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Elizabeth A. Brown
Clerk of Supreme Court

7 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

8
9
10 JUSTIN D. PORTER,

11 Appellant,

12 vs.

13 THE STATE OF NEVADA,

14 Respondent.
15

} Supreme Court Case No: 85782

16 **DOCKETING STATEMENT**

17 **GENERAL INFORMATION**

18 1. Judicial District: **Eighth Judicial District** County: **Clark County**

Judge: **Honorable Jacqueline M. Bluth** District Ct. Case No.: **01C174954**

19 2. If the defendant was given a sentence,

20 (a) What is the sentence: **An aggregated total of 126 years to Life in**

21 **Nevada Department of Corrections (NDC) with 8,112 days credit for**

22 **time served, comprised of the following:**

23 **COUNT 1: 5 – 15 years in NDC;**
24

COUNT 2: 5 years to Life in NDC, plus a consecutive term of 5 years to Life for use of a deadly weapon;

COUNT 3: 10 years to Life in NDC, plus a consecutive term of 10 years to Life for use of a deadly weapon, consecutive to Counts 1 and 2;

COUNT 5: 10 years to Life in NDC, plus a consecutive term of 10 years to Life for use of a deadly weapon, concurrent with COUNT 3;

COUNT 8: 2 – 15 years in NDC, concurrent with COUNT 5;

COUNT 9: 15 years to Life in NDC, plus a consecutive term of 15 years to Life for use of a deadly weapon, concurrent with COUNT 8;

COUNT 10: 15 years to Life in NDC, plus a consecutive term of 15 years to Life for use of a deadly weapon, consecutive to COUNT 9;

COUNT 11: 2 – 20 years in NDC, plus a consecutive term of 2 – 20 years for use of a deadly weapon, concurrent with COUNT 10;

COUNT 12: 15 years to Life in NDC, plus a consecutive term of 15 years to Life, concurrent with COUNT 11;

COUNT 13: 2 – 15 years in NDC, plus a consecutive term of 2 – 15 years for use of a deadly weapon, concurrent with COUNT 12;

COUNT 14: 2 – 15 years in NDC consecutive to COUNT 13;

COUNT 15: 2 – 15 years in NDC, concurrent with COUNT 14;

COUNT 16: 5 years to Life in NDC, plus a consecutive term of 5 years to Life for use of a deadly weapon, concurrent with COUNT 15;

COUNT 17: 10 years to Life in NDC, plus a consecutive term of 10 years to Life for use of a deadly weapon, consecutive to COUNT 16;

COUNT 18: 2 – 15 years in NDC, plus a consecutive term of 2 – 15 years for use of a deadly weapon, concurrent with COUNT 17;

COUNT 19: 2 – 15 years in NDC, concurrent with COUNT 18;

COUNT 20: 10 years to Life in NDC, plus a consecutive term of 10 years to Life for use of a deadly weapon, consecutive to COUNT 19;

COUNT 21: 2 – 15 years in NDC, plus a consecutive term of 2 – 15 years for use of a deadly weapon, concurrent with COUNT 20;

COUNT 22: 2 – 15 years in NDC, concurrent with COUNT 21;

COUNT 23: 2 – 15 years in NDC, plus a consecutive term of 2 – 15 years for use of a deadly weapon, consecutive to COUNT 22;

COUNT 24: 2 – 15 years in NDC, plus a consecutive term of 2 – 15 years for use of a deadly weapon, concurrent with COUNT 23;

COUNT 26: 2 – 15 years in NDC, concurrent with COUNT 24;

COUNT 27: 2 – 15 years in NDC, plus a consecutive term of 2 – 15 years for use of a deadly weapon, concurrent with COUNT 26;

COUNT 28: 10 years to Life in NDC, plus a consecutive term of 10 years to Life for use of a deadly weapon, consecutive to COUNT 27;

COUNT 29: 2 – 15 years in NDC, plus a consecutive term of 2 – 15 years for use of a deadly weapon, concurrent with COUNT 28;

COUNT 30: 2 – 15 years in NDC, concurrent with COUNT 29;

COUNT 31: 2 – 15 years in NDC, plus a consecutive term of 2 – 15 years for use of a deadly weapon, consecutive to COUNT 30;

COUNT 32: 1 – 10 years in NDC, plus a consecutive term of 1 – 10 years for use of a deadly weapon, concurrent with COUNT 31;

COUNT 33: 1 – 10 years in NDC, plus a consecutive term of 1 – 10 years for use of a deadly weapon, concurrent with COUNT 32; and

COUNT 35: 6 months in Clark County Detention Center (CCDC), concurrent with COUNT 33.

(b) Has the sentence been stayed pending appeal: **No.**

1 (c) Was the defendant admitted to bail pending appeal: **No.**

2 3. Was counsel in the district court appointed or retained: **Appointed.**

3 4. Attorney filing this docketing statement:

4
5 **THOMAS ERICSSON, ESQ.**
6 **Oronoz & Ericsson, LLC**
7 **9900 Covington Cross Dr., Ste. 290**
8 **Las Vegas, Nevada 89144**
9 **Attorney for Appellant**

8 5. Is appellate counsel appointed or retained: **Appointed.**

9 6. Attorney(s) representing Respondent(s):

10
11 **STEVEN B. WOLFSON**
12 **Clark County District Attorney**
13 **200 Lewis Avenue**
14 **Las Vegas, Nevada 89155**
15 **Attorney for Respondent**

14 7. Nature of disposition below: **Convicted pursuant to a Jury Trial.**

15 8. Does this appeal raise issues concerning any of the following: 1) death
16 sentence; 2) juvenile offender; 3) life sentence; 4) pretrial proceedings:

17 **Yes - Life sentence.**

18
19 9. Expedited appeals – The court may decide to expedite the appellate process
20 in this matter. Are you in favor of proceeding in such manner: **No.**

21 10. List the case name and docket number of all appeals or original proceedings
22 presently or previously pending before this court that are related to this
23 appeal:

24 **1) Justin Porter vs. State; Case No. 85063**

1 **2) Justin Porter vs. State; Case No. 84480**

2 **3) Justin Porter vs. Warden; Case No. 80738**

3 **4) Justin Porter vs. Warden; Case No. 79735**

4 **5) Justin Porter vs. State; Case No. 73493**

5 **6) Justin Porter vs. State; Case No. 70206**

6 **7) Justin Porter vs. State; Case No. 64996**

7 **8) Justin Porter vs. State; Case No. 60843**

8 **9) Justin Porter vs. State; Case No. 54866**

9 **10) Justin Porter vs. Dist. Ct. (State); Case No. 84377**

10 **11) Justin Porter vs. Dist. Ct. (State); Case No. 81314**

11 **12) Justin Porter vs. Dist. Ct. (State); Case No. 79367**

12 **13) Justin Porter vs. Dist. Ct. (State); Case No. 74274**

13 **14) Justin Porter vs. Dist. Ct. (State); Case No. 73587**

14 **15) Justin Porter vs. State; Case No. 86129 (Administratively**
15
16 **closed and consolidated into the instant case)**

17
18 11. List the case name, number, and court of all pending and prior proceedings
19 in other courts that are related to this appeal:

20 **District Court:**

21 **1) State of Nevada v. Justin D. Porter; Case No. 01C174954**

22 **2) Justin Porter v. Brian Williams; Case No. A-19-798035-W**

23 12. Nature of the action: **Appeal from a Judgment of Conviction.**

1 13. Issue(s) on appeal:

2 **a) Possible issues arising from pretrial motions and evidentiary issues**
3 **at trial; and**

4 **b) Any other issues that arise in reviewing the record.**

5
6 14. If the State is not a party and if this appeal challenges the constitutionality
7 of a statute or municipal ordinance, have you notified the clerk of this court
8 and the attorney general in accordance with NRAP 44 and NRS 30.130:
9 **N/A.**

10 15. Briefly set forth whether the matter is presumptively retained by the
11 Supreme Court or assigned to the Court of Appeals under NRAP 17, and
12 cite the subparagraph(s) of the Rule under which the matter falls. If
13 appellant believes that the Supreme Court should retain the case despite its
14 presumptive assignment to the Court of Appeals, identify the specific
15 issue(s) or circumstance(s) that warrant retaining the case, and include an
16 explanation of their importance or significance:
17

18 **Pursuant to NRAP 17(b), this case should not be presumptively**
19 **assigned to the Court of Appeals. The Appellant requests that the**
20 **matter be retained by the Supreme Court because it involves**
21 **convictions for Category A and B felonies following a jury trial.**

22
23 16. Does this appeal present a substantial legal issue of first impression in this
24 jurisdiction or one affecting an important public interest: **No.**

1 17. Length of trial: **Thirteen (13) days.**

2 18. Would you object to submission of this appeal for disposition without oral
3 argument: **No.**

4 **TIMELINESS OF NOTICE OF APPEAL**

5
6 19. Date district court announced decision, sentence or order appealed from:
7 **November 3, 2022.**

8 20. Date of entry of written judgment or order appealed from: **February 15,**
9 **2023.**

10 21. If this appeal is from an order granting or denying a petition for writ of
11 habeas corpus, indicate the date written notice of entry of judgment or order
12 was served by the district court: **N/A.**

13
14 22. Has the time for filing the notice of appeal been tolled by a post judgment
15 motion: **No.**

16 23. Date notice of appeal filed: **The Appellant personally filed a Notice of**
17 **Appeal on December 1, 2022. After the District Court filed the**
18 **Judgment of Conviction on February 15, 2023, Counsel filed a Notice**
19 **of Appeal on behalf of the Appellant on February 16, 2023.**

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21 24. Specify statute or rule governing the time limit for filing the notice of
22 appeal: **NRAP 4(b)(1)(A).**

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VERIFICATION

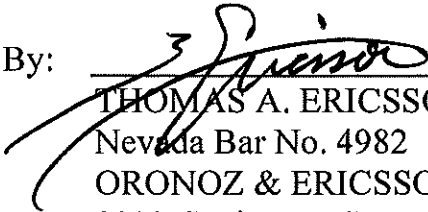
I certify that the information provided in this docketing statement is true and complete to the best of my knowledge, information, and belief.

Name of appellant: **Justin D. Porter**

Name of counsel of record: **Thomas A. Ericsson, Esq.**

DATED this 27th day of February, 2023.

By: _____


THOMAS A. ERICSSON, ESQ.
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STEVEN B. WOLFSON
Clark County District Attorney

DATED this 27th day of February, 2023.

By: M. L. Ruiz
An employee of Oronoz & Ericsson, LLC