

Defendant's  
Copy Stamp Filed,  
Return

Electronically Filed  
10/5/2022 11:55 AM  
Steven D. Grierson  
CLERK OF THE COURT

DISTRICT COURT  
CLARK COUNTY NEVADA

THE STATE OF NEVADA

Plaintiff, Case No. C09217

vs.

ROY D. MORAGA,

Defendant.

NOTICE OF APPEAL

Electronically Filed  
Oct 11 2022 11:53 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

NOTICE OF APPEAL is hereby GIVEN that I,  
ROY D. MORAGA Appeal the Judgment/Order  
entered on the 2<sup>th</sup> day of August, 2022 by  
this Court.

Dated this 26<sup>th</sup> day of September, 2022.

Roy D. Moraga

CERTIFICATE OF SERVICE

PURSUANT TO NRCP Rule 5(b), I hereby Certify that  
I am the defendant named herein and that on  
this 26<sup>th</sup> day of September, 2022, I mailed a  
true and correct copy of the foregoing NOTICE  
OF Appeal to the following:

Steven B. Wolfson, D.A.

200 Lewis Ave.

LAS VEGAS, NV 89155-2212

Roy D. Moraga

AFFIRMATION PURSUANT TO NRS 239B.030

I certify that the foregoing document DOES NOT  
contain the Social Security Number of any person.

Roy D. Moulton

Dated: 9-26-22

ROY D. MONAGHAN #31587  
NMCC - P.O. Box 2000  
CARSON CITY, NV 89402

LEGAL  
MAIL

NO POSTAGE  
NECESSARY  
IF MAILED  
IN THE  
UNITED STATES



LEGAL MAIL  
CONFIDENTIAL

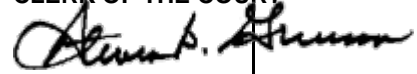
CLERK OF THE COURT  
200 Lewis Ave., 3rd Floor

LAS VEGAS NEVADA 89155  
8910136300

SEP 27 2022

NORTHERN NEVADA CORRECTIONAL CENTER

LAW LIBRARY



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 STATE OF NEVADA,

10 Plaintiff(s),

11 vs.

12 ROY D. MORAGA,

13 Defendant(s),

Case No: 89C092174

Dept No: XVII

14  
15  
16 **CASE APPEAL STATEMENT**

17  
18 1. Appellant(s): Roy D. Moraga

19 2. Judge: Mark Gibbons

20 3. Appellant(s): Roy D. Moraga

21 Counsel:

22 Roy D. Moraga #31584  
23 P.O. Box 7000  
24 Carson City, NV 89702

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: December 28, 1989

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): 42828, 44685, 49049, 61734, 64639, 64931, 65701,  
66826, 72898, 73349, 76345, 78172, 80897, 83179, 84020

12. Child Custody or Visitation: N/A

Dated This 6 day of October 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: Roy D. Moraga

*Steven D. Grierson*

Roy D Moraga, 31554  
Northern Nevada Correctional Center  
P.O. Box 7000  
Carson City, Nevada 89702  
Appellant, In Proper Person

IN THE 3<sup>rd</sup> JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR THE COUNTY OF CLARK

ROY D MORAGA

Appellant,

Vs.

THE STATE OF NEV.

Respondent.

CASE No. C092174

DEPT. No. \_\_\_\_\_

Dkt. No. \_\_\_\_\_

**DESIGNATION OF RECORD ON APPEAL**

Please take notice that Roy D Moraga, Appellant, and in his proper person, hereby files this Designation of Record on Appeal in the above entitled action, pursuant to NRAP 10(b); and respectfully herein asks this Honorable Court to designate the record on appeal, to be certified by the Clerk of the District Court and transcribed to the Clerk of the Nevada Court of Appeals: All motions, pleadings, judgments and transcripts.

DATED this 26 day of September, 2022.

RESPECTFULLY SUBMITTED,

Roy D. Moraga  
Appellant, In Propria Persona

**CERTIFICATE OF SERVICE BY MAIL**

Pursuant to NRCP Rule 5(b), I hereby certify that I am the Defendant named herein and that on this 26th day of September, 2022 I mailed a true and correct copy of the foregoing NOTICE OF APPEAL to the following:

Steven Wolfson County District Attorney

206 LEWIS AVE

LAS VEGAS, NV 89155-2212

Roy D. Minge  
(Signature)

**AFFIRMATION PURSUANT TO NRS 239B.030**

\*\* I certify that the foregoing document DOES NOT contain the social security number of any persons.

9-26-22  
(Date)

Roy D. Minge  
(Signature)

ROY D. MCKAGY #31587  
NRCC - P.O. Box 2000  
CARSON CITY, NV 89402

LEGAL  
MAIL

LEGAL MAIL  
CONFIDENTIAL  
Clerk of the Court  
200 Lewis Ave., 3rd Floor

LAS VEGAS NEVADA 89101  
QUESTIONS  
CALL 5765

NORTHERN NEVADA CORRECTIONAL CENTER  
SEC  
LAW LIBRARY

SEP 27 1977



NO POSTAGE  
NECESSARY  
IF MAILED  
IN THE  
UNITED STATES



**CASE SUMMARY****CASE No. 89C092174****The State of Nevada vs Roy D Moraga**

§	Location:	<b>Department 17</b>
§	Judicial Officer:	<b>Vacant, DC 17</b>
§	Filed on:	<b>12/28/1989</b>
§	Case Number History:	
§	Cross-Reference Case	<b>C092174</b>
§	Number:	
§	Defendant's Scope ID #:	<b>938554</b>
§	Lower Court Case # Root:	<b>89F07220</b>
§	Lower Court Case Number:	<b>89F07220X</b>
§	Supreme Court No.:	<b>61734</b>
§		<b>64639</b>
§		<b>64931</b>
§		<b>65701</b>
§		<b>66826</b>
§		<b>72898</b>
§		<b>73349</b>
§		<b>80897</b>
§		<b>83179</b>
§		<b>84020</b>

**CASE INFORMATION**

<b>Offense</b>	<b>Statute</b>	<b>Deg</b>	<b>Date</b>	<b>Case Type:</b>	<b>Felony/Gross Misdemeanor</b>
1. BURGLARY	205.060	F	01/01/1900	<b>Case Status:</b>	<b>09/13/2007 Closed</b>
2. BURGLARY	205.060	F	01/01/1900		
3. SEXUAL ASSAULT	200.366	F	01/01/1900		
4. SEXUAL ASSAULT	200.366	F	01/01/1900		

**Related Cases**

A-18-782168-W (Writ Related Case)

**Statistical Closures**

05/06/2007	USJR Reporting Statistical Closure
03/04/2007	USJR Reporting Statistical Closure
09/26/2004	USJR Reporting Statistical Closure
07/14/2004	USJR Reporting Statistical Closure
12/02/1999	USJR Reporting Statistical Closure
02/19/1996	USJR Reporting Statistical Closure
09/15/1993	USJR Reporting Statistical Closure
01/01/1992	USJR Reporting Statistical Closure
09/12/1991	USJR Reporting Statistical Closure
09/13/2007	USJR Reporting Statistical Closure
05/14/1998	USJR Reporting Statistical Closure
12/01/2005	USJR Reporting Statistical Closure
01/31/2005	USJR Reporting Statistical Closure
09/01/1998	USJR Reporting Statistical Closure

















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

Case Number	89C092174
Court	Department 17
Date Assigned	07/18/2022
Judicial Officer	Vacant, DC 17

**PARTY INFORMATION****Defendant Moraga, Roy D***Lead Attorneys***Pro Se**


















**CASE SUMMARY****CASE NO. 89C092174****Plaintiff****State of Nevada****Wolfson, Steven B**

702-671-2700(W)

DATE	EVENTS & ORDERS OF THE COURT	INDEX
	<b><u>EVENTS</u></b>	
12/28/1989	 Criminal Bindover <i>[1] Criminal Bindover (Confidential)</i>	<i>Index #1</i>
01/09/1990	 Information <i>[10] Information</i>	<i>Index #10</i>
01/24/1990	 Reporters Transcript <i>[117] Transcript of Hearing Held on December 26, 1989</i>	<i>Index #117</i>
02/05/1990	 Motion <i>[118] Motion and Notice of Motion to Endorse Names on Information</i>	<i>Index #118</i>
02/12/1990	 Reporters Transcript <i>[119] Transcript of Hearing Held on January 11, 1990</i>	<i>Index #119</i>
02/15/1990	 Order <i>[120] Order to Endorse Names on Information</i>	<i>Index #120</i>
02/15/1990	 Information Amended in Open Court <i>[269] Information Amended by Interlineation</i>	<i>Index #269</i>
03/13/1990	 Jury List <i>[121] Jury List</i>	<i>Index #121</i>
03/15/1990	 Instructions to the Jury <i>[122] Instructions to the Jury</i>	<i>Index #122</i>
03/15/1990	 Verdict <i>[123] Verdict - Count I</i>	<i>Index #123</i>
03/15/1990	 Verdict <i>[124] Verdict - Count II</i>	<i>Index #124</i>
03/15/1990	 Verdict <i>[125] Verdict - Count III</i>	<i>Index #125</i>
03/15/1990	 Verdict <i>[126] Verdict - Count IV</i>	<i>Index #126</i>
05/16/1990	 PSI <i>[232] Pre-Sentence Investigation Report (Unfiled) Confidential</i>	<i>Index #232</i>
06/04/1990	 Motion <i>[127] Motion and Notice of Motion to Amend Information</i>	<i>Index #127</i>
06/13/1990	 Amended Information	<i>Index #11</i>

















# CASE SUMMARY

CASE NO. 89C092174

	<i>[11] Amended Information</i>	
06/13/1990	 Order <i>[128] Order to Amend Information</i>	Index #128
06/13/1990	 Reporters Transcript <i>[233] Transcript of Hearing Held on June 13, 1990 (File Stamp Illegible)</i>	Index #233
06/27/1990	 Designation of Record on Appeal <i>[129] Designation of Contents of Record on Appeal</i>	Index #129
06/27/1990	 Notice of Appeal (Criminal) <i>[130] Notice of Appeal</i>	Index #130
06/29/1990	 Order <i>[131] Order</i>	Index #131
07/07/1990	 Judgment of Conviction <i>[132] Judgment of Conviction (Jury Trial)</i>	Index #132
08/02/1990	 Order <i>[133] Order</i>	Index #133
10/11/1990	 Reporters Transcript <i>[209] Transcript of Hearing Held on March 15, 1990</i>	Index #209
10/11/1990	 Reporters Transcript <i>[213] Transcript of Hearing Held on March 13, 1990</i>	Index #213
10/11/1990	 Reporters Transcript <i>[219] Transcript of Hearing Held on March 12, 1990</i>	Index #219
01/09/1991	 Petition for Release of Evidence <i>[3] Petition for Release of Evidence</i>	Index #3
01/09/1991	 Order <i>[4] Order Releasing Evidence</i>	Index #4
09/13/1991	 Order for Production of Inmate <i>[6] Order for Production of Inmate</i>	Index #6
09/26/1991	 Motion <i>[7] Motion to Transfer Sentencing Back to Department VIII</i>	Index #7
10/03/1991	 Motion for Leave to Proceed in Forma Pauperis <i>[8] Motion for Leave to Proceed in Forma Pauperis (Confidential)</i>	Index #8
10/03/1991	 Notice of Motion <i>[9] Notice of Motion Motion for Withdrawal of Attorney of Record and Transfer of Records</i>	Index #9
10/03/1991	 Affidavit in Support <i>[134] Affidavit in Support of Motion for Withdrawal of Attorney of Record and Transfer of</i>	Index #134

# CASE SUMMARY

CASE NO. 89C092174

	Records	
10/03/1991	 Affidavit in Support <i>[135] Affidavit in Support of Request to Proceed in Forma Pauperis (Confidential)</i>	Index #135
10/03/1991	 Certificate <i>[136] Financial Certificate (Confidential)</i>	Index #136
10/04/1991	 NV Supreme Court Clerks Certificate/Judgment -Remanded <i>[12] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Remand</i>	Index #12
10/23/1991	 Order Filed By: Defendant Moraga, Roy D <i>[14] Order for Appointment of Counsel</i>	Index #14
10/30/1991	 Notice of Appeal (Criminal) <i>[15] Notice of Appeal</i>	Index #15
11/13/1991	 Amended Judgment of Conviction <i>[16] Amended Judgment of Conviction (Jury Trial)</i>	Index #16
11/13/1991	 Designation of Record on Appeal Filed By: Defendant Moraga, Roy D <i>[17] Designation of Record on Appeal</i>	Index #17
01/02/1992	 Motion for Appointment of Attorney <i>[18] Motion to Appoint Counsel for Appeal</i>	Index #18
01/27/1992	 Document Filed <i>[19] Criminal Setting Slip</i>	Index #19
02/10/1992	 Order <i>[20] Order Appointing Counsel</i>	Index #20
02/13/1992	 Designation of Record on Appeal Filed By: Defendant Moraga, Roy D <i>[21] Designation of Record on Appeal</i>	Index #21
02/20/1992	 Order <i>[22] Order Re: Preparation of Transcripts</i>	Index #22
02/20/1992	 Ex Parte Application <i>[23] Ex Parte Application for Preparation of Transcripts</i>	Index #23
02/20/1992	 Order <i>[24] Order Re: Preparation of Transcripts</i>	Index #24
02/20/1992	 Order <i>[25] Order Re: Preparation of Transcripts</i>	Index #25
02/20/1992	 Order <i>[26] Order Re: Preparation of Transcripts</i>	Index #26
















# CASE SUMMARY

CASE NO. 89C092174

02/20/1992	 Order <i>[27] Order Re: Preparation of Transcripts</i>	<i>Index #27</i>
02/20/1992	 Order <i>[28] Order Re: Preparation of Transcripts</i>	<i>Index #28</i>
02/26/1992	 Receipt of Copy Filed by: Defendant Moraga, Roy D <i>[29] Receipt of Copy</i>	<i>Index #29</i>
02/26/1992	 Receipt of Copy Filed by: Defendant Moraga, Roy D <i>[30] Receipt of Copy</i>	<i>Index #30</i>
02/28/1992	 Receipt of Copy <i>[31] Receipt of Copy</i>	<i>Index #31</i>
03/02/1992	 Receipt of Copy <i>[32] Receipt of Copy</i>	<i>Index #32</i>
03/02/1992	 Receipt of Copy <i>[33] Receipt of Copy</i>	<i>Index #33</i>
03/04/1992	 Reporters Transcript <i>[210] Transcript of Hearing Held on September 23, 1991</i>	<i>Index #210</i>
03/04/1992	 Reporters Transcript <i>[211] Transcript of Hearing Held on October 11, 1991</i>	<i>Index #211</i>
03/04/1992	 Reporters Transcript <i>[212] Transcript of Hearing Held on October 21, 1991</i>	<i>Index #212</i>
03/04/1992	 Reporters Transcript <i>[214] Transcript of Hearing Held on October 14, 1991</i>	<i>Index #214</i>
03/04/1992	 Reporters Transcript <i>[215] Transcript of Hearing Held on February 15, 1990</i>	<i>Index #215</i>
03/04/1992	 Reporters Transcript <i>[220] Transcript of Hearing Held on October 9, 1991</i>	<i>Index #220</i>
03/27/1992	 Reporters Transcript <i>[217] Transcript of Hearing Held on March 12, 1990</i>	<i>Index #217</i>
04/14/1992	 Reporters Transcript <i>[216] Transcript of Hearing Held on March 9, 1990</i>	<i>Index #216</i>
04/14/1992	 Reporters Transcript <i>[218] Transcript of Hearing Held on March 7, 1990</i>	<i>Index #218</i>
05/26/1992	 Request	<i>Index #35</i>















# CASE SUMMARY

CASE NO. 89C092174
















	Filed by: Defendant Moraga, Roy D <i>[35] Request for Records</i>	
07/21/1992	 Motion to Return <i>[36] Motion for Returning</i>	Index #36
07/31/1992	 Answer (Criminal) <i>[37] Answer in Opposition to Motion for Returning Seized Property</i>	Index #37
08/17/1992	 Order <i>[38] Order</i>	Index #38
08/26/1993	 Motion for Leave to Proceed in Forma Pauperis <i>[39] Motion for Leave to Proceed in Forma Pauperis; Affidavit in Support of Request to Proceed in Forma Pauperis; Motion for Amended Judgment of Conviction to Include Jail Time Credits and Affidavit of Petition (Confidential)</i>	Index #39
08/27/1993	 Receipt of Copy Filed by: Defendant Moraga, Roy D <i>[40] Receipt of Copy</i>	Index #40
09/29/1993	 Amended Judgment of Conviction <i>[42] Second Amended Judgment of Conviction (Jury Trial)</i>	Index #42
10/30/1995	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>[43] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed</i>	Index #43
02/20/1996	 Affidavit <i>[44] Affidavit of Defendant</i>	Index #44
02/20/1996	 Supplemental Brief <i>[45] Supplemental Brief and Points and Authorities in Support of Petition for Writ of Habeas Corpus</i>	Index #45
02/20/1996	 Ex Parte Motion <i>[46] Ex Parte Motion for Fees for Expert Services</i>	Index #46
02/20/1996	 Motion for Leave to Proceed in Forma Pauperis <i>[47] Motion for Leave to Proceed in Forma Pauperis (Confidential)</i>	Index #47
02/20/1996	 Motion <i>[48] Motion and Notice of Motion to Compel, Production of Semen and Blood</i>	Index #48
02/20/1996	 Petition for Writ of Habeas Corpus <i>[49] Petition for Writ of Habeas Corpus (Post-Conviction)</i>	Index #49
02/20/1996	 Affidavit in Support Filed By: Defendant Moraga, Roy D <i>[51] Affidavit in Support of Motion to Proceed in Forma Pauperis (Confidential)</i>	Index #51
03/05/1996	 Motion for Leave to Proceed in Forma Pauperis <i>[53] Motion for Leave to Proceed in Forma Pauperis (Confidential)</i>	Index #53

# CASE SUMMARY

CASE NO. 89C092174

03/05/1996	 Affidavit in Support <i>[54] Affidavit in Support of Motion for Withdrawal of Attorney of Record and Transfer of Records</i>	Index #54
03/05/1996	 Notice of Motion Filed By: Defendant Moraga, Roy D <i>[55] Notice of Motion Motion for Withdrawal of Attorney of Record and Transfer of Records</i>	Index #55
03/11/1996	 Motion for Leave to Proceed in Forma Pauperis <i>[58] Motion for Leave to Proceed in Forma Pauperis (Confidential)</i>	Index #58
03/11/1996	 Motion to Return <i>[59] Motion for Returning Seized Property</i>	Index #59
03/11/1996	 Affidavit <i>[60] Affidavit of Petitioner</i>	Index #60
03/11/1996	 Affidavit in Support Filed By: Defendant Moraga, Roy D <i>[61] Affidavit in Support of Motion to Proceed in Forma Pauperis (Confidential)</i>	Index #61
04/01/1996	 Opposition to Motion <i>[62] State's Opposition to Defendant's Motion to Compel Production of Semen and Blood, Petition for Writ of Habeas Corpus (Post-Conviction) and Motion to Proceed in Forma Pauperis (Confidential)</i>	Index #62
04/09/1996	 Motion to Withdraw As Counsel <i>[63] Motion to Withdraw As Counsel</i>	Index #63
04/09/1996	 Receipt of Copy Filed by: Defendant Moraga, Roy D <i>[64] Receipt of Copy and Certificate of Mailing</i>	Index #64
04/11/1996	 Motion Filed By: Defendant Moraga, Roy D <i>[66] Motion for Extension of Time to File Supplemental Points and Authorities</i>	Index #66
04/15/1996	 Receipt of Copy Filed by: Defendant Moraga, Roy D <i>[67] Receipt of Copy of Motion for Extension of Time to File Supplemental Points and Authorities</i>	Index #67
04/17/1996	 Order to Withdraw as Attorney of Record Filed by: Defendant Moraga, Roy D <i>[69] Order to Withdraw as Attorney of Record</i>	Index #69
04/17/1996	 Notice of Entry of Order Filed By: Defendant Moraga, Roy D <i>[70] Notice of Entry of Order</i>	Index #70
05/20/1996	 Substitution of Attorney Filed by: Defendant Moraga, Roy D <i>[71] Substitution of Attorney</i>	Index #71

















**CASE SUMMARY****CASE NO. 89C092174**

06/13/1996	 Supplemental Filed by: Defendant Moraga, Roy D <i>[73] Supplemental Points and Authorities in Support of Petition for Writ of Habeas Corpus</i>	<i>Index #73</i>
06/27/1996	 Supplemental <i>[74] State's Supplemental Opposition to Petition for Writ of Habeas Corpus (Post-Conviction)</i>	<i>Index #74</i>
07/16/1996	 Supplemental Filed by: Defendant Moraga, Roy D <i>[75] Supplemental Reply and Opposition for Writ of Habeas Corpus</i>	<i>Index #75</i>
08/02/1996	 Motion to Withdraw As Counsel <i>[76] Motion to Withdraw As Counsel</i>	<i>Index #76</i>
08/05/1996	 Receipt of Copy Filed by: Defendant Moraga, Roy D <i>[77] Receipt of Copy of Motion to Withdraw as Counsel</i>	<i>Index #77</i>
08/05/1996	 Certificate of Mailing Filed By: Defendant Moraga, Roy D <i>[78] Certificate of Mailing of Motion to Withdraw as Counsel</i>	<i>Index #78</i>
08/27/1996	 Order <i>[84] Order for Transcript</i>	<i>Index #84</i>
09/06/1996	 Findings of Fact, Conclusions of Law and Order <i>[85] Findings of Fact, Conclusions of Law and Order</i>	<i>Index #85</i>
09/20/1996	 Notice of Entry of Order <i>[86] Notice of Entry of Order</i>	<i>Index #86</i>
09/27/1996	 Notice of Appeal (Criminal) Party: Defendant Moraga, Roy D <i>[87] Notice of Appeal</i>	<i>Index #87</i>
10/07/1996	 Designation of Record on Appeal Filed By: Defendant Moraga, Roy D <i>[89] Designation of Record on Appeal</i>	<i>Index #89</i>
10/28/1996	 Notice of Entry of Order <i>[90] Notice of Entry of Order</i>	<i>Index #90</i>
10/29/1996	 Case Appeal Statement Filed By: Defendant Moraga, Roy D <i>[91] Case Appeal Statement</i>	<i>Index #91</i>
01/13/1997	 Reporters Transcript <i>[92] Transcript of Hearing Held on March 6, 1996</i>	<i>Index #92</i>
01/13/1997	 Reporters Transcript <i>[93] Transcript of Hearing Held on August 21, 1996</i>	<i>Index #93</i>
		<i>Index #94</i>


















# CASE SUMMARY

CASE NO. 89C092174

01/13/1997	 Reporters Transcript <i>[94] Transcript of Hearing Held on April 17, 1996</i>	
01/13/1997	 Reporters Transcript <i>[95] Transcript of Hearing Held on July 15, 1996</i>	Index #95
01/13/1997	 Reporters Transcript <i>[96] Transcript of Hearing Held on August 12, 1996</i>	Index #96
01/13/1997	 Reporters Transcript <i>[97] Transcript of Hearing Held on July 19, 1996</i>	Index #97
01/17/1997	 Certificate of Mailing Filed By: Defendant Moraga, Roy D <i>[98] Certificate of Mailing</i>	Index #98
04/30/1998	 Motion to Modify Sentence <i>[99] Motion to Modify or in the Alternative Correct Illegal Sentence</i>	Index #99
04/30/1998	 Affidavit Filed By: Defendant Moraga, Roy D <i>[100] Affidavit of Roy D. Moraga</i>	Index #100
05/08/1998	 Opposition to Motion <i>[101] State's Opposition to Defendant's Motion to Modify or in the Alternative Correct Illegal Sentence</i>	Index #101
05/28/1998	 Order Denying Motion <i>[102] Order Denying Defendant's Pro Per Motion to Modify or in Alternative Correct Illegal Sentence</i>	Index #102
05/29/1998	 Notice of Entry of Order <i>[104] Notice of Entry of Order</i>	Index #104
06/01/1998	 Motion <i>[103] Motion for Enlargement of Time</i>	Index #103
06/13/1998	 Notice of Appeal (Criminal) Party: Defendant Moraga, Roy D <i>[105] Notice of Appeal</i>	Index #105
06/13/1998	 Designation of Record on Appeal Filed By: Defendant Moraga, Roy D <i>[106] Designation of Record on Appeal</i>	Index #106
06/15/1998	 Case Appeal Statement <i>[107] Case Appeal Statement</i>	Index #107
06/30/1998	 Order Denying Motion <i>[108] Order Denying Defendant's Motion for Enlargement of Time</i>	Index #108
07/07/1998	 Notice of Entry of Order	Index #109















# CASE SUMMARY

CASE NO. 89C092174
















	<i>[109] Notice of Entry of Order</i>	
08/06/1998	 Motion to Strike <i>[110] Motion to Strike</i>	<i>Index #110</i>
08/17/1998	 Response <i>[111] State's Response to Defendant's Motion to Strike</i>	<i>Index #111</i>
08/27/1998	 Order Denying Motion <i>[113] Order Denying Defendant's Pro Per Motion to Strike</i>	<i>Index #113</i>
09/22/1998	 Notice of Appeal (Criminal) Party: Defendant Moraga, Roy D <i>[114] Notice of Appeal</i>	<i>Index #114</i>
09/22/1998	 Designation of Record on Appeal Filed By: Defendant Moraga, Roy D <i>[115] Designation of Record on Appeal</i>	<i>Index #115</i>
09/28/1998	 Case Appeal Statement <i>[116] Case Appeal Statement</i>	<i>Index #116</i>
04/30/1999	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>[137] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed</i>	<i>Index #137</i>
06/01/1999	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>[138] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed</i>	<i>Index #138</i>
06/01/1999	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>[139] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed</i>	<i>Index #139</i>
02/25/2002	 Motion for Leave to Proceed in Forma Pauperis <i>[140] Motion for Leave to Proceed in Forma Pauperis (Confidential)</i>	<i>Index #140</i>
02/25/2002	 Motion <i>[141] Motion to Preserve Evidence and Order</i>	<i>Index #141</i>
02/25/2002	 Certificate Filed By: Defendant Moraga, Roy D <i>[143] Certificate of Inmate's Institutional Account (Confidential)</i>	<i>Index #143</i>
02/26/2002	 Notice of Hearing <i>[142] Notice of Hearing - Criminal</i>	<i>Index #142</i>
10/31/2002	 Motion to Vacate <i>[144] Motion to Vacate and/or Amend Judgment</i>	<i>Index #144</i>
11/21/2002	 Order Filed By: Defendant Moraga, Roy D <i>[147] Order for Appointment of Counsel for Post-Conviction Relief</i>	<i>Index #147</i>
11/27/2002	 Opposition to Motion	<i>Index #148</i>

# CASE SUMMARY

CASE NO. 89C092174
















	<i>[148] State's Opposition to Defendant's Motio to Vacate and/or Amend Judgment</i>	
06/11/2003	 Stipulation and Order Filed by: Defendant Moraga, Roy D <i>[150] Stipulation and Order</i>	Index #150
12/16/2003	 Motion to Release <i>[151] Motion for Release of DNA Evidence Under Nevada Open Records Act</i>	Index #151
12/17/2003	 Receipt of Copy Filed by: Defendant Moraga, Roy D <i>[152] Receipt of Copy</i>	Index #152
12/26/2003	 Opposition to Motion <i>[153] State's Opposition to Defendant's Motion for Release of DNA Evidence Under Nevada Open Records Act</i>	Index #153
01/05/2004	 Reply to Opposition Filed by: Defendant Moraga, Roy D <i>[154] Reply to State's Opposition to Defendant's Motion for Release of DNA Evidence Under Nevada Open Records Act</i>	Index #154
01/07/2004	 Order Denying Motion <i>[155] Order Denying Defendant's Motion for Release of DNA Evidence Under Nevada Open Records Act</i>	Index #155
02/09/2004	 Ex Parte Motion Filed By: Defendant Moraga, Roy D <i>[156] Ex Parte Motion for Excess Fees</i>	Index #156
02/11/2004	 Order Filed By: Defendant Moraga, Roy D <i>[157] Order for Payment of Excess Fees</i>	Index #157
02/17/2004	 Notice of Appeal (Criminal) <i>[158] Notice of Appeal</i>	Index #158
02/17/2004	 Supplemental Brief Filed By: Defendant Moraga, Roy D <i>[159] Supplemental Brief to States Opposition to Defendant's Motion for Release of DNA Evidence Under Nevada Open Records Act</i>	Index #159
02/18/2004	 Case Appeal Statement <i>[160] Case Appeal Statement</i>	Index #160
05/04/2004	 Reporters Transcript <i>[161] Transcript of Hearing Held on November 13, 2002</i>	Index #161
05/04/2004	 Reporters Transcript <i>[162] Transcript of Hearing Held on January 5, 2004</i>	Index #162
05/14/2004	 Reporters Transcript <i>[163] Transcript of Hearing Held on May 11, 1998</i>	Index #163

**CASE SUMMARY****CASE NO. 89C092174**

09/27/2004	 Writ of Mandamus <i>[164] Extraordinary Writ of Mandamus</i>	<i>Index #164</i>
09/27/2004	 Affidavit <i>[165] Affidavit of Roy D. Moraga</i>	<i>Index #165</i>
09/27/2004	 Supplemental Filed by: Defendant Moraga, Roy D <i>[166] Supplemental Act</i>	<i>Index #166</i>
10/18/2004	 Motion <i>[168] Motion and Order for Failure to Prosecute and Reinstate Motion to Vacate and/or Amend Judgment</i>	<i>Index #168</i>
10/19/2004	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>[170] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Affirmed</i>	<i>Index #170</i>
12/15/2004	 Response Filed by: Defendant Moraga, Roy D <i>[171] State's Response to Extraordinary Writ of Mandamus</i>	<i>Index #171</i>
01/05/2005	 Reply Filed by: Defendant Moraga, Roy D <i>[172] Reply to State's Response to Extraordinary Writ of Mandamus and Motion to Dismiss</i>	<i>Index #172</i>
02/10/2005	 Case Appeal Statement <i>[174] Case Appeal Statement</i>	<i>Index #174</i>
02/10/2005	 Notice of Appeal (Criminal) <i>[175] Notice of Appeal</i>	<i>Index #175</i>
02/10/2005	 Designation of Record on Appeal Filed By: Defendant Moraga, Roy D <i>[176] Designation of Record on Appeal</i>	<i>Index #176</i>
03/30/2005	 Order Filed By: Defendant Moraga, Roy D <i>[177] Order</i>	<i>Index #177</i>
04/08/2005	 Notice of Entry of Order Filed By: Defendant Moraga, Roy D <i>[178] Notice of Entry of Order</i>	<i>Index #178</i>
05/02/2005	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>[179] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed</i>	<i>Index #179</i>
01/10/2006	 Motion for Leave to Proceed in Forma Pauperis <i>[180] Motion for Leave to Proceed in Forma Pauperis and for Appointment of Counsel (Confidential)</i>	<i>Index #180</i>
01/10/2006	 Petition for Writ of Habeas Corpus Filed by: Defendant Moraga, Roy D <i>[181] Petition for Writ of Habeas Corpus (Post-Conviction) (NRS 34.720, et seq.)</i>	<i>Index #181</i>

















# CASE SUMMARY

CASE NO. 89C092174

01/10/2006	 Certificate Filed By: Defendant Moraga, Roy D <i>[182] Financial Certificate (Confidential)</i>	Index #182
01/10/2006	 Affidavit in Support Filed By: Defendant Moraga, Roy D <i>[183] Affidavit in Support of Motion for Leave to Proceed in Forma Pauperis and for Appointment of Counsel (Confidential)</i>	Index #183
01/10/2006	 Affidavit Filed By: Defendant Moraga, Roy D <i>[184] Affidavit of Petitioner</i>	Index #184
01/12/2006	 Order for Petition for Writ of Habeas Corpus <i>[185] Order for Petition for Writ of Habeas Corpus</i>	Index #185
01/19/2006	 Opposition to Motion <i>[186] State's Opposition to Motion for Appointment of Counsel</i>	Index #186
01/27/2006	 Order Granting Motion <i>[187] Order Granting Defendant's Pro Per Motion for Leave to Proceed in Forma Pauperis and Order Denying Defendant's Pro Per Motion for Appointment of Counsel (Confidential)</i>	Index #187
02/22/2006	 Motion <i>[188] Motion and Order to Transport and Produce Inmate for Hearing</i>	Index #188
02/22/2006	 Notice of Change of Address Filed By: Defendant Moraga, Roy D <i>[189] Notice of Change of Address</i>	Index #189
02/27/2006	 Opposition to Motion <i>[190] State's Opposition to Defendant's Motion for Transport</i>	Index #190
02/27/2006	 Response <i>[191] State's Response and Motion to Dismiss Petition for Writ of Habeas Corpus (Post-Conviction)</i>	Index #191
04/21/2006	 Order for Production of Inmate <i>[193] Order for Production of Inmate Roy D. Moraga, BAC # 31584</i>	Index #193
05/05/2006	 Order for Production of Inmate <i>[194] Order for Production of Inmate Roy D. Moraga, BAC # 31584</i>	Index #194
05/24/2006	 Reply Filed by: Defendant Moraga, Roy D <i>[195] Reply to State's Response and Opposition to Motion to Dismiss Petition for Writ of Habeas Corpus (Post-Conviction)</i>	Index #195
06/05/2006	 Order for Production of Inmate <i>[197] Order for Production of Inmate Roy D. Moraga, BAC # 31584</i>	Index #197
02/08/2007	 Finding of Fact and Conclusions of Law	Index #199















# CASE SUMMARY

CASE NO. 89C092174

	<i>[199] Finding of Fact and Conclusions of Law</i>	
02/13/2007	 Notice of Entry of Decision and Order <i>[200] Notice of Entry of Decision and Order</i>	Index #200
03/02/2007	 Notice of Appeal (Criminal) Party: Defendant Moraga, Roy D <i>[201] Notice of Appeal</i>	Index #201
03/02/2007	 Case Appeal Statement Filed By: Defendant Moraga, Roy D <i>[204] Case Appeal Statement</i>	Index #204
03/05/2007	 Case Appeal Statement <i>[202] Case Appeal Statement</i>	Index #202
03/05/2007	 Motion for Appointment of Attorney <i>[203] Motion for Appointment of Counsel on Appeal</i>	Index #203
03/12/2007	 Reporters Transcript <i>[205] Transcript of Hearing Held on January 23, 2006</i>	Index #205
03/12/2007	 Reporters Transcript <i>[206] Transcript of Hearing Held on June 26, 2006</i>	Index #206
03/16/2007	 Opposition to Motion <i>[207] State's Opposition to Defendant's Motion for Appointment of Counsel</i>	Index #207
03/23/2007	 Order Denying Motion <i>[208] Order Denying Defendant's Motion for Appointment of Counsel</i>	Index #208
09/13/2007	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>[221] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Affirmed</i>	Index #221
04/29/2011	 Order <i>[234] Order</i>	Index #234
09/19/2011	 Notice of Change of Address <i>[235] Notice of Change of Address</i>	Index #235
11/04/2011	 Supplemental Brief <i>[236] Supplemental Brief in Support of the Petition for Writ of Habeas Corpus and Illegal Sentence Pursuant to NRS 126.555</i>	Index #236
02/15/2012	 Motion <i>[237] Motion for Judicial Action on Petition</i>	Index #237
02/15/2012	 Ex Parte Motion <i>[238] Ex Parte Motion for Appointment of Counsel</i>	Index #238
02/15/2012	 Affidavit <i>[239] Affidavit of Petitioner</i>	Index #239

# CASE SUMMARY

CASE NO. 89C092174

03/14/2012	 Notice of Motion <i>[240] Notice of Motion</i>	Index #240
03/23/2012	 Response <i>[241] State's Response to Defendant's Motion for Judicial Action and Opposition to Defendant's Motion to Appoint Counsel</i>	Index #241
04/09/2012	 Motion <i>[242] Motion for Enlargement of Time (First Request)</i>	Index #242
04/17/2012	 Opposition to Motion <i>[243] State's Opposition to Defendant Motion for Enlargement of Time</i>	Index #243
04/17/2012	 Opposition to Motion <i>[244] State's Opposition to Defendant Motion for Enlargement of Time</i>	Index #244
05/16/2012	 Response Filed by: Plaintiff State of Nevada <i>[222] State's Response and Motion to Dismiss Defendant's Petition for Writ of Habeas Corpus (Post-Conviction)</i>	Index #222
08/06/2012	 Motion to Reconsider Filed By: Defendant Moraga, Roy D <i>[223] Motion for Reconsideration</i>	Index #223
08/09/2012	 Opposition to Motion Filed By: Plaintiff State of Nevada <i>[224] State's Opposition to Defendant's Motion to Reconsider</i>	Index #224
08/13/2012	 Findings of Fact, Conclusions of Law and Order Filed By: Plaintiff State of Nevada <i>[225] Findings of Fact, Conclusions of Law and Order</i>	Index #225
08/21/2012	 Notice of Entry Filed By: Plaintiff State of Nevada <i>[226] Notice of Entry of Findings of Fact, Conclusions of Law and Order</i>	Index #226
08/28/2012	 Reply to Opposition Filed by: Defendant Moraga, Roy D <i>[227] Reply to State's Opposition to Petitioner's Motion for Reconsideration</i>	Index #227
08/28/2012	 Request Filed by: Defendant Moraga, Roy D <i>[228] Request to File Exhibit 1</i>	Index #228
09/17/2012	 Notice of Appeal (Criminal) Party: Defendant Moraga, Roy D <i>[229] Notice of Appeal</i>	Index #229
09/18/2012	 Case Appeal Statement Filed By: Defendant Moraga, Roy D <i>[230] Case Appeal Statement</i>	Index #230














# CASE SUMMARY

CASE NO. 89C092174

10/05/2012	 Order Denying Motion Filed By: Plaintiff State of Nevada <i>[231] Order Denying Defendant's Motion to Reconsider</i>	Index #231
08/14/2013	 Petition for Writ of Habeas Corpus Filed by: Defendant Moraga, Roy D <i>[245] Petition for Writ of Habeas Corpus (Post-Conviction Relief - NRS 34.735 Petition: Form)</i>	Index #245
08/14/2013	 Memorandum of Points and Authorities Filed By: Defendant Moraga, Roy D <i>[246] Memorandum of Points and Authorities Petition for Writ of Habeas Corpus Post-Conviction</i>	Index #246
08/14/2013	 Motion for Appointment of Attorney Filed By: Defendant Moraga, Roy D <i>[247] Motion for Appointment of Counsel</i>	Index #247
08/14/2013	 Application to Proceed in Forma Pauperis Filed By: Defendant Moraga, Roy D <i>[248] Application to Proceed in Forma Pauperis (Confidential)</i>	Index #248
08/26/2013	 Order for Petition for Writ of Habeas Corpus <i>[249] Order for Petition for Writ of Habeas Corpus</i>	Index #249
09/19/2013	 Response Filed by: Plaintiff State of Nevada <i>[250] State's Response and Motion to Dismiss Defendant's Petition for Writ of Habeas Corpus (Post-Conviction) and Opposition to Defendant's Motion for Appointment of Counsel</i>	Index #250
09/27/2013	 Notice of Change of Hearing <i>[251] Notice of Change of Hearing</i>	Index #251
10/30/2013	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>[252] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Affirmed; Rehearing Denied</i>	Index #252
12/04/2013	 Findings of Fact, Conclusions of Law and Order Filed By: Plaintiff State of Nevada <i>[253] Findings of Fact, Conclusions of Law and Order</i>	Index #253
12/09/2013	 Notice of Entry Filed By: Plaintiff State of Nevada <i>[254] Notice of Entry of Findings of Fact, Conclusions of Law and Order</i>	Index #254
12/16/2013	 Notice of Appeal (Criminal) <i>[255] Notice of Appeal</i>	Index #255
12/17/2013	 Case Appeal Statement Filed By: Defendant Moraga, Roy D <i>[256] Case Appeal Statement</i>	Index #256
01/08/2014	 Petition	Index #257
















**CASE SUMMARY****CASE NO. 89C092174**

	Filed by: Defendant Moraga, Roy D <i>[257] Postconviction Petition Requesting a Genetic Marker Analysis of Evidence Within the Possession or Custody of the State of Nevada (NRS 176.0918)</i>	
01/08/2014	 Declaration Filed By: Defendant Moraga, Roy D <i>[258] Declaration of Roy D. Moraga</i>	Index #258
01/08/2014	 Application to Proceed in Forma Pauperis Filed By: Defendant Moraga, Roy D <i>[259] Application to Proceed in Forma Pauperis (Confidential)</i>	Index #259
01/08/2014	 Certificate Filed By: Defendant Moraga, Roy D <i>[260] Certificate of Inmate's Institutional Account (Confidential)</i>	Index #260
01/08/2014	 Motion for Appointment of Attorney Filed By: Defendant Moraga, Roy D <i>[261] Motion for Appointment of Counsel</i>	Index #261
01/17/2014	 Application to Proceed in Forma Pauperis Filed By: Defendant Moraga, Roy D <i>[262] Application to Proceed in Forma Pauperis (Confidential)</i>	Index #262
01/21/2014	 Motion to Correct Sentence Filed by: Defendant Moraga, Roy D <i>[263] Motion for Correction of Illegal Sentence</i>	Index #263
01/21/2014	 Certificate Filed By: Defendant Moraga, Roy D <i>[264] Certificate of Inmate's Institutional Account (Confidential)</i>	Index #264
01/21/2014	 Motion for Appointment of Attorney Filed By: Defendant Moraga, Roy D <i>[265] Motion for Appointment of Counsel</i>	Index #265
01/31/2014	 Notice of Appeal (Criminal) Party: Defendant Moraga, Roy D <i>[266] Notice of Appeal</i>	Index #266
02/03/2014	 Case Appeal Statement Filed By: Defendant Moraga, Roy D <i>[267] Case Appeal Statement</i>	Index #267
02/07/2014	 Opposition to Motion Filed By: Plaintiff State of Nevada <i>[268] State's Opposition to Defendant's Motion for Correction of Illegal Sentence and Defendant's Motion for Appointment of Counsel</i>	Index #268
03/12/2014	 Order Denying Motion Filed By: Plaintiff State of Nevada <i>[270] Order Denying Defendant's Motions of February 12, 2014</i>	Index #270
03/19/2014	 Motion	Index #271















# CASE SUMMARY

CASE NO. 89C092174
















	Filed By: Defendant Moraga, Roy D <i>[271] Motion for Returning Seized Property</i>	
04/07/2014	 Opposition to Motion Filed By: Plaintiff State of Nevada <i>[272] State's Opposition to Defendant's Motion for Returning Seized Property</i>	Index #272
04/15/2014	 Order Denying Filed By: Plaintiff State of Nevada <i>[273] Order Denying Defendant's Post-Conviction Petition Requesting Genetic Marker Testing Pursuant to NRS 176.0918</i>	Index #273
04/17/2014	 Order Denying Motion Filed By: Plaintiff State of Nevada <i>[274] Order Denying Defendant's Motion for Return of Seized Property</i>	Index #274
04/22/2014	 Notice of Entry of Order Filed By: Plaintiff State of Nevada <i>[275] Notice of Entry of Order</i>	Index #275
05/12/2014	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>[276] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Affirmed</i>	Index #276
05/15/2014	 Notice of Appeal (Criminal) Party: Defendant Moraga, Roy D <i>[277] Notice of Appeal</i>	Index #277
05/16/2014	 Case Appeal Statement Filed By: Defendant Moraga, Roy D <i>[278] Case Appeal Statement</i>	Index #278
06/12/2014	 Motion Filed By: Defendant Moraga, Roy D <i>[279] Motion for Production of Transcripts at State Expense</i>	Index #279
06/12/2014	 Notice of Motion Filed By: Defendant Moraga, Roy D <i>[280] Notice of Motion and Motion for Order of Delivery of Records</i>	Index #280
06/12/2014	 Request Filed by: Defendant Moraga, Roy D <i>[281] Request for Rough Draft Transcript</i>	Index #281
06/30/2014	 Opposition to Motion Filed By: Plaintiff State of Nevada <i>[282] Opposition to Defendant's Motion for Production of Transcripts at State Expense</i>	Index #282
08/26/2014	 Order <i>[283] Order Regarding Motions of July 7, 2014</i>	Index #283
08/26/2014	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>[284] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed; Rehearing Denied</i>	Index #284

# CASE SUMMARY

CASE NO. 89C092174

08/28/2014	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>[285] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Affirmed</i>	<i>Index #285</i>
10/01/2014	 Application to Proceed in Forma Pauperis Filed By: Defendant Moraga, Roy D <i>[286] Application to Proceed in Forma Pauperis (Confidential)</i>	<i>Index #286</i>
10/01/2014	 Motion to Correct Sentence Filed by: Defendant Moraga, Roy D <i>[287] Motion for Correction of Illegal Sentence</i>	<i>Index #287</i>
10/29/2014	 Order Denying Motion Filed By: Plaintiff State of Nevada <i>[288] Order Denying Defendant's Pro Per Motion for Correction of Illegal Sentence</i>	<i>Index #288</i>
11/03/2014	 Notice of Appeal (Criminal) Party: Defendant Moraga, Roy D <i>[289] Notice of Appeal</i>	<i>Index #289</i>
11/04/2014	 Case Appeal Statement Filed By: Defendant Moraga, Roy D <i>[290] Case Appeal Statement</i>	<i>Index #290</i>
04/16/2015	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>[291] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Affirmed</i>	<i>Index #291</i>
12/22/2016	 Motion to Return Filed By: Defendant Moraga, Roy D <i>[292] Motion for the Return Seized Property</i>	<i>Index #292</i>
12/28/2016	 Opposition to Motion Filed By: Plaintiff State of Nevada <i>[293] State's Opposition to Defendant's Motion for Return Seized Property</i>	<i>Index #293</i>
01/12/2017	 Reply to Opposition Filed by: Defendant Moraga, Roy D <i>[294] Reply to State's Opposition to Defendant's Motion for Return Seized Property</i>	<i>Index #294</i>
03/09/2017	 Motion for Judgment Filed By: Defendant Moraga, Roy D <i>[295] Motion for Judgment on the Pleadings</i>	<i>Index #295</i>
03/21/2017	 Order Denying Motion Filed By: Plaintiff State of Nevada <i>[296] Order Denying Defendant's Motion for Return of Seized Property</i>	<i>Index #296</i>
04/19/2017	 Notice of Appeal (Criminal) Party: Defendant Moraga, Roy D <i>[297] Notice of Appeal</i>	<i>Index #297</i>
04/21/2017	 Case Appeal Statement <i>[298] Case Appeal Statement</i>	<i>Index #298</i>

**CASE SUMMARY****CASE NO. 89C092174**

04/25/2017	 Notice of Appeal (Criminal) Party: Defendant Moraga, Roy D <i>[299] Notice of Appeal</i>	<i>Index #299</i>
04/26/2017	 Case Appeal Statement <i>[300] Case Appeal Statement</i>	<i>Index #300</i>
04/26/2017	 Motion to Correct Sentence <i>[301] Motion to Correct an Illegal Sentence Pursuant to NRS 176.555</i>	<i>Index #301</i>
05/04/2017	 Notice of Change of Hearing <i>[302] Notice of Change of Hearing</i>	<i>Index #302</i>
05/15/2017	 Notice of Change of Hearing <i>[303] Notice of Change of Hearing</i>	<i>Index #303</i>
05/15/2017	 Opposition to Motion Filed By: Plaintiff State of Nevada <i>[304] Opposition to Defendant's Motion to Correct Illegal Sentence Pursuant to NRS 176.555</i>	<i>Index #304</i>
05/31/2017	 Reply to Opposition Filed by: Defendant Moraga, Roy D <i>[305] Reply to State's Opposition</i>	<i>Index #305</i>
06/21/2017	 Notice of Appeal (Criminal) <i>[306] Notice of Appeal</i>	<i>Index #306</i>
06/22/2017	 Case Appeal Statement <i>[307] Case Appeal Statement</i>	<i>Index #307</i>
07/11/2017	 Order Denying Motion <i>[308] Order Denying Defendant's Pro Per Motion to Correct an Illegal Sentence Pursuant to NRS 176.555</i>	<i>Index #308</i>
07/19/2017	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>[309] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed</i>	<i>Index #309</i>
03/19/2018	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>[310] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Affirmed</i>	<i>Index #310</i>
09/10/2018	 Motion Filed By: Defendant Moraga, Roy D <i>[311] Motion for Order Directing Clerk to Issue Presentence Investigation Report to Defendant</i>	<i>Index #311</i>
01/31/2019	 Findings of Fact, Conclusions of Law and Order <i>[312] Findings of Fact, Conclusions of Law and Order</i>	<i>Index #312</i>
02/05/2019	 Notice of Entry Filed By: Defendant Moraga, Roy D <i>[313] Notice of Entry of Findings of Fact, Conclusions of Law and Order</i>	<i>Index #313</i>
04/29/2019	Administrative Reassignment - Judicial Officer Change	

# CASE SUMMARY















CASE NO. 89C092174

To Judge Jacqueline M. Bluth

02/11/2020	 Writ of Certiorari <i>[314] Petition for Extraordinary Writ and or Writ of Certiorari</i>	Index #314
03/20/2020	 Notice of Appeal (Criminal) Party: Defendant Moraga, Roy D <i>[315] Notice of Appeal</i>	Index #315
03/25/2020	 Case Appeal Statement Filed By: Defendant Moraga, Roy D <i>[316] Case Appeal Statement</i>	Index #316
06/20/2020	 Order Denying Filed By: Plaintiff State of Nevada <i>[317] Order Denying Defendant's Pro Per Petition for Writ of Certiorari</i>	Index #317
06/23/2020	 Criminal Order to Statistically Close Case <i>[318] Criminal Order to Statistically Close Case</i>	Index #318
12/21/2020	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>[319] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Affirmed</i>	Index #319
06/02/2021	 Petition Filed by: Defendant Moraga, Roy D <i>[320] Writ of Prohibition Double Jeopardy Claim</i>	Index #320
06/17/2021	 Opposition Filed By: Plaintiff State of Nevada <i>[321] State's Opposition to Defendant's Writ of Prohibition Double Jeopardy Claim</i>	Index #321
06/30/2021	 Motion Filed By: Defendant Moraga, Roy D <i>[322] Motion for a Video Hearing</i>	Index #322
07/06/2021	 Notice of Appeal (Criminal) <i>[323] Notice of Appeal</i>	Index #323
07/07/2021	 Case Appeal Statement Filed By: Defendant Moraga, Roy D <i>[324] Case Appeal Statement</i>	Index #324
07/21/2021	 Order Denying <i>[325] Order Denying Defendant's Writ of Prohibition Double Jeopardy Claim</i>	Index #325
08/18/2021	 Certificate of Service <i>[326] Certificate of Service</i>	Index #326
09/07/2021	Case Reassigned to Department 17 <i>From Judge Jacqueline Bluth to Judge Michael Villani</i>	
11/18/2021	 Motion to Correct Sentence Filed by: Defendant Moraga, Roy D	Index #327

# CASE SUMMARY

CASE NO. 89C092174

	<i>[327] Motion for Correction of Illegal Sentence; Hearing Requested</i>	
12/17/2021	 Opposition to Motion Filed By: Plaintiff State of Nevada <i>[328] State's Opposition to Defendant's Motion to Correct Illegal Sentence</i>	Index #328
12/27/2021	 Notice of Appeal (Criminal) Party: Defendant Moraga, Roy D <i>[329] Notice of Appeal</i>	Index #329
12/28/2021	 Case Appeal Statement Filed By: Defendant Moraga, Roy D <i>[330] Case Appeal Statement</i>	Index #330
01/05/2022	 Order Denying Motion <i>[331] Order Denying Defendant's Motion to Correct Illegal Sentence</i>	Index #331
02/15/2022	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>[332] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Affirmed; Petition Denied</i>	Index #332
07/18/2022	Administrative Reassignment - Judicial Officer Change <i>Cases Reassigned from Judge Michael Villani to Vacant, DC 17</i>	
08/10/2022	 Motion Filed By: Defendant Moraga, Roy D <i>[333] Motion for Production of Documents Under the Freedom of Information Act 5 USCA 512</i>	Index #333
08/23/2022	 Supplemental <i>[334] Supplemental Pleading</i>	Index #334
09/13/2022	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>[335] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Affirmed; Rehearing Denied</i>	Index #335
10/05/2022	 Notice of Appeal (Criminal) <i>[336] Notice of Appeal</i>	Index #336
10/05/2022	 Notice of Appeal (Criminal) <i>[337] Notice of Appeal</i>	Index #337
10/05/2022	 Designation of Record on Appeal <i>[338] Designation of Record on Appeal</i>	Index #338
10/05/2022	 Motion Filed By: Defendant Moraga, Roy D <i>[339] Motion for Status Check</i>	Index #339
10/06/2022	 Order <i>[340] ORDER DENYING DEFENDANT'S MOTION FOR PRODUCTION OF DOCUMENTS UNDER THE FREEDOM OF INFORMATION ACT 5 USCA 512</i>	Index #340
10/06/2022	 Case Appeal Statement	Index #341

**CASE SUMMARY****CASE NO. 89C092174***Case Appeal Statement*

10/06/2022



Case Appeal Statement

*Case Appeal Statement*

Index #342

01/11/1990

**DISPOSITIONS****Plea** (Judicial Officer: Cadish, Elissa F.)

1. BURGLARY

Not Guilty

PCN: Sequence:

2. BURGLARY

Not Guilty

PCN: Sequence:

3. SEXUAL ASSAULT

Not Guilty

PCN: Sequence:

4. SEXUAL ASSAULT

Not Guilty

PCN: Sequence:

10/21/1991

**Disposition** (Judicial Officer: User, Conversion)

1. BURGLARY

Guilty

PCN: Sequence:

10/21/1991

**Disposition** (Judicial Officer: User, Conversion)

10/21/1991

**Disposition** (Judicial Officer: User, Conversion)

2. BURGLARY

Guilty

PCN: Sequence:

10/21/1991

**Disposition** (Judicial Officer: User, Conversion)

10/21/1991

**Disposition** (Judicial Officer: User, Conversion)

3. SEXUAL ASSAULT

Guilty

PCN: Sequence:

10/21/1991

**Disposition** (Judicial Officer: User, Conversion)

10/21/1991

**Disposition** (Judicial Officer: User, Conversion)

4. SEXUAL ASSAULT

Guilty

PCN: Sequence:

10/21/1991

**Disposition** (Judicial Officer: User, Conversion)

10/21/1991

**Adult Adjudication** (Judicial Officer: User, Conversion)

1. BURGLARY

01/01/1900 (F) 205.060 (205.060)

PCN: Sequence:

# CASE SUMMARY

CASE No. 89C092174

	<p>Converted Disposition: Sentence# 0001: LIFE WITHOUT POSSIBILITY OF PAROLE</p> <p>Converted Disposition: Sentence# 0002: ADMINISTRATION FEE Amount: \$20.00</p> <p>Converted Disposition: Sentence# 0003: SENTENCE SET ASIDE</p> <p>Converted Disposition: Sentence# 0004: Minimum 10 Years to Maximum 10 Years Placement: NSP</p> <p>Converted Disposition: Sentence# 0005: CREDIT FOR TIME SERVED</p> <p>Converted Disposition: Sentence# 0006: ADMINISTRATION FEE Amount: \$25.00</p> <p>Converted Disposition: Sentence# 0007: SENTENCE AMENDED</p> <p>Converted Disposition: Sentence# 0008: CREDIT FOR TIME SERVED Minimum 180 Days to Maximum 180 Days</p>
10/21/1991	<p><b>Adult Adjudication</b> (Judicial Officer: User, Conversion)</p> <p>2. BURGLARY 01/01/1900 (F) 205.060 (205.060) PCN: Sequence:</p> <hr/> <p>Converted Disposition: Sentence# 0001: Minimum 10 Years to Maximum 10 Years Placement: NSP Cons/Conc: Consecutive w/Charge Item: 0001 and Sentence#: 0004</p>
10/21/1991	<p><b>Adult Adjudication</b> (Judicial Officer: User, Conversion)</p> <p>3. SEXUAL ASSAULT 01/01/1900 (F) 200.366 (200.366) PCN: Sequence:</p> <hr/> <p>Converted Disposition: Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE Cons/Conc: Consecutive w/Charge Item: 0002 and Sentence#: 0001</p>
10/21/1991	<p><b>Adult Adjudication</b> (Judicial Officer: User, Conversion)</p> <p>4. SEXUAL ASSAULT 01/01/1900 (F) 200.366 (200.366) PCN: Sequence:</p> <hr/> <p>Converted Disposition: Sentence# 0001: LIFE WITHOUT POSSIBILITY OF PAROLE Cons/Conc: Consecutive w/Charge Item: 0003 and Sentence#: 0001</p>
01/11/1990	<p><b>HEARINGS</b></p> <p><b>Initial Arraignment</b> (9:00 AM) Events: 12/28/1989 Criminal Bindover <i>INITIAL ARRAIGNMENT Heard By: Carl Christensen</i></p> <p><b>MINUTES</b></p>



**CASE SUMMARY****CASE No. 89C092174**

Criminal Bindover

*[1] Criminal Bindover (Confidential)*

Matter Heard; INITIAL ARRAIGNMENT Heard By: Carl Christensen

Index #1

06/13/1990

**Sentencing (9:00 AM)***SENTENCING Heard By: Michael Wendell***MINUTES**

Matter Heard; SENTENCING Heard By: Michael Wendell

09/23/1991

**Motion (9:00 AM)***REMAND FROM SUPREME COURT FOR RE-SENTENCING Court Clerk: DEBRA VINSON  
Reporter/Recorder: SHARLEEN NICHOLSON Heard By: LEHMAN, JACK**Matter Continued; REMAND FROM SUPREME COURT FOR RE-SENTENCING Court  
Clerk: DEBRA VINSON Reporter/Recorder: SHARLEEN NICHOLSON Heard By:  
LEHMAN, JACK*

10/09/1991

**Motion (9:00 AM)**

Events: 09/26/1991 Motion

*MOTION TO TRANSFER SENTENCING BACK TO DEPT VIII Heard By: Jack Lehman*

10/09/1991

**Petition (9:00 AM)**

Events: 10/03/1991 Motion for Leave to Proceed in Forma Pauperis

*PROPER PERSON MOTION TO PROCEED IN FORMAPAUPERIS Heard By: Jack Lehman*

10/09/1991

**Petition (9:00 AM)**

Events: 10/03/1991 Notice of Motion

*PROPER PERSON MOTION FOR WITHDRAWAL OF ATTORNEY OF RECORD AND  
TRANSFER OF Heard By: Jack Lehman*

10/09/1991

**All Pending Motions (9:00 AM)***ALL PENDING MOTIONS Court Clerk: DEBRA VINSON Reporter/Recorder: SHARLEEN  
NICHOLSON Heard By: Jack Lehman**Matter Heard; ALL PENDING MOTIONS Court Clerk: DEBRA VINSON  
Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman*

10/11/1991

**Motion (9:00 AM)***REMAND FROM SUPREME COURT FOR RE-SENTENCING Court Clerk: DEBRA VINSON  
Reporter/Recorder: SHARLEEN NICHOLSON Heard By: LEHMAN, JACK**Matter Continued; REMAND FROM SUPREME COURT FOR RE-SENTENCING Court  
Clerk: DEBRA VINSON Reporter/Recorder: SHARLEEN NICHOLSON Heard By:  
LEHMAN, JACK*

10/14/1991

**Motion (9:00 AM)***REMAND FROM SUPREME COURT FOR RE-SENTENCING Court Clerk: DEBRA VINSON  
Reporter/Recorder: SHARLEEN NICHOLSON Heard By: LEHMAN, JACK**Matter Continued; REMAND FROM SUPREME COURT FOR RE-SENTENCING Court  
Clerk: DEBRA VINSON Reporter/Recorder: SHARLEEN NICHOLSON Heard By:  
LEHMAN, JACK*

10/21/1991

**Motion (9:00 AM)***REMAND FROM SUPREME COURT FOR RE-SENTENCING Court Clerk: DEBRA VINSON  
Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman**Matter Heard; REMAND FROM SUPREME COURT FOR RE-SENTENCING Court Clerk:  
DEBRA VINSON Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman*

01/15/1992

**Motion for Appointment of Attorney (9:00 AM)**

Events: 01/02/1992 Motion for Appointment of Attorney

*MOTION FOR APPOINT COUNSEL FOR APPEAL Court Clerk: DEBRA VINSON  
Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman**Granted; MOTION FOR APPOINT COUNSEL FOR APPEAL Court Clerk: DEBRA  
VINSON Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman*

# CASE SUMMARY

CASE No. 89C092174

01/29/1992	<p><b>Motion for Confirmation of Counsel (9:00 AM)</b>  Events: 01/27/1992 Document Filed  <i>CONFIRMATION OF COUNSEL (BAILUS M) (CRM STNG SLP) Court Clerk: DEBRA VINSON Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</i>  Granted; CONFIRMATION OF COUNSEL (BAILUS M) (CRM STNG SLP) Court Clerk: DEBRA VINSON Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</p>
08/03/1992	<p><b>Petition (9:00 AM)</b>  Events: 07/21/1992 Motion to Return  <i>PRO PER MOTION FOR RETURNING SEIZED PROPERTY Court Clerk: DEBRA VINSON Reporter/Recorder: SHIRLEY PARRAGUIRRE Heard By: Addeliar Guy, III</i>  Denied; PRO PER MOTION FOR RETURNING SEIZED PROPERTY Court Clerk: DEBRA VINSON Reporter/Recorder: SHIRLEY PARRAGUIRRE Heard By: Addeliar Guy, III</p>
09/08/1993	<p><b>Motion (9:00 AM)</b>  Events: 08/26/1993 Motion for Leave to Proceed in Forma Pauperis  <i>MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS Court Clerk: DEBRA VINSON Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</i>  Granted; MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS Court Clerk: DEBRA VINSON Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</p>
09/15/1993	<p><b>Status Check (9:00 AM)</b>  <i>STATUS CHECK RE: CREDIT FOR TIME SERVED Court Clerk: DEBRA VINSON Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</i>  Granted; STATUS CHECK RE: CREDIT FOR TIME SERVED Court Clerk: DEBRA VINSON Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</p>
03/06/1996	<p><b>Motion (9:00 AM)</b>  Events: 02/20/1996 Ex Parte Motion  <i>DEFT'S PRO PER MOTION FOR FEES FOR EXPERT SERVICE Heard By: Jack Lehman</i></p>
03/06/1996	<p><b>Petition to Proceed in Forma Pauperis (9:00 AM)</b>  Events: 02/20/1996 Motion for Leave to Proceed in Forma Pauperis  <i>DEFT'S PRO PER MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS Heard By: Jack Lehman</i></p>
03/06/1996	<p><b>Motion to Compel (9:00 AM)</b>  Events: 02/20/1996 Motion  <i>DEFT'S PRO PER MOTION TO COMPEL PRODUCTION OF SEMAN/BLOOD Heard By: Jack Lehman</i></p>
03/06/1996	<p><b>Petition for Writ of Habeas Corpus (9:00 AM)</b>  Events: 02/20/1996 Petition for Writ of Habeas Corpus  <i>DEFT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS Heard By: Jack Lehman</i></p>
03/06/1996	<p><b>All Pending Motions (9:00 AM)</b>  <i>ALL PENDING MOTIONS (3/06/96) Relief Clerk: LARRY SNYDER/LS Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</i>  Matter Heard; ALL PENDING MOTIONS (3/06/96) Relief Clerk: LARRY SNYDER/LS Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</p>
03/18/1996	<p><b>CANCELED Motion to Withdraw as Counsel (9:00 AM)</b>  <i>Vacated</i></p>
03/18/1996	<p><b>CANCELED Petition to Proceed in Forma Pauperis (9:00 AM)</b>  Events: 03/05/1996 Motion for Leave to Proceed in Forma Pauperis  <i>Vacated</i></p>
04/17/1996	<p><b>Motion (9:00 AM)</b>  <i>DEFT'S PRO PER MOTION FOR FEES FOR EXPERT SERVICE Heard By: Jack Lehman</i></p>

# CASE SUMMARY

CASE No. 89C092174

04/17/1996	<b>Petition to Proceed in Forma Pauperis (9:00 AM)</b> <i>DEFT'S PRO PER MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS</i> Heard By: Jack Lehman
04/17/1996	<b>Motion to Compel (9:00 AM)</b> <i>DEFT'S PRO PER MOTION TO COMPEL PRODUCTION OF SEMAN/BLOOD</i> Heard By: Jack Lehman
04/17/1996	<b>Petition for Writ of Habeas Corpus (9:00 AM)</b> <i>DEFT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS</i> Court Clerk: NANCY NOBLE Reporter/Recorder: HELENE KARP Heard By: Jack Lehman
04/17/1996	<b>Hearing (9:00 AM)</b> <i>HEARING: SUPPLEMENTAL PLEADINGS</i> Heard By: Jack Lehman
04/17/1996	<b>Petition to Proceed in Forma Pauperis (9:00 AM)</b> Events: 03/11/1996 Motion for Leave to Proceed in Forma Pauperis <i>DEFT'S PRO PER MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS</i> Heard By: Jack Lehman
04/17/1996	<b>Motion (9:00 AM)</b> Events: 03/11/1996 Motion to Return <i>DEFT'S PRO PER MOTION FOR RETURNING SEIZED PROPERTY</i> Heard By: Jack Lehman
04/17/1996	<b>Motion to Withdraw as Counsel (9:00 AM)</b> Events: 04/09/1996 Motion to Withdraw As Counsel <i>MARK BAILUS' MOTION TO WITHDRAW AS COUNSEL</i> Heard By: Jack Lehman
04/17/1996	<b>Motion (9:00 AM)</b> <i>DEFT'S MOTION FOR EXTENSION OF TIME</i> Heard By: Jack Lehman
04/17/1996	<b>All Pending Motions (9:00 AM)</b> <i>ALL PENDING MOTIONS (4/17/96)</i> Court Clerk: NANCY NOBLE Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman Matter Heard; ALL PENDING MOTIONS (4/17/96) Court Clerk: NANCY NOBLE Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman
05/24/1996	<b>Petition for Writ of Habeas Corpus (9:00 AM)</b> <i>DEFT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS</i> Court Clerk: NANCY NOBLE Reporter/Recorder: HELENE KARP Heard By: Sally Loehrer Matter Heard; DEFT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS Court Clerk: NANCY NOBLE Reporter/Recorder: HELENE KARP Heard By: Sally Loehrer
07/15/1996	<b>Hearing (9:00 AM)</b> <i>ARGUMENT AND DECISION</i> Court Clerk: CINDY LORY Reporter/Recorder: SHARLEEN NICHOLSON Heard By: LEHMAN, JACK Matter Continued; ARGUMENT AND DECISION Court Clerk: CINDY LORY Reporter/Recorder: SHARLEEN NICHOLSON Heard By: LEHMAN, JACK
07/19/1996	<b>Hearing (9:00 AM)</b> <i>ARGUMENT AND DECISION</i> Court Clerk: CINDY LORY Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman Denied; ARGUMENT AND DECISION Court Clerk: CINDY LORY Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman
08/12/1996	<b>Motion to Withdraw as Counsel (9:00 AM)</b> Events: 08/02/1996 Motion to Withdraw As Counsel <i>DAVID SCHIECK'S MOTION TO WITHDRAW AS COUNSEL</i> Court Clerk: MELISSA DAVIS Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman Granted; DAVID SCHIECK'S MOTION TO WITHDRAW AS COUNSEL Court Clerk: MELISSA DAVIS Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman

# CASE SUMMARY

CASE No. 89C092174

08/21/1996	<b>Motion for Appointment (9:00 AM)</b> <i>APPOINTMENT OF COUNSEL</i>
08/21/1996	<b>Status Check (9:00 AM)</b> <i>STATUS CHECK: FINDINGS OF FACTS AND CONCLUSION Heard By: Jack Lehman</i>
08/21/1996	<b>All Pending Motions (9:00 AM)</b> <i>ALL PENDING MOTIONS (8/21/96) Court Clerk: NANCY NOBLE Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</i> Matter Heard; ALL PENDING MOTIONS (8/21/96) Court Clerk: NANCY NOBLE Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman
08/26/1996	<b>Petition to Proceed in Forma Pauperis (9:00 AM)</b> <i>DEFT'S PRO PER MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS Heard By: Jack Lehman</i>
08/26/1996	<b>Status Check (9:00 AM)</b> <i>STATUS CHECK: FINDINGS OF FACTS AND CONCLUSION Heard By: Jack Lehman</i>
08/26/1996	<b>Motion for Confirmation of Counsel (9:00 AM)</b> <i>CONFIRMATION OF COUNSEL (JACKSON) Heard By: Jack Lehman</i>
08/26/1996	<b>All Pending Motions (9:00 AM)</b> <i>ALL PENDING MOTIONS (08-26-96) Court Clerk: CINDY LORY Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</i> Matter Heard; ALL PENDING MOTIONS (08-26-96) Court Clerk: CINDY LORY Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman
08/28/1996	<b>Status Check (9:00 AM)</b> <i>STATUS CHECK: FINDINGS OF FACTS AND CONCLUSION Heard By: Jack Lehman</i>
08/28/1996	<b>Motion for Confirmation of Counsel (9:00 AM)</b> <i>CONFIRMATION OF COUNSEL (JACKSON) Heard By: Jack Lehman</i>
08/28/1996	<b>All Pending Motions (9:00 AM)</b> <i>ALL PENDING MOTIONS (08-28-96) Court Clerk: CINDY LORY Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman</i> Matter Heard; ALL PENDING MOTIONS (08-28-96) Court Clerk: CINDY LORY Reporter/Recorder: SHARLEEN NICHOLSON Heard By: Jack Lehman
05/11/1998	<b>Motion to Modify Sentence (9:00 AM)</b> Events: 04/30/1998 Motion to Modify Sentence <i>DEFT'S PRO PER MOTION TO MODIFY OR CORRECT ILLEGAL SENTENCE Court Clerk: DOROTHY KELLY Relief Clerk: NORMA CHATY/NC Reporter/Recorder: MARILYN WAGGONER Heard By: Don Chairez</i> Denied; DEFT'S PRO PER MOTION TO MODIFY OR CORRECT ILLEGAL SENTENCE Court Clerk: DOROTHY KELLY Relief Clerk: NORMA CHATY/NC Reporter/Recorder: MARILYN WAGGONER Heard By: Don Chairez
06/15/1998	<b>Motion (9:00 AM)</b> Events: 06/01/1998 Motion <i>DEFT'S PRO PER MOTION FOR ENLARGEMENT OF TIME Heard By: Don Chairez</i>
06/17/1998	<b>Motion (9:00 AM)</b> <i>DEFT'S PRO PER MOTION FOR ENLARGEMENT OF TIME Court Clerk: DOROTHY KELLY Relief Clerk: CYNTHIA NAVARRETTE-LORY/CNL Reporter/Recorder: SHAWN OTT Heard By: Mark Gibbons</i> Denied; DEFT'S PRO PER MOTION FOR ENLARGEMENT OF TIME Court Clerk: DOROTHY KELLY Relief Clerk: CYNTHIA NAVARRETTE-LORY/CNL Reporter/Recorder: SHAWN OTT Heard By: Mark Gibbons

# CASE SUMMARY

CASE NO. 89C092174

08/18/1998	<p><b>Motion to Strike (9:00 AM)</b>  Events: 08/06/1998 Motion to Strike  DEFT'S PRO PER MOTION TO STRIKE Court Clerk: RITA LOPEZ Reporter/Recorder: YVONNE VALENTIN Heard By: Lee Gates  Denied; DEFT'S PRO PER MOTION TO STRIKE Court Clerk: RITA LOPEZ Reporter/Recorder: YVONNE VALENTIN Heard By: Lee Gates</p>
09/01/1998	<p><b>Status Check (9:00 AM)</b>  STATUS CHECK: ORDER Court Clerk: RITA LOPEZ Reporter/Recorder: YVONNE VALENTIN Heard By: Lee Gates  Off Calendar; STATUS CHECK: ORDER Court Clerk: RITA LOPEZ Reporter/Recorder: YVONNE VALENTIN Heard By: Lee Gates</p>
03/11/2002	<p><b>CANCELED Petition to Proceed in Forma Pauperis (9:00 AM)</b>  Events: 02/25/2002 Motion for Leave to Proceed in Forma Pauperis  Vacated</p>
03/11/2002	<p><b>CANCELED Motion (9:00 AM)</b>  Events: 02/25/2002 Motion  Vacated</p>
11/13/2002	<p><b>Motion to Vacate (9:00 AM)</b>  Events: 10/31/2002 Motion to Vacate  DEFT'S PRO PER MTN TO VACATE AMEND JUDGMNT/40 Court Clerk: Sharon Coffman Reporter/Recorder: Sonja Riley-Bennett Heard By: Lee Gates  Matter Heard; DEFT'S PRO PER MTN TO VACATE AMEND JUDGMNT/40 Court Clerk: Sharon Coffman Reporter/Recorder: Sonja Riley-Bennett Heard By: Lee Gates</p>
11/18/2002	<p><b>Motion for Confirmation of Counsel (9:00 AM)</b>  CONFIRMATION OF COUNSEL (HINDS) Court Clerk: Sharon Coffman Reporter/Recorder: Sonja Riley-Bennett Heard By: Lee Gates  Granted; CONFIRMATION OF COUNSEL (HINDS) Court Clerk: Sharon Coffman Reporter/Recorder: Sonja Riley-Bennett Heard By: Lee Gates</p>
12/02/2002	<p><b>Status Check (9:00 AM)</b>  STATUS CHECK: PETITION Court Clerk: Sharon Coffman Heard By: Gates, Lee A  Matter Continued; STATUS CHECK: PETITION Court Clerk: Sharon Coffman Heard By: Gates, Lee A</p>
12/18/2002	<p><b>Status Check (9:00 AM)</b>  STATUS CHECK: PETITION Relief Clerk: April Watkins Reporter/Recorder: Sonia Riley-Bennett Heard By: Gates, Lee A  Matter Continued; STATUS CHECK: PETITION Relief Clerk: April Watkins Reporter/Recorder: Sonia Riley-Bennett Heard By: Gates, Lee A</p>
12/23/2002	<p><b>Status Check (9:00 AM)</b>  STATUS CHECK: PETITION Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley-Bennett Heard By: Gates, Lee A  Matter Continued; STATUS CHECK: PETITION Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley-Bennett Heard By: Gates, Lee A</p>
01/08/2003	<p><b>Status Check (9:00 AM)</b>  STATUS CHECK: PETITION Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley-Bennett Heard By: Gates, Lee A  Matter Continued; STATUS CHECK: PETITION Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley-Bennett Heard By: Gates, Lee A</p>
02/03/2003	<p><b>Status Check (9:00 AM)</b>  STATUS CHECK: PETITION Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley-Bennett Heard By: Gates, Lee A  Matter Continued; STATUS CHECK: PETITION Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley-Bennett Heard By: Gates, Lee A</p>

# CASE SUMMARY

CASE NO. 89C092174

02/05/2003	<p><b>Status Check (9:00 AM)</b>  <i>STATUS CHECK: PETITION Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley-Bennett Heard By: Lee Gates</i>  Matter Heard; STATUS CHECK: PETITION Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley-Bennett Heard By: Lee Gates</p>
07/23/2003	<p><b>CANCELED Hearing (9:00 AM)</b>  <i>Vacated</i></p>
12/29/2003	<p><b>Motion (9:00 AM)</b>  Events: 12/16/2003 Motion to Release  <i>DEFT'S MTN FOR RELEASE OF DNA EVID UNDERNV OPEN RECORDS ACT/44 Court Clerk: Sharon Coffman Reporter/Recorder: Shawna Craig Heard By: Gates, Lee A</i>  Matter Continued; DEFT'S MTN FOR RELEASE OF DNA EVID UNDERNV OPEN RECORDS ACT/44 Court Clerk: Sharon Coffman Reporter/Recorder: Shawna Craig Heard By: Gates, Lee A</p>
01/05/2004	<p><b>Motion (9:00 AM)</b>  <i>DEFT'S MTN FOR RELEASE OF DNA EVID UNDERNV OPEN RECORDS ACT/44 Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates</i>  Denied; DEFT'S MTN FOR RELEASE OF DNA EVID UNDERNV OPEN RECORDS ACT/44 Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates</p>
10/13/2004	<p><b>Motion (9:00 AM)</b>  Events: 09/27/2004 Writ of Mandamus  <i>DEFT'S PRO PER MTN FOR EXTRAORDINARY WRIT/45 Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates</i>  Matter Continued; DEFT'S PRO PER MTN FOR EXTRAORDINARY WRIT/45 Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates</p>
11/01/2004	<p><b>Motion (9:00 AM)</b>  Events: 10/18/2004 Motion  <i>DEFT'S PRO PER MTN FOR ORDER FOR FAILURE TO PROSECUTE/REINSTATE MTN TO VACATE/47 Court Clerk: Sharon Coffman Relief Clerk: Michelle Jones/mj Reporter/Recorder: Sonia Riley Heard By: Gates, Lee A</i>  Matter Continued; DEFT'S PRO PER MTN FOR ORDER FOR FAILURE TO PROSECUTE/REINSTATE MTN TO VACATE/47 Court Clerk: Sharon Coffman Relief Clerk: Michelle Jones/mj Reporter/Recorder: Sonia Riley Heard By: Gates, Lee A</p>
01/31/2005	<p><b>Hearing (9:00 AM)</b>  <i>ARGUMENT: DEFT MTN FOR EXTRAORDINARY WRIT Heard By: Lee Gates</i></p>
01/31/2005	<p><b>Motion (9:00 AM)</b>  <i>DEFT'S PRO PER MTN FOR ORDER FOR FAILURE TO PROSECUTE/REINSTATE MTN TO VACATE/47 Heard By: Lee Gates</i></p>
01/31/2005	<p><b>All Pending Motions (9:00 AM)</b>  <i>ALL PENDING MOTIONS (1-31-05) Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates</i>  Matter Heard; ALL PENDING MOTIONS (1-31-05) Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates</p>
01/23/2006	<p><b>Petition to Proceed in Forma Pauperis (9:00 AM)</b>  Events: 01/10/2006 Motion for Leave to Proceed in Forma Pauperis  <i>DEFT'S PRO PER MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS AND FOR /49 Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates</i>  Granted in Part; DEFT'S PRO PER MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS AND FOR /49 Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates</p>
03/22/2006	<p><b>Motion (9:00 AM)</b>  Events: 02/22/2006 Motion</p>

# CASE SUMMARY

CASE No. 89C092174

*DEFT'S PRO PER MTN AND ORDER TO TRANSPORT AND PRODUCE INMATE FOR /51 Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates*  
Matter Heard; DEFT'S PRO PER MTN AND ORDER TO TRANSPORT AND PRODUCE INMATE FOR /51 Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates

03/29/2006

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

Events: 01/12/2006 Order for Petition for Writ of Habeas Corpus  
*DEFT'S PTN FOR WRIT OF HABEAS CORPUS /50*

04/19/2006

**Status Check (9:00 AM)**

*STATUS CHECK: PETITION HEARING / ORDER TO TRANSPORT Court Clerk: Sharon Coffman/sc Relief Clerk: Phyllis Irby Reporter/Recorder: Jackie Nelson Heard By: Bonaventure, Joseph T.*  
Matter Continued; STATUS CHECK: PETITION HEARING / ORDER TO TRANSPORT Court Clerk: Sharon Coffman/sc Relief Clerk: Phyllis Irby Reporter/Recorder: Jackie Nelson Heard By: Bonaventure, Joseph T.

04/26/2006

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

*DEFT'S PTN FOR WRIT OF HABEAS CORPUS /50*

05/01/2006

**Status Check (9:00 AM)**

*STATUS CHECK: PETITION HEARING / ORDER TO TRANSPORT Court Clerk: Sharon Coffman/sc Relief Clerk: Phyllis Irby Reporter/Recorder: Sonia Riley Heard By: Gates, Lee A*  
Matter Continued; STATUS CHECK: PETITION HEARING / ORDER TO TRANSPORT Court Clerk: Sharon Coffman/sc Relief Clerk: Phyllis Irby Reporter/Recorder: Sonia Riley Heard By: Gates, Lee A

05/31/2006

**Status Check (9:00 AM)**

*STATUS CHECK: PETITION HEARING / ORDER TO TRANSPORT Court Clerk: Sharon Coffman/sc Relief Clerk: Phyllis Irby Reporter/Recorder: Sonia Riley Heard By: Lee Gates*  
Matter Heard; STATUS CHECK: PETITION HEARING / ORDER TO TRANSPORT Court Clerk: Sharon Coffman/sc Relief Clerk: Phyllis Irby Reporter/Recorder: Sonia Riley Heard By: Lee Gates

06/26/2006

**Hearing (9:00 AM)**

*ARGUMENT: PETITION FOR WRIT OF HABEAS CORPUS Court Clerk: Sharon Coffman/sc Relief Clerk: Phyllis Irby Reporter/Recorder: Sonia Riley Heard By: Lee Gates*  
Denied; ARGUMENT: PETITION FOR WRIT OF HABEAS CORPUS Court Clerk: Sharon Coffman/sc Relief Clerk: Phyllis Irby Reporter/Recorder: Sonia Riley Heard By: Lee Gates

07/06/2006

**Minute Order (9:00 AM)**

*MINUTE ORDER RE: PETITION FOR WRIT OF HABEAS CORPUS Court Clerk: Connie Gleason Relief Clerk: Phyllis Irby/pi Heard By: Lee Gates*  
Matter Heard; MINUTE ORDER RE: PETITION FOR WRIT OF HABEAS CORPUS Court Clerk: Connie Gleason Relief Clerk: Phyllis Irby/pi Heard By: Lee Gates

03/19/2007

**Motion (9:00 AM)**

Events: 03/05/2007 Motion for Appointment of Attorney  
*DEFT'S PRO PER MTN FOR APPOINTMENT OF COUNSEL ON APPEAL/55 Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates*  
Denied; DEFT'S PRO PER MTN FOR APPOINTMENT OF COUNSEL ON APPEAL/55 Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates

04/25/2012



**Status Check (8:30 AM) (Judicial Officer: Cadish, Elissa F.)**

*Further Proceedings (Deft's Pro per Mtn for Judicial Action on Petition, Exparte Mtn for Appointment of Counsel filed in A640265)*

Matter Heard;  
Journal Entry Details:

*Court stated findings noting after the change of venue the Deft's case was calendared in Department V on a civil calendar in error, and was then recalendared in Department VI and ORDERED, Deft's Pro Per Motion for Judicial action GRANTED; matter set for hearing*


# CASE SUMMARY


CASE No. 89C092174


regarding the Deft's Petition For Writ Of Habeas Corpus; state's response to be filed by June 13th; Deft's Motion For Appointment Of Counsel CONTINUED. NDC 7-16-12 HEARING: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS...DEFT'S EXPARTE MOTION FOR APPOINTMENT OF COUNSEL CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584, Love Lock Correctional Center, 1200 Prison Road, Love Lock NV. 89419 ;


07/16/2012 **Hearing** (8:30 AM) (Judicial Officer: Cadish, Elissa F.)  
HEARING: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS  
Denied;

07/16/2012 **Motion** (8:30 AM) (Judicial Officer: Cadish, Elissa F.)  
DEFT'S EXPARTE MOTION FOR APPOINTMENT OF COUNSEL  
Denied;

07/16/2012  **All Pending Motions** (8:30 AM) (Judicial Officer: Cadish, Elissa F.)  
Denied;  
Journal Entry Details:  
HEARING: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS...DEFT'S EXPARTE MOTION FOR APPOINTMENT OF COUNSEL In the absence of the Deft., Court advised there will not be any argument. Court stated findings and ORDERED, Deft's Petition For Writ of Habeas Corpus and Exparte Motion For Appointment of counsel DENIED. NDC CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584, Ely State Prison, POB 1989, Ely Nv., 89301 ;

08/27/2012  **Motion** (8:30 AM) (Judicial Officer: Cadish, Elissa F.)  
Events: 08/06/2012 Motion to Reconsider  
Motion for Reconsideration  
Denied;  
Journal Entry Details:  
In the absence of the Deft., Court noted there will not be any argument. Court stated findings noting the Deft. is seeking reconsideration of the ruling of July 16th due to his absence and ORDERED, Deft's Pro Se Motion For Reconsideration DENIED; there was no argument in the Deft's absence, and no basis for reconsideration. NDC CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584. Love Lock Correctional Center, 1200 Prison Road, Love Lock Nv. 89419 ;

10/21/2013  **Petition for Writ of Habeas Corpus** (8:30 AM) (Judicial Officer: Cadish, Elissa F.)  
Events: 08/26/2013 Order for Petition for Writ of Habeas Corpus  
Denied;  
Journal Entry Details:  
In the absence of the Deft., Court stated there will not be any argument. Court stated findings noting the petition is untimely, successive, no good cause has been shown for the procedural defaults, there is no showing in evidence of actual innocence, the sentence is not illegal and ORDERED, Deft's Pro Se Petition For Writ of Habeas Corpus DENIED. FURTHER ORDERED, due to the ruling of the Court, Defendant's request for counsel is DENIED; State to prepare the order. NDC CLERK'S NOTE: The above minute order has been distributed to: Roy Moraga #31584, Love Lock Correctional Center, 1200 Prison Road, Love Lock Nv. 89419 ;




01/17/2014  **Minute Order** (3:00 AM) (Judicial Officer: Cadish, Elissa F.)  
Minute Order Re: Post-Conviction Petition requesting genetic marker testing pursuant to NRS 176.0918.  
Denied;  
Journal Entry Details:  
Petitioner submitted a Post-Conviction Petition requesting genetic marker testing pursuant to NRS 176.0918. Defendant does not meet the requirements of NRS 176.0918(3)(b) because there does not exist a reasonable possibility that Petitioner would not have been convicted if exculpatory results had been obtained. Additionally, Petitioner previously raised the issue of DNA testing by filing a Motion for Release of DNA Evidence Under Nevada Open Records Act on December 16, 2003. On January 5, 2004, the court DENIED the motion on the merits because the Petitioner admitted during trial that he had consensual sex with the victim. As this



# CASE SUMMARY

CASE No. 89C092174

issue has previously been decided on the merits, instant Petition is barred by the law of the case. NDC CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584, Love Lock Correctional Center, 1200 Prison Road, Love Lock Nv. 89419 ;

02/12/2014	<p><b>Motion to Correct Sentence</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.)  <i>Defendant's Motion for Correction of Illegal Sentence</i>  Denied;</p>
02/12/2014	<p><b>Motion for Appointment of Attorney</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.)  <i>Defendant's Motion for Appointment of Counsel</i>  Denied;</p>
02/12/2014	<p> <b>All Pending Motions</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.)  Denied;  Journal Entry Details:  DEFENDANT'S PRO PER MOTION FOR CORRECTION OF ILLEGAL SENTENCE...DEFENDANT'S PRO SE MOTION FOR APPOINTMENT OF COUNSEL Court noted the absence of the Defendant as he is currently in the Nevada Department of Corrections (NDC) and was not transported. Court advised it will not hear argument but will rule based on the pleadings filed. Court advised that the sentence imposed is legal, Court previously denied this motion, Defendant appealed to the Nevada Supreme Court, which upheld this Court's decision and, ORDERED, Defendant's Pro Per Motion for Correction of Illegal Sentence and Defendant s Pro Se Motion for Appointment of Counsel DENIED; State to prepare and submit appropriate Order. NDC ;</p>
04/09/2014	<p> <b>Motion</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.)  <i>Motion for Returning Seized Property</i>  Denied;  Journal Entry Details:  In the absence of the Defendant the Court stated there will not be any argument and a ruling will be issued based upon the papers. Court stated findings and ORDERED, Defendant's Pro Se Motion For Returning Seized Property DENIED as the items impounded as evidence are not appropriate for release under the applicable statutes; State to prepare the order. NDC CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584, Love Lock Correctional Center, 1200 Prison Rd., Love Lock Nv. 89419 ;</p>
07/07/2014	<p><b>Motion</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.)  <i>Motion for Production of Transcripts at State Expense</i>  Denied;</p>
07/07/2014	<p><b>Motion for Order</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.)  <i>Notice of Motion and Motion for Order of Delivery of Records</i>  Denied;</p>
07/07/2014	<p><b>Motion</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.)  <i>Request for Rough Draft Transcript</i>  Denied;</p>
07/07/2014	<p> <b>All Pending Motions</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.)  Matter Heard;  Journal Entry Details:  DEFT'S PRO SE MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATE EXPENSE...DEFT'S PRO SE MOTION FOR AN ORDER OF DELIVERY OF RECORDS...DEFT'S PRO SE REQUEST FOR ROUGH DRAFT TRANSCRIPT Court stated findings and ORDERED, Motion For Production of Transcripts At State Expense and Request For Rough Draft Transcript DENIED; as to the Motion For Delivery Of Records, specially the file from Mr. Hillman, Mr. Hillman is with the Office of the Public Defender (P.D.) and the P.D. substituted out of the case in 1991 for someone else, and it's the understanding of the Court the Office of the P.D. no longer maintains the file to give to the Defendant; when new counsel came into the case in 1991 the P.D. would have provided the file to them. COURT ORDERED, Motion For Delivery Of Records DENIED; State to prepare the order. NDC CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584,</p>

# CASE SUMMARY

CASE NO. 89C092174

Lovelock Correctional Center, 1200 Prison Rd., Lovelock Nv. 89419 ;

10/22/2014



**Motion** (8:30 AM) (Judicial Officer: Cadish, Elissa F.)

*Deft's Pro Per Motion for Correction of Illegal Sentence*

Motion Denied; Deft's Pro Per Motion for Correction of Illegal Sentence

Journal Entry Details:

*Court noted Deft. had filed this similar motion several times, stated no arguments will be heard, advised its ruling is based upon the pleadings and ORDERED, motion DENIED as barred and noted it had been rejected by the Supreme Court and District Court. State to prepare the Order. NDC CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584 c/o Lovelock Correctional Center, 1200 Prison Road, Lovelock, NV 89419. 10/23/14 kls ;*

01/18/2017



**Motion** (8:30 AM) (Judicial Officer: Cadish, Elissa F.)

*Defendant's Pro Per Motion for the Return Siezed Property*

Denied;

Journal Entry Details:

*Defendant not present. In the absence of the Defendant, Court stated there will not be any argument, and a ruling will be issued based upon the papers. Court stated findings noting there is insufficient grounds for the return of the items, the motion was previously denied, nothing has changed to grant a different outcome, and ORDERED, Defendant's Pro Per Motion For The Return of Seized Property DENIED; State to prepare the order. NDC CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584, Ely State Prison, POB 1989, Ely Nv. 89301 ;*

04/03/2017



**Motion for Judgment** (8:30 AM) (Judicial Officer: Cadish, Elissa F.)

*Defendant's Pro Per Motion for Judgment on the Pleadings*

Granted in Part; Defendant's Pro Per Motion For Judgment On The Pleadings

Journal Entry Details:

*Court stated the Defendant represents himself, is not present, and in his absence, the Court will not have argument but will rule based on the papers on file. Court noted Defendant calls his pleading a Motion for Judgment on the Pleadings and it appears he just wanted to know what happened with his prior motion for return of seized property. Court stated there was hearing on that matter on January 18, 2017, at which time the Court denied the motion and the Order was filed on March 21, 2017, after the instant motion was filed. COURT ORDERED, the Clerk to provide a copy of the March 21, 2017, Order to Defendant, and DENIED any other relief. NDC CLERK'S NOTE: The above minute order and a copy of the Order dated 3/21/17 has been distributed to: Roy D. Moraga #31584, Ely State Prison, P.O. Box 1989, Ely, NV 89301. (tmj:4/12/17);*

06/02/2017



**Motion to Correct Sentence** (8:30 AM) (Judicial Officer: Cadish, Elissa F.)

*Defendant's Pro Per Motion to Correct an Illegal Sentence Pursuant to NRS 176.555*

Denied;

Journal Entry Details:

*Court noted Mr. Moraga was in the Nevada Department of Corrections and was not transported. In his absence, the Court will not hear argument but will rule based on the papers. COURT ORDERED, Motion to Correct Illegal Sentence DENIED, as it is barred by the law of the case. Court noted Defendant previously requested the same relief on the same grounds which was previously denied and affirmed on appeal. Additionally, there are very limited circumstances under which a motion can be filed and they don't apply here. The sentence imposed was not illegal, nor was it based on any misunderstanding regarding Mr. Moraga's criminal history. NDC CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584, Ely State Prison, P.O. Box 1989, Ely, NV 89301. /lg 6-5-17;*

10/03/2018



**Motion** (8:30 AM) (Judicial Officer: Cadish, Elissa F.)

*Defendant's Pro Per Motion for Order Directing Clerk to Issue Presentence Investigation Report to Defendant*

Granted;

Journal Entry Details:

*There being no opposition, COURT ORDERED, Defendant's Pro Per Motion for Order*

# CASE SUMMARY

CASE NO. 89C092174

*Directing Clerk to Issue Presentence Investigation Report (PSI) To Defendant GRANTED; the PSI is to be sent to the Defendant by the Clerk's Office, if it's accessible at this point. NDC CLERK'S NOTE: The above minute order has been distributed to: District Court Clerk's Office;*

03/04/2020



**Petition for Writ of Certiorari** (9:30 AM) (Judicial Officer: Bluth, Jacqueline M.)

*Petition for Extraordinary Writ and or Writ of Certiorari*

Denied;

Journal Entry Details:

*Court stated findings and ORDERED, Petition For Extraordinary Writ And Or Writ Of Certiorari DENIED. NDC;*

06/22/2021



**Minute Order** (3:00 AM) (Judicial Officer: Bluth, Jacqueline M.)

*Minute Order re: Deft's Writ of Prohibition Double Jeopardy Claim*

Minute Order - No Hearing Held;

Journal Entry Details:

*Defendant s Writ of Prohibition Double Jeopardy Claim is hereby DENIED. Defendant requests that this court issue a writ of prohibition altering the sentence imposed, however, a writ of prohibition is the incorrect remedy for such a request. Further, Defendant s sentence does not violate the prohibition against double jeopardy. A writ of prohibition may be used by a court to order a judicial body to refrain from doing an act in excess of its jurisdiction. NRS 34.320. The writ of prohibition may be issued only by the supreme court, the court of appeals, or a district court to an inferior tribunal, or to a corporation, board or person, in all cases where there is not a plain, speedy, and adequate remedy in the ordinary course of law. NRS 34.330. Here, the department of corrections is not a judicial body. It is an agency within the executive branch of Nevada s state government. Accordingly, a writ of prohibition may not be used to order it to refrain from engaging in certain activities. Even if Defendant had raised his claims in a pleading that the court could consider, his claim that he was improperly adjudicated as a habitual criminal is barred from consideration under the law of the case. Defendant raised this claim on direct appeal of the Amended Judgment of Conviction, and the Nevada Supreme Court rejected it. Moraga v. State, No. 22901 (Order Dismissing Appeal, Oct. 4, 1995). Defendant also claims that his sentence violates double jeopardy because he is serving a habitual sentence in addition to his other sentences. The prohibition against double jeopardy protects against 3 distinct abuses: (1) a second prosecution for the same offense after acquittal, (2) a second prosecution for the same offense after conviction, and (3) multiple punishments for the same offense. Peck v. State, 116 Nev. 840 (2000). Here, the facts of defendant s case do not fit within any of those 3 categories. Defendant received sentences within the statutory limits for Counts 1-4. See NRS 205.060, 200.366. Moreover, defendant was appropriately adjudicated as a habitual criminal for Count 4 pursuant to NRS 207.010. Defendant s claim that he is serving his habitual sentence in addition to the primary offense is belied by the record because he received a habitual sentence in lieu of the punishment contemplated by NRS 200.366. Therefore, defendant s sentence does not violate double jeopardy. CLERK'S NOTE: A copy of this minute order was distributed to Karen Mishler, Deputy District Attorney and a copy mailed to the Defendant./kb;*

06/23/2021

**CANCELED Petition** (11:00 AM) (Judicial Officer: Bluth, Jacqueline M.)

*Vacated*

*Writ of Prohibition Double Jeopardy Claim*

07/21/2021



**Motion** (11:00 AM) (Judicial Officer: Bluth, Jacqueline M.)

*Motion for a Video Hearing*

Off Calendar;

Journal Entry Details:

*Court stated that as the Deft. has filed an appeal, ORDERED matter STAYED and OFF CALENDAR. NDC;*

12/13/2021



**Motion to Correct Sentence** (8:30 AM) (Judicial Officer: Villani, Michael)

**12/13/2021, 12/27/2021**

*Motion to Correct Illegal Sentence*



Matter Continued; Motion to Correct Illegal Sentence

Denied;

Journal Entry Details:

# CASE SUMMARY

CASE No. 89C092174

	<p><i>Defendant not present. Court advised it was basing its decision on the pleadings on file herein and not accepting oral argument; COURT ADOPTED the Procedural History as set forth by the State. Court FINDS Defendant's claims are outside the scope of the Motion, Defendant was sentenced within statutory guidelines, the sentence is supported by his record and the crimes he had committed, and there is no legal or factual basis to correct any sentence in this matter, therefore COURT ORDERED, Motion DENIED. Court directed State to prepare the Order. COURT FURTHER ORDERED, status check SET for the order. Court advised the status check would be vacated once the order was filed. NDC 1/19/2022 8:30 AM STATUS CHECK: ORDER CLERK'S NOTE: An incorrect date was given in Court. Minute Order above reflects the correct date. A copy of this Minute Order was provided to the State and mailed to Roy Moraga #31584 NNCC P.O. Box 7000 Carson City, NV 89702. (12/30/2021 SA);</i></p> <p>Matter Continued; Motion to Correct Illegal Sentence Denied;</p> <p>Journal Entry Details:</p> <p><i>At request of the State, COURT ORDERED, matter CONTINUED as the State was not served with the Motion. NDC CONTINUED TO: 12/27/21;</i></p>
01/19/2022	<p> <b>Status Check: Status of Case</b> (8:30 AM) (Judicial Officer: Villani, Michael)</p> <p><i>Status Check: Order</i></p> <p>Off Calendar;</p> <p>Journal Entry Details:</p> <p><i>Defendant not present. Court noted the Order had been filed. COURT ORDERED, matter OFF CALENDAR. NDC;</i></p>
09/07/2022	<p> <b>Motion</b> (8:30 AM) (Judicial Officer: Gibbons, Mark)</p> <p><i>Motion for Production of Documents Under the Freedom of Information Act 5 USCA 512</i></p> <p>Denied Without Prejudice;</p> <p>Journal Entry Details:</p> <p><i>Defendant not present. Court WAIVED Defendant's appearance as he was in the Nevada Department of Corrections. State advised it does not believe it responds to these types of Motions. COURT ORDERED, Motion DENIED WITHOUT PREJUDICE. Defendant may file a Petition for post conviction relief. NDC CLERK'S NOTE: Minute Order prepared by reviewing the JAVS recording. 9/25/2022 SA. A copy of this Minute Order was mailed to: Roy D. Moraga #31584 PO Box 7000 Carson City NV 89702 9/26/2022 SA;</i></p>
11/02/2022	<p><b>Motion</b> (8:30 AM) (Judicial Officer: Villani, Michael)</p> <p><i>Motion for Status Check</i></p>
DATE	FINANCIAL INFORMATION
	<p><b>Defendant</b> Moraga, Roy D</p> <p>Total Charges 8.00</p> <p>Total Payments and Credits 8.00</p> <p><b>Balance Due as of 10/6/2022 0.00</b></p>

*Heather S. Linn*

CLERK OF THE COURT

**ORDR**

STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565  
STACEY KOLLINS  
Chief Deputy District Attorney  
Nevada Bar #005391  
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-

ROY MORAGA,  
#938554

Defendant.

CASE NO: 89C092174

DEPT NO: VI

**ORDER DENYING DEFENDANT'S MOTION FOR PRODUCTION OF  
DOCUMENTS UNDER THE FREEDOM OF INFORMATION ACT 5 USCA 512**

DATE OF HEARING: September 7, 2022  
TIME OF HEARING: 8:30 A.M.

THIS MATTER having come on for hearing before the above entitled Court on the 7th day of September, 2022, the Defendant not being present, IN PROPER PERSON, the Plaintiff being represented by STEVEN B. WOLFSON, District Attorney, through STACEY KOLLINS, Chief Deputy District Attorney, without argument, based on the pleadings and good cause appearing therefor,

///

///


///

///

1 IT IS HEREBY ORDERED that the Defendant's Motion, shall be, and it is DENIED  
2 without prejudice. Defendant may file a Petition for Post-Conviction relief.

3 DATED this \_\_\_\_\_ day of September, 2022.

4  
5 Dated this 6th day of October, 2022

6   
\_\_\_\_\_

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

**D59 A0B 8D2C 4C16**  
**Carolyn Ellsworth**  
**District Court Judge**  
FOR: SR. JUDGE MARK GIBBONS

10 BY

  
11 STACEY KOLLINS  
12 Chief Deputy District Attorney  
13 Nevada Bar #005391  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

28 89F07229X/mlb/SVU

1 **CSERV**

2  
3 DISTRICT COURT  
CLARK COUNTY, NEVADA

4  
5  
6 The State of Nevada vs Roy D  
Moraga

CASE NO: 89C092174

7 DEPT. NO. Department 17

8  
9 **AUTOMATED CERTIFICATE OF SERVICE**

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

13 Service Date: 10/6/2022

14 Steven Wolfson

motions@clarkcountyda.com

15 dept law clerk

dept06lawclerk@clarkcountycourts.us

THE SEALED PORTION  
OF THESE MINUTES  
WILL FOLLOW VIA  
U.S. MAIL.



**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****April 25, 2012**

89C092174

The State of Nevada vs Roy D Moraga

**April 25, 2012****8:30 AM****Status Check****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**Ferreira, Amy L.  
State of NevadaAttorney  
Plaintiff**JOURNAL ENTRIES**

- Court stated findings noting after the change of venue the Deft's case was calendared in Department V on a civil calendar in error, and was then recalendared in Department VI and ORDERED, Deft's Pro Per Motion for Judicial action GRANTED; matter set for hearing regarding the Deft's Petition For Writ Of Habeas Corpus; state's response to be filed by June 13th; Deft's Motion For Appointment Of Counsel CONTINUED.

NDC

7-16-12 HEARING: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS...DEFT'S EXPARTE MOTION FOR APPOINTMENT OF COUNSEL

CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584, Love Lock Correctional Center, 1200 Prison Road, Love Lock NV. 89419

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****July 16, 2012**

---

89C092174

The State of Nevada vs Roy D Moraga

---

**July 16, 2012****8:30 AM****All Pending Motions****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**Rinetti, Dena I.  
State of NevadaAttorney  
Plaintiff**JOURNAL ENTRIES**

- HEARING: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS...DEFT'S EXPARTE MOTION FOR APPOINTMENT OF COUNSEL

In the absence of the Deft., Court advised there will not be any argument. Court stated findings and ORDERED, Deft's Petition For Writ of Habeas Corpus and Exparte Motion For Appointment of counsel DENIED.

NDC

CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584, Ely State Prison, POB 1989, Ely Nv., 89301

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****August 27, 2012**

---

89C092174

The State of Nevada vs Roy D Moraga

---

**August 27, 2012****8:30 AM****Motion****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**Rinetti, Dena I.  
State of NevadaAttorney  
Plaintiff**JOURNAL ENTRIES**

- In the absence of the Deft., Court noted there will not be any argument. Court stated findings noting the Deft. is seeking reconsideration of the ruling of July 16th due to his absence and ORDERED, Deft's Pro Se Motion For Reconsideration DENIED; there was no argument in the Deft's absence, and no basis for reconsideration.

NDC

CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584. Love Lock Correctional Center, 1200 Prison Road, Love Lock Nv. 89419

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****October 21, 2013**

---

89C092174

The State of Nevada vs Roy D Moraga

---

**October 21, 2013****8:30 AM****Petition for Writ of Habeas  
Corpus****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**State of Nevada  
Wiborg, Erika L.Plaintiff  
Attorney**JOURNAL ENTRIES**

- In the absence of the Deft., Court stated there will not be any argument. Court stated findings noting the petition is untimely, successive, no good cause has been shown for the procedural defaults, there is no showing in evidence of actual innocence, the sentence is not illegal and ORDERED, Deft's Pro Se Petition For Writ of Habeas Corpus DENIED. FURTHER ORDERED, due to the ruling of the Court, Defendant's request for counsel is DENIED; State to prepare the order.

NDC

CLERK'S NOTE: The above minute order has been distributed to: Roy Moraga #31584, Love Lock Correctional Center, 1200 Prison Road, Love Lock Nv. 89419

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****January 17, 2014**

---

89C092174

The State of Nevada vs Roy D Moraga

---

**January 17, 2014****3:00 AM****Minute Order****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:****REPORTER:****PARTIES****PRESENT:****JOURNAL ENTRIES**

- Petitioner submitted a Post-Conviction Petition requesting genetic marker testing pursuant to NRS 176.0918. Defendant does not meet the requirements of NRS 176.0918(3)(b) because there does not exist a reasonable possibility that Petitioner would not have been convicted if exculpatory results had been obtained. Additionally, Petitioner previously raised the issue of DNA testing by filing a Motion for Release of DNA Evidence Under Nevada Open Records Act on December 16, 2003. On January 5, 2004, the court DENIED the motion on the merits because the Petitioner admitted during trial that he had consensual sex with the victim. As this issue has previously been decided on the merits, instant Petition is barred by the law of the case.

NDC

CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584, Love Lock Correctional Center, 1200 Prison Road, Love Lock Nv. 89419

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****February 12, 2014**

---

89C092174

The State of Nevada vs Roy D Moraga

---

**February 12, 2014****8:30 AM****All Pending Motions****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed

Carole D'Aloia

**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**Smith, Tyler D., ESQ  
State of NevadaAttorney  
Plaintiff**JOURNAL ENTRIES**

- DEFENDANT'S PRO PER MOTION FOR CORRECTION OF ILLEGAL  
SENTENCE...DEFENDANT'S PRO SE MOTION FOR APPOINTMENT OF COUNSEL

Court noted the absence of the Defendant as he is currently in the Nevada Department of Corrections (NDC) and was not transported. Court advised it will not hear argument but will rule based on the pleadings filed. Court advised that the sentence imposed is legal, Court previously denied this motion, Defendant appealed to the Nevada Supreme Court, which upheld this Court's decision and, ORDERED, Defendant's Pro Per Motion for Correction of Illegal Sentence and Defendant s Pro Se Motion for Appointment of Counsel DENIED; State to prepare and submit appropriate Order.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****April 09, 2014**

---

89C092174

The State of Nevada vs Roy D Moraga

---

**April 09, 2014****8:30 AM****Motion****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**Beverly, Leah C  
State of NevadaAttorney  
Plaintiff**JOURNAL ENTRIES**

- In the absence of the Defendant the Court stated there will not be any argument and a ruling will be issued based upon the papers. Court stated findings and ORDERED, Defendant's Pro Se Motion For Returning Seized Property DENIED as the items impounded as evidence are not appropriate for release under the applicable statutes; State to prepare the order.

NDC

CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584, Love Lock Correctional Center, 1200 Prison Rd., Love Lock Nv. 89419

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****July 07, 2014**

89C092174

The State of Nevada vs Roy D Moraga

**July 07, 2014****8:30 AM****All Pending Motions****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**

State of Nevada

Plaintiff

Thoman, Charles W.

Attorney

**JOURNAL ENTRIES**

- DEFT'S PRO SE MOTION FOR PRODUCTION OF TRANSCRIPTS AT STATE EXPENSE...DEFT'S PRO SE MOTION FOR AN ORDER OF DELIVERY OF RECORDS...DEFT'S PRO SE REQUEST FOR ROUGH DRAFT TRANSCRIPT

Court stated findings and ORDERED, Motion For Production of Transcripts At State Expense and Request For Rough Draft Transcript DENIED; as to the Motion For Delivery Of Records, specially the file from Mr. Hillman, Mr. Hillman is with the Office of the Public Defender (P.D.) and the P.D. substituted out of the case in 1991 for someone else, and it's the understanding of the Court the Office of the P.D. no longer maintains the file to give to the Defendant; when new counsel came into the case in 1991 the P.D. would have provided the file to them. COURT ORDERED, Motion For Delivery Of Records DENIED; State to prepare the order.

NDC

CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584, Lovelock Correctional Center, 1200 Prison Rd., Lovelock Nv. 89419





**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****October 22, 2014**

---

89C092174

The State of Nevada vs Roy D Moraga

---

**October 22, 2014****8:30 AM****Motion****Deft's Pro Per Motion  
for Correction of  
Illegal Sentence****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Katherine Streuber**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**

State of Nevada

Plaintiff

Thoman, Charles W.

Attorney

**JOURNAL ENTRIES**

- Court noted Deft. had filed this similar motion several times, stated no arguments will be heard, advised its ruling is based upon the pleadings and ORDERED, motion DENIED as barred and noted it had been rejected by the Supreme Court and District Court. State to prepare the Order.

NDC

CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584 c/o Lovelock Correctional Center, 1200 Prison Road, Lovelock, NV 89419. 10/23/14 kls

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****January 18, 2017**

---

89C092174

The State of Nevada vs Roy D Moraga

---

**January 18, 2017****8:30 AM****Motion****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**LoGrippo, Frank R.  
State of NevadaAttorney  
Plaintiff**JOURNAL ENTRIES**

- Defendant not present.

In the absence of the Defendant, Court stated there will not be any argument, and a ruling will be issued based upon the papers. Court stated findings noting there is insufficient grounds for the return of the items, the motion was previously denied, nothing has changed to grant a different outcome, and ORDERED, Defendant's Pro Per Motion For The Return of Seized Property DENIED; State to prepare the order.

NDC

CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584, Ely State Prison, POB 1989, Ely Nv. 89301

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****April 03, 2017**

89C092174

The State of Nevada vs Roy D Moraga

**April 03, 2017****8:30 AM****Motion for Judgment**

**Defendant's Pro Per  
Motion For Judgment  
On The Pleadings**

**HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Tena Jolley**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**

Smith, Tyler D.  
State of Nevada

Attorney  
Plaintiff

**JOURNAL ENTRIES**

- Court stated the Defendant represents himself, is not present, and in his absence, the Court will not have argument but will rule based on the papers on file. Court noted Defendant calls his pleading a Motion for Judgment on the Pleadings and it appears he just wanted to know what happened with his prior motion for return of seized property. Court stated there was hearing on that matter on January 18, 2017, at which time the Court denied the motion and the Order was filed on March 21, 2017, after the instant motion was filed. COURT ORDERED, the Clerk to provide a copy of the March 21, 2017, Order to Defendant, and DENIED any other relief.

NDC

CLERK'S NOTE: The above minute order and a copy of the Order dated 3/21/17 has been distributed to: Roy D. Moraga #31584, Ely State Prison, P.O. Box 1989, Ely, NV 89301. (tmj:4/12/17)

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****June 02, 2017**

---

89C092174

The State of Nevada vs Roy D Moraga

---

**June 02, 2017****8:30 AM****Motion to Correct Sentence****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Louisa Garcia**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**

State of Nevada

Plaintiff

Zadrowski, Bernard B.

Attorney

**JOURNAL ENTRIES**

- Court noted Mr. Moraga was in the Nevada Department of Corrections and was not transported. In his absence, the Court will not hear argument but will rule based on the papers. COURT ORDERED, Motion to Correct Illegal Sentence DENIED, as it is barred by the law of the case. Court noted Defendant previously requested the same relief on the same grounds which was previously denied and affirmed on appeal. Additionally, there are very limited circumstances under which a motion can be filed and they don't apply here. The sentence imposed was not illegal, nor was it based on any misunderstanding regarding Mr. Moraga's criminal history.

NDC

CLERK'S NOTE: The above minute order has been distributed to: Roy D. Moraga #31584, Ely State Prison, P.O. Box 1989, Ely, NV 89301. /lg 6-5-17

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****October 03, 2018**

---

89C092174

The State of Nevada vs Roy D Moraga

---

**October 03, 2018****8:30 AM****Motion****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:** De'Awna Takas**REPORTER:****PARTIES****PRESENT:**Scheible, Melanie L.  
State of NevadaAttorney  
Plaintiff**JOURNAL ENTRIES**

- There being no opposition, COURT ORDERED, Defendant's Pro Per Motion for Order Directing Clerk to Issue Presentence Investigation Report (PSI) To Defendant GRANTED; the PSI is to be sent to the Defendant by the Clerk's Office, if it's accessible at this point.

NDC

CLERK'S NOTE: The above minute order has been distributed to: District Court Clerk's Office

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****March 04, 2020**

---

89C092174

The State of Nevada vs Roy D Moraga

---

**March 04, 2020****9:30 AM****Petition for Writ of  
Certiorari****HEARD BY:** Bluth, Jacqueline M.**COURTROOM:** RJC Courtroom 10C**COURT CLERK:** Keith Reed**RECORDER:** De'Awna Takas**REPORTER:****PARTIES****PRESENT:**

State of Nevada

Plaintiff

Turner, Robert B.

Attorney

**JOURNAL ENTRIES**

- Court stated findings and ORDERED, Petition For Extraordinary Writ And Or Writ Of Certiorari  
DENIED.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****June 22, 2021**

---

89C092174

The State of Nevada vs Roy D Moraga

---

**June 22, 2021****3:00 AM****Minute Order****HEARD BY:** Bluth, Jacqueline M.**COURTROOM:** Chambers**COURT CLERK:** Kristen Brown**RECORDER:****REPORTER:****PARTIES****PRESENT:****JOURNAL ENTRIES**

- Defendant s Writ of Prohibition Double Jeopardy Claim is hereby DENIED. Defendant requests that this court issue a writ of prohibition altering the sentence imposed, however, a writ of prohibition is the incorrect remedy for such a request. Further, Defendant s sentence does not violate the prohibition against double jeopardy.

A writ of prohibition may be used by a court to order a judicial body to refrain from doing an act in excess of its jurisdiction. NRS 34.320. The writ of prohibition may be issued only by the supreme court, the court of appeals, or a district court to an inferior tribunal, or to a corporation, board or person, in all cases where there is not a plain, speedy, and adequate remedy in the ordinary course of law. NRS 34.330. Here, the department of corrections is not a judicial body. It is an agency within the executive branch of Nevada s state government. Accordingly, a writ of prohibition may not be used to order it to refrain from engaging in certain activities.

Even if Defendant had raised his claims in a pleading that the court could consider, his claim that he was improperly adjudicated as a habitual criminal is barred from consideration under the law of the case. Defendant raised this claim on direct appeal of the Amended Judgment of Conviction, and the Nevada Supreme Court rejected it. Moraga v. State, No. 22901 (Order Dismissing Appeal, Oct. 4, 1995).

Defendant also claims that his sentence violates double jeopardy because he is serving a habitual



sentence in addition to his other sentences. The prohibition against double jeopardy protects against 3 distinct abuses: (1) a second prosecution for the same offense after acquittal, (2) a second prosecution for the same offense after conviction, and (3) multiple punishments for the same offense. *Peck v. State*, 116 Nev. 840 (2000). Here, the facts of defendant's case do not fit within any of those 3 categories. Defendant received sentences within the statutory limits for Counts 1-4. See NRS 205.060, 200.366. Moreover, defendant was appropriately adjudicated as a habitual criminal for Count 4 pursuant to NRS 207.010. Defendant's claim that he is serving his habitual sentence in addition to the primary offense is belied by the record because he received a habitual sentence in lieu of the punishment contemplated by NRS 200.366. Therefore, defendant's sentence does not violate double jeopardy.

CLERK'S NOTE: A copy of this minute order was distributed to Karen Mishler, Deputy District Attorney and a copy mailed to the Defendant./kb

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****July 21, 2021**

---

89C092174

The State of Nevada vs Roy D Moraga

---

**July 21, 2021****11:00 AM****Motion****HEARD BY:** Bluth, Jacqueline M.**COURTROOM:** RJC Courtroom 10C**COURT CLERK:** Kristen Brown**RECORDER:** De'Awna Takas**REPORTER:****PARTIES****PRESENT:**Overly, Sarah  
State of NevadaAttorney  
Plaintiff**JOURNAL ENTRIES**

- Court stated that as the Deft. has filed an appeal, ORDERED matter STAYED and OFF CALENDAR.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****December 13, 2021**

---

89C092174

The State of Nevada vs Roy D Moraga

---

**December 13, 2021      8:30 AM****Motion to Correct Sentence****Motion to Correct  
Illegal Sentence****HEARD BY:** Villani, Michael**COURTROOM:** RJC Courtroom 11A**COURT CLERK:** Haly Pannullo**RECORDER:** Kristine Santi**REPORTER:****PARTIES****PRESENT:**Overly, Sarah  
State of NevadaAttorney  
Plaintiff**JOURNAL ENTRIES**

- At request of the State, COURT ORDERED, matter CONTINUED as the State was not served with the Motion.

NDC

CONTINUED TO: 12/27/21

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****December 27, 2021**

---

89C092174

The State of Nevada vs Roy D Moraga

---

**December 27, 2021      8:30 AM      Motion to Correct Sentence****HEARD BY:** Villani, Michael**COURTROOM:** RJC Courtroom 11A**COURT CLERK:** Samantha Albrecht**RECORDER:** Kristine Santi**REPORTER:****PARTIES****PRESENT:** Overly, Sarah      Attorney  
State of Nevada      Plaintiff**JOURNAL ENTRIES**

- Defendant not present.

Court advised it was basing its decision on the pleadings on file herein and not accepting oral argument; COURT ADOPTED the Procedural History as set forth by the State. Court FINDS Defendant's claims are outside the scope of the Motion, Defendant was sentenced within statutory guidelines, the sentence is supported by his record and the crimes he had committed, and there is no legal or factual basis to correct any sentence in this matter, therefore COURT ORDERED, Motion DENIED. Court directed State to prepare the Order. COURT FURTHER ORDERED, status check SET for the order. Court advised the status check would be vacated once the order was filed.

NDC

1/19/2022 8:30 AM STATUS CHECK: ORDER

CLERK'S NOTE: An incorrect date was given in Court. Minute Order above reflects the correct date. A copy of this Minute Order was provided to the State and mailed to Roy Moraga #31584 NNCC P.O. Box 7000 Carson City, NV 89702. (12/30/2021 SA)

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****January 19, 2022**

---

89C092174

The State of Nevada vs Roy D Moraga

---

**January 19, 2022****8:30 AM****Status Check: Status of  
Case****HEARD BY:** Villani, Michael**COURTROOM:** RJC Courtroom 11A**COURT CLERK:** Samantha Albrecht**RECORDER:** Kristine Santi**REPORTER:****PARTIES****PRESENT:**Overly, Sarah  
State of NevadaAttorney  
Plaintiff**JOURNAL ENTRIES**

- Defendant not present.

Court noted the Order had been filed. COURT ORDERED, matter OFF CALENDAR.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****September 07, 2022**

---

89C092174

The State of Nevada vs Roy D Moraga

---

**September 07, 2022    8:30 AM            Motion****HEARD BY:** Gibbons, Mark**COURTROOM:** RJC Courtroom 11A**COURT CLERK:****RECORDER:** Kristine Santi**REPORTER:****PARTIES**

<b>PRESENT:</b>	Cole, Madilyn M.	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Defendant not present.

Court WAIVED Defendant's appearance as he was in the Nevada Department of Corrections. State advised it does not believe it responds to these types of Motions. COURT ORDERED, Motion DENIED WITHOUT PREJUDICE. Defendant may file a Petition for post conviction relief.

NDC

CLERK'S NOTE: Minute Order prepared by reviewing the JAVS recording. 9/25/2022 SA. A copy of this Minute Order was mailed to: Roy D. Moraga #31584 PO Box 7000 Carson City NV 89702 9/26/2022 SA

## PLAINTIFF'S EXHIBITS

CASE NO. C 92124

OFFERED ADMITTED

1. Photo	<input checked="" type="checkbox"/>	3.13.90	<input checked="" type="checkbox"/>	3.13.90
2. Photo	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
3. Photo	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
4. Large Evidence Bag	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
4A. Evidence Envelope	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
4B. Boots with Sock	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
4C. Lenois	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
5. Large Evidence Bag	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
5A. Plastic Box "Slide (Simon)	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
5B. Jacket	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
5C. Undershorts (Boyer)	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
5D. Shirt (Tee)	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
5E. Elastic Stretch Leg Bands	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
5F. Shirt "red trim + Printing (M.V.)	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
6. Small Manila Envelope	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
6A. Vial (Blood)	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
6B. Vial (Blood)	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
6C. Vial (Blood)	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
6D. Small White Envelope (Koff's Head Hair)	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
6E. " " " (Koff's Pubic Hair Strand)	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
6F. " " " " "	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
6H. " " " (Koff's Saliva Sample)	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
7. Fingerprint Chart	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
8. Mug Shot (Posing Photo)	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
9. Mug Shot	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"

PLAINTIFF'S EXHIBITS

CASE NO. 092174

OFFERED ADMITTED

10. Small Manila Envelope	<input checked="" type="checkbox"/>	3.13.90	<input checked="" type="checkbox"/>	3.13.90
10A. Fingerprint Card	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
10B. Fingerprint Card	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
10C. Fingerprint Card	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
10D. Fingerprint Card (Left)	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
10E. Fingerprint Card (Left)	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
10F. Fingerprint Card	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
11. Evidence Envelope	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
11A. Ruben Hair Sample (Sample)	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
11B. Head Hair	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
11C. Combed Ruben Hair	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
11D. Saliva Sample	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
11E. Vaginal	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
11F. Vaginal Swab	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
11G. Mouth Swab	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
11H. Blood (vial)	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
11I. Blood (vial)	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
11J. Blood (vial)	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
12. Evidence Envelope	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
12A. Receipt for Key	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
12B. Key	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
13. Evidence Envelope	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
13A. Watch	<input checked="" type="checkbox"/>	"	<input checked="" type="checkbox"/>	"
	<input type="checkbox"/>		<input type="checkbox"/>	
	<input type="checkbox"/>		<input type="checkbox"/>	



## EXHIBITS

CASE NO. C92174

<u>OFFERED</u>	<u>ADMITTED</u>
1	1
2	2
3	3
4	4
5	5
6	6
7	7
8	8
9	9
10	10
11	11
12	12
13	13
14	14
15	15
16	16
17	17
18	18
19	19
20	20
21	21
22	22
23	23
24	24
25	25
26	26
27	27
28	28
29	29
30	30
31	31
32	32
33	33
34	34
35	35
36	36
37	37
38	38
39	39
40	40
41	41
42	42
43	43
44	44
45	45
46	46
47	47
48	48
49	49
50	50
51	51
52	52
53	53
54	54
55	55
56	56
57	57
58	58
59	59
60	60
61	61
62	62
63	63
64	64
65	65
66	66
67	67
68	68
69	69
70	70
71	71
72	72
73	73
74	74
75	75
76	76
77	77
78	78
79	79
80	80
81	81
82	82
83	83
84	84
85	85
86	86
87	87
88	88
89	89
90	90
91	91
92	92
93	93
94	94
95	95
96	96
97	97
98	98
99	99
100	100

1. Copy Information for Aggravated Assault Case # 95949  
2. Information, Case # CR131275  
3. Indictment, Case # 12891

☒ 6-13-90 ☒ 6-13-90

☒ ☒

☒ 11 ☒

Page 10

11-11-11

□ □

□ □

<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>


110

11/11/2011

Page 10 of 10



Page 10

100

<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>


1	2
3	4

Page 10

Page 10 of 10



100

## EXHIBITS

**CASE NO**

092174

OFFERED ADMITTED

1. Information for Aggravated Assault
2. Information 1-24-83
3. Indictment Plea Agreement &  
Sentence of Probation



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

ROY D. MORAGA #31584  
P.O. BOX 7000  
CARSON CITY, NV 89702

DATE: October 6, 2022  
CASE: 89C092174

**RE CASE:** STATE OF NEVADA vs. ROY D. MORAGA

NOTICE OF APPEAL FILED: October 5, 2022 11:55 am

**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; DESIGNATION OF RECORD ON APPEAL; DISTRICT COURT DOCKET ENTRIES; ORDER DENYING DEFENDANT'S MOTION FOR PRODUCTION OF DOCUMENTS UNDER THE FREEDOM OF INFORMATION ACT 5 USCA 512; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

STATE OF NEVADA,

Plaintiff(s),

vs.

ROY D. MORAGA,

Defendant(s).

Case No: 89C092174

Dept No: XVII

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 6 day of October 2022.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk

