judgment: 04/20/2021, Docketed: 04/21/2021
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CASE SUMMARY

CASE NO. A-20-821300-W

02/22/2022

Clerk's Certificate (Judicial Officer: Johnson, Susan)
 Debtors: Nevada Board of Parole Commissioners (Defendant)
 Creditors: Kenneth Patton (Plaintiff)
 Judgment: 02/22/2022, Docketed: 02/24/2022
 Comment: Supreme Court No. 82921 Appeal Reversed

HEARINGS

10/06/2020

CANCELED Petition for Writ of Mandamus (8:30 AM) (Judicial Officer: Johnson, Susan)
Vacated - Set in Error
Petition for Writ of Mandamus (Reconsideration)

10/06/2020

CANCELED Motion (8:30 AM) (Judicial Officer: Johnson, Susan)
Vacated - Set in Error
Motion to Appoint Counsel

10/06/2020

CANCELED Motion (8:30 AM) (Judicial Officer: Johnson, Susan)
Vacated - Set in Error
Motion to Extend Prison Copywork Limit

03/10/2021



Minute Order (3:00 AM) (Judicial Officer: Johnson, Susan)

Minute Order - No Hearing Held;
 Journal Entry Details:

Having examined Petitioner Kenneth Patton s Petition for Writ of Mandamus filed September 16, 2021 in preparation for the March 30, 2021 hearing, noted the Petition was never served upon the Respondents, Nevada Board of Parole Commissioners as a body, or Commissioners Christopher Dericco, Susan Jackson or Adam Endel as individual commissioners and there is no indication in the record Respondents have notice of the March 30, 2021 hearing, and there is good cause therefore, COURT ORDERS the matter scheduled to be heard Tuesday, March 30, 2021 at 8:30 a.m. is VACATED. The matter may be rescheduled once the Respondents have been served with process and have notice of the pendency of Mr. Patton s Petition. CLERK'S NOTE: The above minute order has been distributed to: Kenneth Patton #1039982 P.O. Box 650 Indian Springs, NV 89070;

03/30/2021

CANCELED Petition for Writ of Habeas Corpus (8:30 AM) (Judicial Officer: Johnson, Susan)
Vacated

04/05/2021



Minute Order (3:00 AM) (Judicial Officer: Johnson, Susan)



Minute Order - No Hearing Held;
 Journal Entry Details:

Having examined Respondents Motion to Dismiss Petitioner s Petition for Writ of Mandamus filed and served March 21, 2021, noted there was no Opposition thereto, and there is good cause therefore, COURT ORDERS Respondents Motion to Dismiss Petitioner s Petition for Writ of Mandamus filed and served March 21, 2021 is GRANTED pursuant to Rules 4(i) and 12(b) of the Nevada Rules of Civil Procedure (NRCPC) and Rule 2.20(e) of the Eighth Judicial District Court Rules (EDCR). The matter scheduled to be heard Tuesday, April 13, 2021 at 8:30 a.m. is VACATED pursuant to EDCR 2.23. Respondents counsel is to prepare and submit a proposed Order to the Court within fourteen (14) days of this Minute Order or no later than Monday, April 19, 2021. Petitioner's Motion for Extension of Time filed March 15, 2021, is DENIED as he had 120 days from the case s initiation on September 16, 2020 in which to serve Respondents with process, but did not do so or show good cause for his failure. Petitioner s Motion for Default under General Rule filed March 22, 2021 is DENIED, and if anything, gives credence to Respondents position Petitioner could and should have served process pursuant to NRCPC 4(e). CLERK'S NOTE: The above minute order has been distributed to counsel by the Court Clerk via electronic service. - vg//April 5, 2021 CLERK'S NOTE: This minute order has been AMENDED to indicate the Motion for Extension of Time is DENIED. The above minute order has been distributed to counsel by the Court Clerk via electronic service. - vg//April 20, 2021 ;

04/13/2021

CANCELED Motion to Dismiss (8:30 AM) (Judicial Officer: Johnson, Susan)
Vacated
Respondent's Motion to Dismiss Petitioner's Petition for Writ of Mandamus

CASE SUMMARY
CASE NO. A-20-821300-W

04/19/2021	<p>Minute Order (3:00 AM) (Judicial Officer: Johnson, Susan)</p> <p>Minute Order - No Hearing Held;</p> <p>Journal Entry Details:</p> <p><i>Please be advised that the most recent minute order contains a typo. A minute order was entered stating that Respondents Motion to Dismiss Petitioner s Petition for Writ of Mandamus is GRANTED pursuant to Rules 4(i) and 12(b) of the Nevada Rules of Civil Procedure (NRCP) . This was meant to state that the Motion is GRANTED pursuant to Rules 4(e) and 12 (b) of the Nevada Rules of Civil Procedure (NRCP) instead. CLERK'S NOTE: This Minute Order was updated and corrected at the request of the Court, and electronically served upon counsel. //vg/ 04/19/2021;</i></p>
03/23/2022	<p> Status Check (8:30 AM) (Judicial Officer: Johnson, Susan)</p> <p><i>Status Check: Court of Appeals Remand</i></p> <p>Matter Heard;</p> <p>Journal Entry Details:</p> <p><i>Court stated the case was remanded by the Supreme Court of Nevada and ruled Mr. Patton's response to the Motion to Dismiss was timely filed. There being no appearances, COURT ORDERED, Motion to Dismiss Petitioner's Petition for Writ of Mandamus SET for status check on April 21, 2022 at 9:00 a.m. 4/21/2022 9:00 AM STATUS CHECK: MOTION TO DISMISS PETITIONER'S PETITION FOR WRIT OF MANDAMUS. CLERK'S NOTE: The above minute order has been distributed to all parties by the Court Clerk via electronic service and mailed to Kenneth Patton at PO Box 650 Indian Springs, NV 89070. nc// 3/28/2022;</i></p>
03/30/2022	<p>CANCELED Status Check (8:30 AM) (Judicial Officer: Johnson, Susan)</p> <p><i>Vacated - Moot</i></p> <p><i>Status Check: Court of Appeals Remand</i></p>
04/19/2022	<p>CANCELED Motion (8:30 AM) (Judicial Officer: Johnson, Susan)</p> <p><i>Vacated - Moot</i></p> <p><i>Plaintiff's Motion</i></p>
04/21/2022	<p> Motion to Dismiss (9:00 AM) (Judicial Officer: Johnson, Susan)</p> <p><i>Motion to Dismiss Petitioner's Petition for Writ of Mandamus</i></p> <p>Denied;</p> <p>Journal Entry Details:</p> <p><i>Plaintiff is not present. Court stated the Supreme Court of Nevada had reversed the Court's decision regarding the Motion to Dismiss Petitioner's Petition. COURT ORDERED, Motion to Dismiss Petitioner's Petition for Writ of Mandamus DENIED. Court stated it will allow Mr. Honey to refile his motion and advised he would have to request a new hearing. COURT NOTED, Plaintiff filed Motion and Order for Transportation of Inmate for Court Appearance, or in Alternative, for Appearance by Telephone or Video Conference. COURT ORDERED, motion DENIED IN PART/GRANTED IN PART. Motion DENIED IN PART with respects to transportation. Motion GRANTED IN PART with respects to Plaintiff appearing by telephone or video conference. Court stated it will allow Plaintiff to appear by telephone or video at the next hearing once it has been scheduled. CLERK'S NOTE: The above minute order has been distributed to all parties by the Court Clerk via electronic service and mailed to Kenneth Patton at PO Box 650 Indian Springs, NV 89070. CLERK'S NOTE: Minute Order AMENDED to correct "Court stated the case was remanded from the Supreme Court" to "Court stated the Supreme Court of Nevada had reversed the Court's decision regarding the Motion to Dismiss Petitioner's Petition." and include the language "Court stated it will allow Plaintiff to appear by telephone or video at the next hearing once it has been scheduled" and Clerk's Note regarding service. /nc 4/22/2022 ;</i></p>
06/21/2022	<p>CANCELED Motion (8:30 AM) (Judicial Officer: Johnson, Susan)</p> <p><i>Vacated - per Order</i></p> <p><i>Plaintiffs Motion</i></p>
07/12/2022	<p>CANCELED Motion for Appointment of Attorney (8:30 AM) (Judicial Officer: Johnson, Susan)</p> <p><i>Vacated - per Order</i></p> <p><i>Plaintiff's Motion for Appointment of Counsel</i></p>

CASE SUMMARY

CASE NO. A-20-821300-W

08/16/2022

Petition for Writ of Habeas Corpus (8:30 AM) (Judicial Officer: Johnson, Susan)

DISTRICT COURT CIVIL COVER SHEET

CASE NO: A-20-821300-W
Department 22

County, Nevada

Case No

(Assigned by Clerk's Office)

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

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

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

Renneth Patton #103982 State of Nevada
P.O. BOX 650
Indian Springs NV 89070

Attorney (name/address/phone):

Attorney (name/address/phone):

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

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

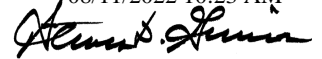
Business Court filings should be filed using the Business Court civil coversheet.

9/16/20
Date

Prepared by the Clerk

Signature of initiating party or representative

See other side for family-related case filings



CLERK OF THE COURT

1 **ORDR**

2 **DISTRICT COURT**

3 **CLARK COUNTY, NEVADA**

4 **KENNETH PATTON,**

5 **Petitioner,**

6 **Vs.**

7 **THE NEVADA BOARD OF PAROLE,**
8 **COMMISSIONERS, CHRISTOPHER**
9 **DERICCO, COM; SUSAN JACKSON,**
10 **COM.; ADAM ENDEL, COM,**

11 **Respondents.**

Case No. A-20-821300-W

Dept. No. XXII

12 **ORDER**

13 These matters concerning Petitioner KENNETH PATTON'S Motions:

- 14 1. For Appointment of Counsel filed August 10, 2022;
- 15 2. For Transportation of Inmate for Court Appearance or in the Alternative for Appearance
- 16 by Telephone or Video Conference filed August 10, 2022; and
- 17 3. To Extend Prison Copy Work Limit filed August 10, 2022.

18 all came, *in chambers*, to the attention of Department XXII of the Eighth Judicial District Court, in

19 and for Clark County, Nevada, with JUDGE SUSAN JOHNSON presiding. Having reviewed the

20 papers and pleadings on file herein, this Court finds good cause therefore,

21 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** Petitioner KENNETH

22 **PATTON'S** Motion for Appointment of Counsel filed August 10, 2022, which is the *third* such

23 motion filed in this case,¹ is denied.

24 _____

25 ¹The first Motion for Appointment of Counsel was filed September 6, 2020; it was not scheduled for hearing

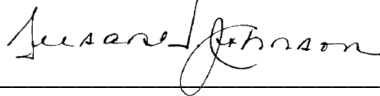
26 and did not come to the attention of this Court until January 2021 when it reviewed this case. The motion was denied

1 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** Petitioner's Motion for
2 Transportation of Inmate for Court Appearance or in the Alternative for Appearance by Telephone
3 or Video Conference filed August 10, 2022 is denied as moot. This Court has previously ruled upon
4 an identical motion on August 5, 2022. *See* Court Order filed August 5, 2022.

5 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** the Motion to Extend
6 Prison Copy Work Limit filed August 10, 2022 is denied given Petitioner's failure to effectively
7 utilize the \$100 limit provided him. Indeed, as noted above, an example is Petitioner filing motions
8 that are duplicative of those previously decided by the Court.

9
10 Petitioner is admonished he is not to file any further motions that are duplicative of those
11 previously ruled upon by the Court. Should he do so, Petitioner may be sanctioned pursuant to NRS
12 Chapter 22 and NRCP 11, and such may include the revocation of his ability to proceed in *forma*
13 *pauperis* in this matter.

Dated this 11th day of August, 2022



SUSAN JOHNSON, DISTRICT COURT JUDGE

2E8 CC5 8EA7 6D9F
Susan Johnson
District Court Judge

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28 January 26, 2021. The second Motion for Appointment of Counsel was filed June 10, 2022; it was denied by Order filed
June 16, 2022.

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4		
5		
6	Kenneth Patton, Plaintiff(s)	CASE NO: A-20-821300-W
7	vs.	DEPT. NO. Department 22
8	Nevada Board of Parole	
9	Commissioners, Defendant(s)	

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

12 This automated certificate of service was generated by the Eighth Judicial District
13 Court. The foregoing Order was served via the court's electronic eFile system to all
recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 8/11/2022

15 Adam Honey ahoney@ag.nv.gov

16 Sheri Regalado sregalado@ag.nv.gov

17
18 If indicated below, a copy of the above mentioned filings were also served by mail
19 via United States Postal Service, postage prepaid, to the parties listed below at their last
known addresses on 8/12/2022

20 Kenneth Patton #1039982
21 Po Box 650
22 Indian Springs, NV, 89070
23
24
25
26
27
28

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Writ of Mandamus

COURT MINUTES

March 10, 2021

A-20-821300-W	Kenneth Patton, Plaintiff(s) vs. Nevada Board of Parole Commissioners, Defendant(s)
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March 10, 2021	3:00 AM	Minute Order
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HEARD BY: Johnson, Susan	COURTROOM: Chambers
---------------------------------	----------------------------

COURT CLERK: Michelle Jones

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Having examined Petitioner Kenneth Patton s Petition for Writ of Mandamus filed September 16, 2021 in preparation for the March 30, 2021 hearing, noted the Petition was never served upon the Respondents, Nevada Board of Parole Commissioners as a body, or Commissioners Christopher Dericco, Susan Jackson or Adam Endel as individual commissioners and there is no indication in the record Respondents have notice of the March 30, 2021 hearing, and there is good cause therefore, COURT ORDERS the matter scheduled to be heard Tuesday, March 30, 2021 at 8:30 a.m. is VACATED. The matter may be rescheduled once the Respondents have been served with process and have notice of the pendency of Mr. Patton s Petition.

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

Kenneth Patton #1039982
P.O. Box 650
Indian Springs, NV 89070

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Writ of Mandamus

COURT MINUTES

April 05, 2021

A-20-821300-W	Kenneth Patton, Plaintiff(s) vs. Nevada Board of Parole Commissioners, Defendant(s)
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April 05, 2021	3:00 AM	Minute Order
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HEARD BY: Johnson, Susan	COURTROOM: Chambers
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COURT CLERK: Valeria Guerra

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Having examined Respondents Motion to Dismiss Petitioner s Petition for Writ of Mandamus filed and served March 21, 2021, noted there was no Opposition thereto, and there is good cause therefore, COURT ORDERS Respondents Motion to Dismiss Petitioner s Petition for Writ of Mandamus filed and served March 21, 2021 is GRANTED pursuant to Rules 4(i) and 12(b) of the Nevada Rules of Civil Procedure (NRCP) and Rule 2.20(e) of the Eighth Judicial District Court Rules (EDCR). The matter scheduled to be heard Tuesday, April 13, 2021 at 8:30 a.m. is VACATED pursuant to EDCR 2.23. Respondents counsel is to prepare and submit a proposed Order to the Court within fourteen (14) days of this Minute Order or no later than Monday, April 19, 2021.

Petitioner's Motion for Extension of Time filed March 15, 2021, is DENIED as he had 120 days from the case s initiation on September 16, 2020 in which to serve Respondents with process, but did not do so or show good cause for his failure. Petitioner s Motion for Default under General Rule filed March 22, 2021 is DENIED, and if anything, gives credence to Respondents position Petitioner could and should have served process pursuant to NRCP 4(e).

CLERK'S NOTE: The above minute order has been distributed to counsel by the Court Clerk via electronic service. - vg// April 5, 2021

CLERK'S NOTE: This minute order has been AMENDED to indicate the Motion for Extension of Time is DENIED. The above minute order has been distributed to counsel by the Court Clerk via electronic service. - vg/ / April 20, 2021

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Writ of Mandamus

COURT MINUTES

April 19, 2021

A-20-821300-W	Kenneth Patton, Plaintiff(s) vs. Nevada Board of Parole Commissioners, Defendant(s)
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April 19, 2021	3:00 AM	Minute Order
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HEARD BY: Johnson, Susan	COURTROOM: Chambers
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COURT CLERK: Valeria Guerra

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Please be advised that the most recent minute order contains a typo. A minute order was entered stating that Respondents Motion to Dismiss Petitioner s Petition for Writ of Mandamus is GRANTED pursuant to Rules 4(i) and 12(b) of the Nevada Rules of Civil Procedure (NRCP) . This was meant to state that the Motion is GRANTED pursuant to Rules 4(e) and 12(b) of the Nevada Rules of Civil Procedure (NRCP) instead.

CLERK'S NOTE: This Minute Order was updated and corrected at the request of the Court, and electronically served upon counsel. //vg/ 04/19/2021

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Writ of Mandamus

COURT MINUTES

March 23, 2022

A-20-821300-W	Kenneth Patton, Plaintiff(s)
	vs.
	Nevada Board of Parole Commissioners, Defendant(s)

March 23, 2022	8:30 AM	Status Check
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HEARD BY: Johnson, Susan	COURTROOM: RJC Courtroom 15D
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COURT CLERK: Nicole Cejas

RECORDER: Norma Ramirez

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Court stated the case was remanded by the Supreme Court of Nevada and ruled Mr. Patton's response to the Motion to Dismiss was timely filed. There being no appearances, COURT ORDERED, Motion to Dismiss Petitioner's Petition for Writ of Mandamus SET for status check on April 21, 2022 at 9:00 a.m.

4/21/2022 9:00 AM STATUS CHECK: MOTION TO DISMISS PETITIONER'S PETITION FOR WRIT OF MANDAMUS.

CLERK'S NOTE: The above minute order has been distributed to all parties by the Court Clerk via electronic service and mailed to Kenneth Patton at PO Box 650 Indian Springs, NV 89070. nc//
3/28/2022

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Writ of Mandamus

COURT MINUTES

April 21, 2022

A-20-821300-W Kenneth Patton, Plaintiff(s)
vs.
Nevada Board of Parole Commissioners, Defendant(s)

April 21, 2022 9:00 AM Motion to Dismiss

HEARD BY: Johnson, Susan **COURTROOM:** RJC Courtroom 15D

COURT CLERK: Nicole Cejas

RECORDER: Norma Ramirez

REPORTER:

PARTIES

PRESENT: Honey, Adam D. Attorney

JOURNAL ENTRIES

- Plaintiff is not present. Court stated the Supreme Court of Nevada had reversed the Court's decision regarding the Motion to Dismiss Petitioner's Petition. COURT ORDERED, Motion to Dismiss Petitioner's Petition for Writ of Mandamus DENIED. Court stated it will allow Mr. Honey to refile his motion and advised he would have to request a new hearing. COURT NOTED, Plaintiff filed Motion and Order for Transportation of Inmate for Court Appearance, or in Alternative, for Appearance by Telephone or Video Conference. COURT ORDERED, motion DENIED IN PART/GRANTED IN PART. Motion DENIED IN PART with respects to transportation. Motion GRANTED IN PART with respects to Plaintiff appearing by telephone or video conference. Court stated it will allow Plaintiff to appear by telephone or video at the next hearing once it has been scheduled.

CLERK'S NOTE: The above minute order has been distributed to all parties by the Court Clerk via electronic service and mailed to Kenneth Patton at PO Box 650 Indian Springs, NV 89070.

CLERK'S NOTE: Minute Order AMENDED to correct "Court stated the case was remanded from the Supreme Court" to "Court stated the Supreme Court of Nevada had reversed the Court's decision regarding the Motion to Dismiss Petitioner's Petition." and include the language "Court stated it will allow Plaintiff to appear by telephone or video at the next hearing once it has been scheduled" and Clerk's Note regarding service. /nc 4/22/2022



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

KENNETH PATTON #1039982
P.O. BOX 650
INDIAN SPRINGS, NV 89070

DATE: August 15, 2022
CASE: A-20-821300-W

RE CASE: KENNETH PATTON vs. NEVADA BOARD OF PAROLE COMMISSIONERS

NOTICE OF APPEAL FILED: August 10, 2022

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

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

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

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.

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

Certification of Copy

State of Nevada }
County of Clark } SS:

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

NOTICE OF APPEAL, HEARING REQUESTED; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

KENNETH PATTON,

Plaintiff(s),

vs.

NEVADA BOARD OF PAROLE
COMMISSIONERS,

Defendant(s),

Case No: A-20-821300-W

Dept No: XXII

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 15 day of August 2022.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk