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PETER JASON HELFRICH

Appellant,

vs.

THE FIFTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF NYE;
AND THE HONORABLE DAVID R.
GAMBLE, SENIOR JUDGE,

Respondent.

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ATTORNEY FOR APPELLANT ATTORNEYS FOR RESPONDENTS

PETER JASON HELFICH#1111875
High Desert State Prison
PO Box 650
Indian Springs, NV 89070

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INDEX

Document Name	Page Number
CASE SUMMARY	002-006
NO CONTEST PLEA AGREEMENT	007-021
AMENDED INFORMATION	022-025

Fifth Judicial District Court - Nye County
Case Summary

Page 1

Run: 01/31/2023
8:14:21

Case #: CR20-0145
Judge: WANKER, KIMBERLY
Date Filed: 12/09/2020 Department:
Case Type: Crimes Against Persons (Felony)

Plaintiff	Attorney(s)
STATE OF NEVADA	DISTRICT ATTORNEY'S OFFICE
Defendant	
HELFRICH, PETER JASON	MARTINEZ, DANIEL

Fees:

Date Assessed:	Fee	Total	Paid	Waived	Outstanding
07/28/2021	GENETIC	\$3.00	\$0.00	\$0.00	\$3.00
07/28/2021	ADMIN	\$5.00	\$0.00	\$0.00	\$5.00
07/28/2021	STADMIN	\$20.00	\$0.00	\$0.00	\$20.00

Charge: NRS200.481 - BATTERY WITH USE OF DEADLY WEAPON / Count 1
Sent: 24 TO 72 NDC WITH \$25 ADMIN FEE, \$3 DNA ADMIN FEE; 102 DAYS CTS

Disp/Judgment: Non-Trial: Nolle Date: 07/28/2021
Prosequi (Before
Trial)

Hearings:

Date	Time	Hearing	Court Result
01/11/2021	9:00AM	56#ARRAIGNMENT	CANC
04/08/2021	10:00AM	JUDGE GAMBLE/ARRAIGNMENT/MTN FOR JUDICIAL NOTICE	
06/23/2021	10:00AM	SENTENCING *SENIOR JUDGE GAMBLE*	CANC
07/28/2021	10:00AM	SENTENCING*SENIOR JUDGE GAMBLE*	

Filings:

Date	Filing
12/09/2020	CASE FILED 12/09/2020 CASE NUMBER CR20-0145A
12/09/2020	PROSECUTOR: DISTRICT ATTORNEY'S OFFICE ASSIGNED
12/09/2020	DEFENSE ATTORNEY: MARTINEZ, DANIEL ASSIGNED
12/09/2020	JUDGE LANE, ROBERT W: ASSIGNED
12/09/2020	DOCUMENTS RECEIVED FROM PAHRUMP JUSTICE COURT REF# 20CR01449; AFFIDAVIT AND APPLICATION FOR APPOINTMENT OF COUNSEL, AND ORDER APPOINTING COUNSEL, CRIMINAL COMPLAINT, AMENDED CRIMINAL COMPLAINT, ORDER OF RECUSAL, ORDER TO SHOW CAUSE, ORDER REVOKING OWN RECOGNIZANCE RELEASE, ORDER TO CONTINUE, SECOND AMENDED CRIMINAL COMPLAINT
12/09/2020	BINDOVER ORDER

Run: 01/31/2023
8:14:23

Case Summary

Page 2

12/16/2020 AFFIDAVIT OF JUDICIAL NOTICE OF THE ONLY KNOWN ADDRESS (GOOGLE ADDRESS, JOY DEVINE CHURCH, PAHRUMP) & DAYS/TIMES (FRIDAYS 9:AM TO NOON, SUNDAYS 10-11AM) TO SERVE SUBPOENA TO TESTIFY TO ILLEGAL ALIEN WITNESS MARIA SANCHEZ WHO IS DELIBERATLY & UNLAWFULLY AVOIDING SERVICE OF SUBPOENA TO TESTIFY (SUBMITTED BY DEFENDANT, PETER JASON HELFRICH)

12/23/2020 JUDICIAL NOTICE OF DISCOVERY DOCUMENTS STOLEN IN CASE NO.: 20CR01449; INCIDENT LIKELY TRANSPIRED DURING CELL SEARCH OR STOLEN BY CRIMINAL INFORMANT

12/24/2020 AFFIDAVIT OF JUDICIAL NOTICE OF DEMAND OF 60 DAY SPEEDY TRIAL PURSUANT TO THE 6TH AMENDMENT AND REQUEST FOR SUBMISSION AND HEARING

12/29/2020 TRANSCRIPT OF: PRELIMINARY HEARING(11/30/20)

01/05/2021 INFORMATION (FELONY/PERSON; FELONY/MOTOR VEHICLE-OTHER; FELONY/PERSON)

01/05/2021 AFFIDAVIT OF JUDICIAL NOTICE OF PLEA COUNTER OFFER & MITIGATING FACTS IN SUPPORT OF ALFORD PLEA TO BINDING 2 TO 5 & REQUEST FOR SUBMISSION & HEARING ON TBD; AT TBD AM/PM IN DEPT 2 OF SAID COURT

01/05/2021 AFFIDAVIT OF JUDICIAL NOTICE: 12/27/20 PHONE CALL TO ATTORNEY DOUG DAVIS = MARIA SANCHEZ TOLD MR DAVIS THAT IF SHE IS FORCED TO TESTIFY IN THIS CASE; SHE SHALL LIE, SLANDER, (ETC) PETER HELFRICH BECAUSE HE BROKE UP WITH HER & SHE IS AFRAID OF ALVIN THORNTON (ETC)

01/06/2021 ORDER OF RECUSAL(D2 TO D1)

01/06/2021 JUDGE WANKER, KIMBERLY: ASSIGNED

01/11/2021 AFFIDAVIT OF JUDICIAL NOTICE OF EMERGENCY TERMINATION OF APPOINTMENT OF POWER OF ATTORNEY

01/20/2021 REQUEST FOR SUBMISSION; AFFIDAVIT OF JUDICIAL NOTICE; HAND TRANSCRIBED DISCOVERY IN SUPPORT OF PLEA COUNTER OFFER 2 TO 5 & AUTHORIZATION TO RELEASE PROTECTED CONFIDENTIAL INFORMATION SERENITY MENTAL HEALTH & REQUEST FOR A PSY. EVAL FOR MITIGATION OF SENTENCE & NOTICE THAT DISCOVERY DOCUMENTS STOLEN & REQUEST FOR HEARING

01/25/2021 AFFIDAVIT OF JUDICIAL NOTICE OF MITIGATING FACTS CONTAINED IN DEPUTY REPORT FOR CASE #20NY-1730 PURSUANT TO 28U.S.C. 1746(1); W/O U.S.A

02/04/2021 ORDER OF RECUSAL

02/22/2021 AFFIDAVIT OF JUDICIAL NOTICE OF CONSPIRACY TO COMMIT FRAUD/THEFT OF \$ & PROPERTY BY WITNESS MARIA SANCHEZ & CON ARTIST DOUG DAVIS/ CERTIFICATE OF SERVICE

03/29/2021 AFFIDAVIT OF JUDICIAL NOTICE OF INVOKING THE RIGHT TO SPEEDY TRIAL PURSUANT TO THE 6TH AMENDMENT & 28 U.S.C 1746(1); W/O U.S.A. & REQUEST FOR SUBMISSION/& HEARING/&

04/06/2021 AMENDED INFORMATION

04/07/2021 NO CONTEST PLEA AGREEMENT

04/08/2021 COURT MINUTES-4/8/21 - SENIOR JUDGE:DAVID GAMBLE
CLERK: TERRI PEMBERTON
REPORTER: CECILIA THOMAS
BAILIFF: JAMELE TAYLOR
APP: KIRK VITTO FOR THE STATE
DANIEL MARTINEZ IS PRESENT WITH THE DEFENDANT WHO IS IN CUSTODY

COURT CALLS THE MATTER AS AN ARRAIGNMENT. COURT NOTES AN AMENDED INFORMATION HAS BEEN FILED AND SO REVIEWS. NO CONTEST PLEA SUBMITTED TO THE COURT. COURT CANVASS THE DEFENDANT OUTLINES THE NO CONTEST PLEA AGREEMENT FOR THE RECORD AND THE MAXIMUM POSSIBLE SENTENCE. DEFENDANT SO ACKNOWLEDGES, PLEADS NO CONTEST. THE STATE SETS FORTH THE ELEMENT ON THE RECORD. COURT FINDS THE NO CONTEST PLEA TO BE GIVEN FREELY AND ACCEPTS SAID PLEA. COURT SETS SENTENCING TO 6/23/21 @ 10 AM
DEFENSE MOTIONS FOR A REDUCED BAIL TO \$10,000 CASH OR BOND. THE STATE ARGUES AGAINST REDUCED BAIL AND ASKS FOR THE MOTION TO BE DENIED. COURT DENIES THE MOTION

04/09/2021 TRANSCRIPT OF ARRAIGNMENT HEARING (HRG 04/08/2021)

04/21/2021 AFFIDAVIT OF JUDICIAL NOTICE OF MITIGATING FACTS CONTAINED IN PRELIMINARY HEARING TRANSCRIPTS CASE #20CR01449

Run: 01/31/2023
8:14:23

Case Summary

Page 3

04/26/2021 AFFIDAVIT OF JUDICIAL NOTICE OF: 1. NUMEROUS REQUESTS OF (FOR) COPY/COPIES OF (A) DISCOVERY (STOLEN=ORIGINAL COPY STOLEN) B. TRANSCRIPT REQUESTS - PRELIMINARY HEARING AND ORDER OF PROTECTION HEARING VS ALVIN & ALTERIO THORNTON & IZEL CARMEN DE NINO=NUMEROUS REQUESTS VIA PHONE & MAIL/EMAIL TO DANIEL MARTINEZ

04/26/2021 AFFIDAVIT OF JUDICIAL NOTICE OF OBJECTION TO KIRK VITTO PROSECUTING/SENTENCING BECAUSE OF JERALD KENDRICKS 2012 QUI TAM 1893 TO WHICH KIRK VITTO WAS A DEFENDANT & PETER HELFRICH WAS A PLAINTIFF='S CONFLICT OF INTEREST

05/20/2021 ORDER APPOINTING DAVID NEELY, ESQ.

05/20/2021 DEFENSE ATTORNEY: NEELY, DAVID H III ASSIGNED

06/10/2021 PRESENTENCE INVESTIGATION REPORT (PREPARED 06/08/2021)

06/23/2021 SUPPLEMENTAL PRESENTENCE INVESTIGATION REPORT (PREPARED 06/21/2021)

06/29/2021 AFFIDAVIT OF JUDICIAL NOTICE=ILLEGAL ALIEN CON ARTIST MARIA SANCHEZ FLED PAHRUMP AFTER PETE HELFRICH ALERTED IMMIGRATION/ICE OF HER ILLEGAL ALIEN STATUS & THE CRIMES SHE COMMITTED AGAINST PETE HELFRICH'S SELLING \$20,000 + IN PROPERTY, DESTROYING LEGAL EVIDENCE, IDENTITY THEFT, STEALING \$1,295.95 IN SOCIAL SECURITY/DISABILITY WAGES, & VOWING TO LIE UNDER OATH AT TRIAL IN RETALIATION FOR PETE HELFRICH DUMPING/DIVORCING HER

07/08/2021 AFFIDAVIT OF JUDICAIAL NOTICE OF MOTION TO WITHDRAW "PLEA" & NOTICE THAT I AM FIRING DAVID NEELY

07/27/2021 COURT MINUTES-7/28/21 - SENIOR JUDGE:DAVID GAMBLE
CLERK: TERRI PEMBERTON
REPORTER: SUZIE ROWE
BAILIFF: JAMELE TAYLOR
APP: KIRK VITTO FOR THE STATE
DAVID NEELY IS PRESENT WITH THE DEFENDANT WHO IS IN CUSTODY

SENTENCING HEARING 1115AM

COURT CALLS THE MATTER AS A SENTENCING HEARING. COURT REVIEWS THE PSI'S THAT HAVE BEEN SUBMITTED. NO CHANGES TO THE PSI REPORT. COURT NOTES P&P IS NOT PRESENT AND THE CTS IS COMPLICATED. COURT WAS HOPING P&P WOULD BE HERE TO PROVIDE THERE CALCULATION. THE STATE BELIEVES THE CTS SHOULD BE102 DAYS. DEFENSE STATES THE DEFENDANT IS NOT SURE. DEFENDANT IS OK TO PROCEED WITH THE 102 DAYS CTS. COURT ORDERS COUNSEL TO BE IN TOUCH WITH P&P TO OBTAIN THE PROPER AMOUNT OF CTS AND IF IT IS DIFFERENT THE JOC WILL BE AMENDED TO REFLECT THE CORRECT AMOUNT. ALL PARTIES CONCUR. COURT INFORMS THE DEFENDANT THAT HE HAS REVIEWED ALL DOCUMENTS THAT HE HAS SUBMITTED TO THE CLERK'S FOR FILING. SENIOR JUDGE GAMBLE HAS ORDERED THE CLERK'S TO NOT FILE SAID DOCUMENT'S AS HE IS REPRESENTED BY COUNSEL THE DOCUMENTS ARE ON THE LEFT SIDE IN THE FILE. DEFENSE ARGUES FOR MENTAL HEALTH TREATMENT, 2 YEARS TO 6 YEARS WITH PROBATION . DEFENSE REVIEWS A PORTION OF THE PSI AS REQUESTED BY DEFENDANT. THE STATE RECOMMENDS THE MAXIMUM 48/120 WITH A \$10000 FINE. THE STATE REVIEWS THE PREVIOUS CRIMINAL BEHAVIOR THE DEFENDANT HAS BEEN INVOLVED IN. DEFENDANT ADDRESSES AND REVIEWS THE INCIDENT IN DETAIL. COURT ADMONISHES THE DEFENDANT TO THE BAD DECISION THE DEFENDANT MADE THE NIGHT OF THE INICIDENT. COURT ADJUDICATES THE DEFENDANT GUILTY. COURT SENTENCES THE DEFENDANT TO \$25 \$3 2 TO 6 YEARS IN PRISON WITH PAROLE ELIGIBILITY IN 2 YEAR WITH 102 DAYS CTS (IF P&P CONFIRMS IT TO BE MORE CTS IT SHALL BE AMENDED).

07/28/2021 JUDGMENT OF CONVICTION(FELONY/PERSON)

08/03/2021 TRANSCRIPT OF: SENTENCING(07/28/21)

08/03/2021 *****END OF FILE #1*****

08/04/2021 TRANSCRIPT OF PROCEEDINGS SENTENCING (7/28/21)

08/18/2021 TRANSCRIPT OF PROCEEDINGS: SENTENCING (07/28/2021)

09/10/2021 APPLICATION TO WAIVE FEES

Run: 01/31/2023
8:14:23

Case Summary

Page 4

09/10/2021 AFFIDAVIT OF INDIGENT PETITION FOR WRIT OF HABEAS CORPUS SEEKING AN ORDER TO CORRECT & AMEND FACTUAL ERRORS CONTAINED IN PSI REPORT (SEE ATTACHED) PURSUANT TO NRS 176.156(1)(B), 28 USC1746(1) & PUBLIC LAW 116 CONGRESS, SES. 92 & JUDICIAL NOTICE

09/29/2021 ORDER REGARDING APPLICATION TO WAIVE FEEES

10/15/2021 CERTIFICATE OF SERVICE

11/16/2021 MOTION TO WITHDRAW COUNSEL

11/16/2021 DEMAND FOR COPY OF ENTIRE CASE FILES AND NOTICE OF MOTION

11/17/2021 AFFIDAVIT OF JUDICIAL NOTICE OF SUPPLEMENTAL ADDENDUM TO PETITION FOR WRIT OF HABEAS CORPUS

12/15/2021 JUDICIAL NOTICE OF #2 SUPPLEMENTAL ADDENDUM TO WRIT OF HABEAS CORPUS & DEMAND FOR FILE STAMPED COPIES OF TEMPORARY RESTRAINING ORDER/INJUNCTION, AMENDED HABEAS & MOTION FOR TRANSCRIPTS & A UPDATED CASE SUMMARY

12/15/2021 MOTION FOR SENTENCING HEARING TRANSCRIPTS

12/15/2021 AFFIDAVIT OF JUDICIAL NOTICE OF MAIL THEFT/&TAMPERING BY NDOC/HDSP OFFICIALS IN CR20-0145 20CR01449

12/15/2021 NOTICE OF MOTION

03/09/2022 PETITION FOR WRIT OF MANDAMUS - FILING SENT TO D1 FOR REVIEW

06/08/2022 RECEIPT FOR DOCUMENTS

06/14/2022 ORDER

06/22/2022 ORDER DENYING PETITION

07/14/2022 NOTICE IN LIEU OF REMITTITUR

10/06/2022 PETITION FOR WRIT OF MANDAMUS

10/13/2022 AFFIDAVIT OF JUDICIAL NOTICE THAT FEDERAL WHISTLEBLOWER & EX MARINE STEW WEBBTIPPED OFF THE ALPHABET GANG VS CORRUPT SHARON WHERLEY & HER MARXISTS PSYCHOPHANTS-A DECLARATION OF WAR !

10/13/2022 NOTICE OF MOTION AND MOTION FOR TRANSCRIPTS AT STATE EXPENSE & AN UP TO DATE COPY OF CASE SUMMARY

10/13/2022 MOTION TO APPOINT COUNSEL

10/18/2022 PETITION FOR WRIT OF MANDAMUS - Mailed copy to Peter Helfrich #1111875 PO Box 650 Indian Springs, NV 89070 on 10/18/22--forwarded filing to D1

10/20/2022 RECEIPT FOR DOCUMENTS

11/07/2022 RECEIPT FOR DOCUMENTS

11/07/2022 REQUEST FOR SUBMISSION & HEARING & PUT THIS ON CALENDAR NOTICE OF MOTION

11/07/2022 PETITION FOR WRIT OF MANDAMUS/PROHIBITION

11/07/2022 PETITION FOR WRIT OF MANDAMUS/PROHIBITION

11/07/2022 NOTICE OF MOTION REQUEST FOR SUBMISSION & HEARING & PUT THIS ON CALENDAR

11/14/2022 AFFIDAVIT OF JUDICIAL NOTICE - UP TO DATE CASE SUMMARY SENT AND MAILED A COPY OF THE AFFIDAVIT

11/18/2022 AFFIDAVIT OF JUDICIAL NOTICE - UP TO DATE CASE SUMMARY SENT AND MAILED A COPY OF THE AFFIDAVIT

11/21/2022 ORDER DENYING PETITION

11/23/2022 AFFIDAVIT OF JUDICIAL NOTICE THAT HDSP CONSPIRING TO DENY ME ACCESS TO THE LAW LIBRARY BY INTERCEPTING & DESTROYING MY COMPLETED LAW LIBRARY REQUEST FORMS ON 10/31/2022 & 11/2/2022-I NEED AN ATTORNEY

11/28/2022 MOTION FOR AN EVIDENTIARY HEARING IN 90 DAYS OR LESS PURSUANT TO NRS 34.770 & 34.740 & I REQUEST THIS MOTION BE PUT ON THE CALENDAR ASAP

11/28/2022 NOTICE OF MOTION

12/08/2022 EMERGENCY MOTION FOR AN EVIDENTIARY HEARING IN 90 DAYS OR LESS

12/08/2022 NOTICE OF MOTION

12/08/2022 *****END OF FILE #2*****

12/09/2022 AFFIDAVIT IN SUPPORT OF PETITION FOR WRIT OF MANDAMUS

Run: 01/31/2023
8:14:23

Case Summary

Page 5

12/12/2022 AFFIDAVIT OF JUDICIAL NOTICE CON ARTISTS ALBERTO FLORES, DENISE BLAIR, LNU
"MIKE", ET. AL. PERFORMANCE AUTO AND MORE EXPOSED
12/12/2022 HABEAS PETITION: EXPEDITIOUS JUDICIAL EXAMINATION
12/15/2022 NOTICE IN LIEU OF REMITTITUR (SURPEME COURT)
12/16/2022 AFFIDAVIT OF JUDICIAL NOTICE NORTH KOREAN CONCENTRATION CAMP LEVEL OF
DENTAL CARE AT HIGH DISASTER SATANIC PURGATORY, A BIDEN & SISOLAK COMMUNIST
PARTY GULAG- BREAKING NEWS: IF I DON'T GET MY 1ST PAROLE & DENTAL CARE
BECAUSE THE CLERK WON'T PUT MY HABEAS TO CORRECT FACTUAL ERRORS ON MY PSI
REPORT ON THE CALENDAR FOR AN EVIDENTIARY HEARING, JUST WAIT TILL I GET
BACK ON THE RADIO, ETC. (I'M GOOD AT EXPOSING INJUSTICE).
12/19/2022 RECEIPT FOR DOCUMENTS (SUPREME COURT #85792)
12/19/2022 RECEIPT FOR DOCUMENTS (SUPREME COURT #85793)
12/19/2022 AFFIDAVIT OF PETITION FOR WRIT OF MANDAMUS
12/27/2022 AFFIDAVIT OF JUDICIAL NOTICE
12/27/2022 RECEIPT FOR DOCUMENTS
12/27/2022 RECEIPT FOR DOCUMENTS
12/29/2022 AFFIDAVIT OF JUDICIAL NOTICE
12/29/2022 AFFIDAVIT OF EMERGENCY MOTION
12/29/2022 AFFIDAVIT OF JUDICIAL NOTICE
12/30/2022 LEGAL ARGUMENT
01/03/2023 AFFIDAVIT OF JUDICIAL NOTICE OF CONSTITUTIONALLY ROGUE NDOC/HDSP(ETC)
OFFICIALS EXPOSED ON THIS PUBLIC RECORD WHICH MAKES THEM LIABLE
01/03/2023 AFFIDAVIT OF JUDICIAL NOTICE IN SUPPORT OF 1/25/2023 PAROLE HEARING
01/04/2023 *****END OF FILE #3*****
01/05/2023 AFFIDAVIT OF JUDICIAL NOTICE OF COVID DEPOPULATION FAKE VACCINE EXPOSED
01/05/2023 JUDICIAL NOTICE OF STATE OF NEVADA - NCDCL NDOC/HDSP OFFICIALS
FORCED/COERCED CONSENT BEGAN OCTOBER 20TH 2020
01/05/2023 ORDER DENYING PETITION
01/05/2023 ORDER DENYING PETITION
01/09/2023 ORDER DENYING PETITION
01/11/2023 ORDER DIRECTING ANSWER (SUPREME COURT)
01/17/2023 AFFIDAVIT OF JUDICIAL NOTICE TO CLERK OF COURT MARK F KAMPF
01/17/2023 JUDICIAL NOTICE OF NORTH KOREAN CONCENTRARION CAMP LEVEL OF MEDICAL CARE AT
NDOC-HDSP
01/17/2023 AFFIDAVIT OF JUDICIAL NOTICE OF NDOC/HDSP
01/23/2023 AFFIDAVIT OF JUDICIAL NOTICE
01/23/2023 AFFIDAVIT OF JUDICIAL NOTICE
01/23/2023 AFFIDAVIT OF JUDICIAL NOTICE
01/26/2023 AFFIDAVIT OF JUDICIAL NOTICE OF: INFORMAL GRIEVANCE RE: PUS INFECTED FOOT
AND DENIAL OF ACCESS TO LAW LIBRARY
01/27/2023 NOTICE IN LIEU OF REMITITTUR
01/27/2023 NOTICE IN LIEU OF REMITTITUR
01/30/2023 AFFIDAVIT OF JUDICIAL NOTICE

ORIGINAL

1 Case No. CR20-0145A

2 Department 1

3 *The undersigned affirms that*
4 *this document does not contain*
5 *the social security number of*
6 *any person.*

FILED
FIFTH JUDICIAL DISTRICT

APR 07 2021

Nye County Clerk
Judy Ayotte Deputy

6 IN THE FIFTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

7 IN AND FOR THE COUNTY OF NYE

8 THE STATE OF NEVADA,

9 Plaintiff,

10 v.

NO CONTEST PLEA AGREEMENT

11 PETER J HELFRICH,

12 Defendant. /

13 COMES NOW, THE STATE OF NEVADA ("Plaintiff"), by CHRIS ARABIA, Nye
14 County District Attorney, through MICHAEL D. ALLMON, and PETER J HELFRICH,
15 ("Defendant"), represented by Attorney DANIEL MARTINEZ, Esq., and files this No
16 Contest Plea Agreement in the above-entitled case(s).

17 I, PETER J HELFRICH, hereby agree to plead No Contest, pursuant to *North*
18 *Carolina v. Alford*, 400 U.S. 25 (1970), to Count I, a charge of BATTERY WITH USE
19 OF A DEADLY WEAPON, in violation of NRS 200.481(2)(e)(1), A CATEGORY 'B'
20 FELONY, as more fully alleged in the charging document attached hereto as Exhibit 1.
21 My decision to plead no contest is based upon the plea agreement in this case, which
22 is as follows:

23 1. In exchange for pleading no contest as set forth above, and no contest to Count
24 I of Pahrump Justice Court case 20TR01961 (Assault, a misdemeanor), the

NYE COUNTY DISTRICT ATTORNEY
P O BOX 39
PAHRUMP, NEVADA 89041
(775) 751-7085

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1 prosecution will not pursue any other charges related to this case. Additionally,
2 the State will dismiss the following charges: 20TR01961 Counts II-V (Certain
3 Unlawful Acts, Driving Without a License, Security for Payment of Tort
4 Liabilities, Harassment, and Eluding a Peace Officer, all misdemeanors),
5 20CR01738 (Charged as Simulation of Legal Document, NRS 207.337, D
6 Felony and was to be amended to Harassment, a misdemeanor), 20CR01739
7 (Harassment, a misdemeanor). Furthermore, the State will deny 20NY-3974
8 (referred for a charge of Simulation of Legal Document, NRS 207.337, D
9 Felony).

10 2. Both parties agree that in 20TR01961, the Defendant will enter a no-contest
11 plea to Count I (Assault). As part of a global negotiation with this case, in
12 Justice Court, both parties will recommend that the Defendant will be sentenced
13 to a term of confinement in the Nye County Detention Center, that begins with
14 the Defendant being remanded to the custody of the Sheriff, and ends with the
15 Defendant entering his plea of no-contest in District Court as part of this guilty
16 plea agreement. The sentence for that offense is dependent on the timing of
17 this case. Meaning that credit for time served will all be applied to 20TR01961
18 and the time served in this case will not begin until the Defendant enters a plea
19 of no contest in the district court as outlined in this agreement, or when the
20 Defendant has served 180 days, the maximum allowable, on 20TR01961.

21 3. At sentencing, both parties will retain the full right to argue on this charge.

22 4. I agree to forfeit any and all weapons and evidence, or any interest in any
23 weapons or evidence seized or otherwise impounded in connection with the
24

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1 instant case or any other case negotiated or resolved in whole or in part as a
2 result of this negotiation.

3 I acknowledge and accept that should I fail to interview with the Department of
4 Parole and Probation; fail to appear at any subsequent hearings in this case; escape
5 custody if applicable; provide a sample of breath, blood or urine that tests positive for
6 the unlawful use of a controlled substance, dangerous drug(s), or alcohol at any point
7 after my preliminary hearing at the justice court level, a test for which I willingly and
8 voluntarily consent and agree to submit to, or an independent magistrate, by affidavit
9 review, confirms probable cause against me for new criminal charges discovered or
10 committed after the day I enter my plea pursuant to this agreement, but excluding case
11 minor traffic violations (that for purposes of this agreement are offenses below
12 reckless driving), I agree that the prosecution will be free to either withdraw from the
13 plea agreement; argue for any legal sentence and term of confinement possible
14 pursuant to the charges set forth in the charging document to which I have pleaded
15 guilty or no contest, to include any increased punishment if enhancements are
16 applicable, such as but not limited to Habitual Criminal treatment; and that a failure to
17 appear after the day I enter my plea pursuant to this agreement can be the basis for a
18 new and separate criminal prosecution. In the event that any of the above described
19 circumstances come to pass, I understand and agree that the prosecution could adopt
20 any sentencing posture legally allowed for the charges I have pleaded guilty or no
21 contest to, and still pursue charges that had been agreed to be dismissed because of
22 my breach of the agreement reached. Lastly, any breach of the agreement reached,
23 including a failed, faked, adulterated, refused, or otherwise invalid test to ascertain the
24 presence of drugs or alcohol in my system after pleading guilty or no contest pursuant

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1 to this agreement will immediately (and *ex parte*) be considered a basis for revoking
2 my own recognizance (OR) release if in fact I have been released to my OR pending
3 sentencing or any other court date or appearance after entry of plea. As an example, if
4 I have been enrolled in drug court as a condition of an OR release, and fail, fake,
5 refuse, or otherwise provide an invalid test I agree that the court may immediately
6 revoke my OR release until such time as I may seek to thereafter have my OR
7 restored.

8 CONSEQUENCES OF THE PLEA

9 I understand that my decision to plead No Contest does not require me to admit
10 that I am guilty, but is based upon my belief that the State would present sufficient
11 evidence at trial that a jury would return a verdict of guilty that supports all the
12 elements of an offense that is equal to or greater than the offense to which I now
13 plead, as set forth in Exhibit 1.

14 I understand that as a consequence of my plea of no contest, on the charge of
15 **BATTERY WITH USE OF A DEADLY WEAPON**, in violation of **NRS 200.481(2)(e)(1)**,
16 **A CATEGORY 'B' FELONY**, I am subject to imprisonment in the state prison for a
17 minimum term of not less than 2 years and a maximum term of not more than 10
18 years, and may be further punished by a fine of not more than \$10,000. I understand
19 that certain Administrative Assessment Fees are mandatory and applicable and that I
20 will be court ordered to pay them.

21 I understand that, if appropriate, I will be ordered to make restitution to the
22 victim of the offense(s) to which I am pleading no contest and to the victim of any
23 related offense(s) being dismissed or not prosecuted pursuant to this agreement. I
24 also understand that any victim to any offense I have plead no contest to, or any victim

NYE COUNTY DISTRICT ATTORNEY
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1 included for the purposes of restitution, may take the stand and testify at sentencing. I
2 will also be ordered to reimburse the State of Nevada for expenses related to my
3 extradition, if any.

4 I understand that I am eligible for probation for the offense(s) to which I am
5 pleading no contest. I understand that, except as otherwise provided by statute, the
6 question of whether I receive probation is in the discretion of the sentencing judge.

7 I understand that if more than one sentence of imprisonment is imposed and I
8 am eligible to serve the sentences concurrently, the sentencing judge has the
9 discretion to order the sentences served concurrently or consecutively, irrespective of
10 any parties' recommendation.

11 I understand that information regarding charges not filed, dismissed charges or
12 charges to be dismissed pursuant to this agreement may be considered by the judge
13 at sentencing.

14 I have not been promised or guaranteed any particular sentence by anyone. I
15 know that my sentence will be determined by the Court within the limits prescribed by
16 statute. I understand that if my attorney or the State of Nevada or both recommend
17 any specific punishment to the court, the court is not obligated to accept the
18 recommendation.

19 I understand if the offense(s) to which I am pleading no contest to was
20 committed while I was incarcerated on another charge or while I was on probation or
21 parole that I am not eligible for credit for time served toward the instant offense(s)

22 I understand that the Division of Parole and Probation of the Department of
23 Public Safety may prepare a written report for the sentencing judge before sentencing.
24 This report will include matters relevant to the issue of sentencing, including my

1 criminal history. I understand that this report may contain hearsay information
2 regarding my background and criminal history. My attorney and I will each have the
3 opportunity to comment on the information contained in the report, if any, at the time of
4 sentencing. Unless the prosecutor has specifically agreed to stand silent at
5 sentencing, the prosecutor will likewise retain the right to fully address any and all
6 matters contained within the report.

7 I understand that pleading no contest may have adverse consequences to my
8 citizenship or immigration status.

9 **WAIVER OF RIGHTS**

10 By entering my plea of no contest, I understand that I have waived the following
11 rights and privileges:

12 By entering my plea of no contest, I understand that I have waived the following rights
13 and privileges:

- 14 1. The constitutional privilege against self-incrimination, including the right to
15 refuse to testify at trial, in which event the State would not be allowed to
16 comment to the jury about my refusal to testify.
- 17 2. The constitutional right to a speedy and public trial by an impartial jury, free of
18 excessive pretrial publicity prejudicial to the defense, at which trial I would be
19 entitled to the assistance of an attorney, either appointed or retained. At trial,
20 the State would bear the burden of proving beyond a reasonable doubt each
21 element of each offense charged.
- 22 3. The constitutional right to confront and cross-examine any witnesses who would
23 testify against me.
- 24 4. The constitutional right to subpoena witnesses to testify on my behalf.

1 5. The constitutional right to testify in my own defense.

2 6. The right to appeal the conviction, with the assistance of an attorney, either
3 appointed or retained, unless the appeal is based upon reasonable
4 constitutional, jurisdictional or other grounds that challenge the legality of the
5 proceedings and except as otherwise provided by subsection 3 of NRS
6 174.035.

7 **VOLUNTARINESS OF PLEA**

8 I have discussed the elements of all the original charges against me with my
9 attorney and I understand the nature of these charges.

10 I understand that the State would have to prove each element of each charge
11 against me at trial.

12 I have discussed with my attorney any possible defenses and circumstances
13 that might be in my favor.

14 All of the foregoing elements, consequences, rights and waiver of rights have
15 been thoroughly explained to me by my attorney.

16 I believe that pleading no contest and accepting this plea bargain is in my best
17 interests and that a trial would be contrary to my best interests.

18 I am signing this agreement voluntarily after consultation with my attorney and
19 am not acting under duress or coercion or by virtue of any promises of leniency,
20 except for those set forth in this agreement.

21 I am not now under the influence of intoxicating liquor, a controlled substance or
22 other drug(s) that would in any manner impair my ability to comprehend or understand
23 this agreement or the proceedings surrounding my entry of this plea.

24 ///

NYE COUNTY DISTRICT ATTORNEY
P.O. BOX 39
PAHRUMP, NEVADA 89041
(775) 751-7085

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4 My attorney has answered to my satisfaction all of my questions regarding this
5 No contest Plea Agreement and its consequences, and I am satisfied with the services
6 provided by my attorney.

7 DATED this ____ day of _____, 2021.

8

9

Peter J. Helfrich; ucc 1-207/1-308
PETER J HELFRICH 3-402(b)

10

11

AGREED to on this 6 day of April 2021.

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CHRIS ARABIA
NYE COUNTY DISTRICT ATTORNEY

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By 
MICHAEL D. ALLMON
Deputy District Attorney

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NYE COUNTY DISTRICT ATTORNEY
P.O. BOX 39
PAHRUMP, NEVADA 89041
(775) 751-7085

CERTIFICATE OF COUNSEL

I, the undersigned, as the attorney for the defendant named herein and as an officer of the court hereby certify that:

1. I have fully explained to the defendant the allegations contained in the charge(s) to which the no contest plea(s) is/are being entered.
2. I have advised the defendant of the penalties for each charge and the restitution that the defendant may be ordered to pay.
3. I have inquired of Defendant facts concerning Defendant's immigration status and explained to Defendant that if Defendant is not a United States citizen any criminal conviction will most likely result in serious negative immigration consequences including but not limited to: removal from the United States through deportation; an inability to reenter the United States; the inability to gain United States citizenship or legal residency; an inability to renew and/or retain any leant residency status; and/or an indeterminate term of confinement, with the United States Federal Government based on my conviction and immigration status. Moreover, I have explained that regardless of what Defendant may have been told by any attorney, no one can promise Defendant that this conviction will not result in negative immigration consequences and/or impact Defendant's ability to become a United States citizen and/or legal resident.
4. All pleas of no contest offered by the defendant pursuant to this agreement are consistent with all the facts known to me and are made

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1 with my advice to the defendant and are in the best interest of the
2 defendant.

3 5. To the best of my knowledge and belief, the defendant:

- 4 (a) Is competent and understands the charge(s) and the
5 consequences of pleading no contest as provided in this
6 agreement;
7 (b) Executed this agreement and will enter all no contest pleas
8 pursuant hereto voluntarily; and
9 (c) Was not under the influence of intoxicating liquor, a controlled
10 substance or other drug at the time of the execution of this
11 agreement.

12 DATED this 7th day of April, 2021.

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15 DANIEL MARTINEZ, Esq.
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NYE COUNTY DISTRICT ATTORNEY
P.O. BOX 39
PAHRUMP, NEVADA 89041
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EXHIBIT 1

NYE COUNTY DISTRICT ATTORNEY
P.O. BOX 39
PAHRUMP, NEVADA 89041
(775) 751-7080

1 Case No. CR20-0145A

2 Department 1

3 *The undersigned affirms that*
4 *this document does not contain*
5 *the social security number of*
6 *any person.*

FILED
FIFTH JUDICIAL DISTRICT

APR 06 2021

Nye County Clerk

~~Judy Ayotte~~ Deputy

6 IN THE FIFTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

7 IN AND FOR THE COUNTY OF NYE

8 THE STATE OF NEVADA,

9 Plaintiff,

10 vs.

AMENDED INFORMATION

11 PETER J HELFRICH,

12 Defendant. /

13 CHRIS ARABIA, District Attorney within and for the County of Nye, State of
14 Nevada, informs the Court that PETER J HELFRICH, before the filing of this
15 Information, did then and there, in Nye County, Nevada, commit the following
16 offenses, to wit:

17 BATTERY WITH USE OF A DEADLY WEAPON, in violation of NRS
18 200.481(2)(e)(1), A CATEGORY 'B' FELONY, committed in the following
19 manner, to wit: That ON OR ABOUT MAY 27, 2020, in Pahrump
20 Township, Nye County, Nevada, said Defendant did willfully and
unlawfully use force or violence upon the person of ALTERIO
THORNTON, with a deadly weapon, by ramming a vehicle occupied by
ALTERIO THORNTON with an Astro van;

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NYE COUNTY DISTRICT ATTORNEY
P.O. BOX 39
PAHRUMP, NEVADA 89041
(775) 751-7080

1 All of which is contrary to the form, force, and effect of the statutes in such
2 cases made and provided, and against the peace and dignity of the State of Nevada.

3 Witnesses and their addresses known to the District Attorney of Nye County,
4 State of Nevada, at the time of the filing of this Information:

5 SERGEANT KELLY JACKSON
6 NYE COUNTY SHERIFF'S OFFICE
7 PAHRUMP, NEVADA

8 DEPUTY WES BEARD
9 NYE COUNTY SHERIFF'S OFFICE
10 PAHRUMP, NEVADA

11 SERGEANT JOHN POWELL
12 NYE COUNTY SHERIFF'S OFFICE
13 PAHRUMP, NEVADA

14 DETECTIVE MORGAN DILLON
15 NYE COUNTY SHERIFF'S OFFICE
16 PAHRUMP, NEVADA

17 TONYLEE JANATSCH
18 1391 HARDY LANE
19 PAHRUMP, NEVADA 89048

20 DEPUTY MIKE A. CONNELLY
21 NYE COUNTY SHERIFF'S OFFICE
22 PAHRUMP, NEVADA 89060

23 FORMER DETECTIVE CHRISTOPHER A. SEHNERT
24 NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA 89060

ALVIN THORNTON
2551 WEST WILSON ROAD
PAHRUMP, NEVADA 89048

DEPUTY ERIC ANDERSON
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA 89060

DEPUTY CHAD BARRETT
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA 89060

NYE COUNTY DISTRICT ATTORNEY
P.O. BOX 39
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(775) 751-7080

1 ISELA DELCARMEN JARA NINO
2 2551 WEST WILSON ROAD
3 PAHRUMP, NEVADA 89048

4 TROOPER JUSTIN BRANSKE
5 NEVADA HIGHWAY PATROL
6 4615 WEST SUNSET
7 LAS VEGAS, NEVADA 89118

8 ALTERIO D. THORNTON
9 2251 W WILSON RD.
10 PAHRUMP, NEVADA 89048

11 DATED this 6th day of April, 2021.

12 CHRIS ARABIA
13 NYE COUNTY DISTRICT ATTORNEY

14 By 
15 MICHAEL D. ALLMON
16 Deputy District Attorney
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NYE COUNTY DISTRICT ATTORNEY
P.O. BOX 39
PAHRUMP, NEVADA 89041
(775) 751-7080

CERTIFICATE OF SERVICE

I, Renne McKeen, Paralegal, of the Nye County District Attorney's Office, do hereby certify that I have served the following:

**INFORMATION In
8TH JDC Case No(s). CR20-0145A
STATE v. PETER J HELFRICH**

upon said Defendant(s) herein by delivering a true and correct copy thereof on 4/6/21 to the following:

DANIEL E MARTINEZ ESQ.

Via hand deliver at the Nye county District Attorney's Office in Pahrump Nevada.


Renne McKeen

NYE COUNTY DISTRICT ATTORNEY
P O BOX 39
PAHRUMP, NEVADA 89041
(775) 751-7080

1 Case No. CR20-0145A

2 Department 1

3 *The undersigned affirms that*
4 *this document does not contain*
5 *the social security number of*
6 *any person.*

FILED
FIFTH JUDICIAL DISTRICT

APR 06 2021

Nye County Clerk

JUDY AYOUNG Deputy

7 IN THE FIFTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
8 IN AND FOR THE COUNTY OF NYE

9 THE STATE OF NEVADA,

10 Plaintiff,

11 vs.

AMENDED INFORMATION

12 PETER J HELFRICH,

13 Defendant. /

14 CHRIS ARABIA, District Attorney within and for the County of Nye, State of
15 Nevada, informs the Court that PETER J HELFRICH, before the filing of this
16 Information, did then and there, in Nye County, Nevada, commit the following
17 offenses, to wit:

18 BATTERY WITH USE OF A DEADLY WEAPON, in violation of NRS
19 200.481(2)(e)(1), A CATEGORY 'B' FELONY, committed in the following
20 manner, to wit: That ON OR ABOUT MAY 27, 2020, in Pahrump
21 Township, Nye County, Nevada, said Defendant did willfully and
22 unlawfully use force or violence upon the person of ALTERIO
23 THORNTON, with a deadly weapon, by ramming a vehicle occupied by
24 ALTERIO THORNTON with an Astro van;

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NYE COUNTY DISTRICT ATTORNEY
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- 1 All of which is contrary to the form, force, and effect of the statutes in such
2 cases made and provided, and against the peace and dignity of the State of Nevada.
3 Witnesses and their addresses known to the District Attorney of Nye County,
4 State of Nevada, at the time of the filing of this Information:
- 5 SERGEANT KELLY JACKSON
6 NYE COUNTY SHERIFF'S OFFICE
7 PAHRUMP, NEVADA
- 8 DEPUTY WES BEARD
9 NYE COUNTY SHERIFF'S OFFICE
10 PAHRUMP, NEVADA
- 11 SERGEANT JOHN POWELL
12 NYE COUNTY SHERIFF'S OFFICE
13 PAHRUMP, NEVADA
- 14 DETECTIVE MORGAN DILLON
15 NYE COUNTY SHERIFF'S OFFICE
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- 17 TONYLEE JANATSCH
18 1391 HARDY LANE
19 PAHRUMP, NEVADA 89048
- 20 DEPUTY MIKE A. CONNELLY
21 NYE COUNTY SHERIFF'S OFFICE
22 PAHRUMP, NEVADA 89060
- 23 FORMER DETECTIVE CHRISTOPHER A. SEHNERT
24 NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA 89060
- ALVIN THORNTON
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- DEPUTY CHAD BARRETT
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PAHRUMP, NEVADA 89060

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3 TROOPER JUSTIN BRANSKE
4 NEVADA HIGHWAY PATROL
5 4615 WEST SUNSET
6 LAS VEGAS, NEVADA 89118

6 ALTERIO D. THORNTON
7 2251 W WILSON RD.
8 PAHRUMP, NEVADA 89048

8 DATED this 6th day of April, 2021.

9 CHRIS ARABIA
10 NYE COUNTY DISTRICT ATTORNEY

11 By 
12

13 MICHAEL D. ALLMON
14 Deputy District Attorney
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NYE COUNTY DISTRICT ATTORNEY
P.O. BOX 39
PAHRUMP, NEVADA 89041
(775) 751-7080

CERTIFICATE OF SERVICE

I, Renne McKeen, Paralegal, of the Nye County District Attorney's Office, do hereby certify that I have served the following:

**INFORMATION in
5TH JDC Case No(s). CR20-0145A
STATE v. PETER J HELFRICH**

upon said Defendant(s) herein by delivering a true and correct copy thereof on

4/6/21 to the following:

DANIEL E MARTINEZ ESQ.

Via hand deliver at the Nye county District Attorney's Office in Pahrump Nevada.



Renne McKeen

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Kristine M. Kipp