

Steven D. Grierson

1 Joseph Napoleon Warren III
2

Case# 21-356-232-1
A-22-858403-W

3 State of Nevada
4

Electronically Filed
Dec 28 2022 02:05 PM
Elizabeth A. Brown
Clerk of Supreme Court

5 Notice of Appeal
6 From Denial of Post Conviction Relief
7

8 Appellant comes before this Court challenging
9 the Denial of His Constitutional Rights. Appellant
10 contends and prays that this Honorable Court will
11 rectify this miscarriage of justice that's been done
12 against him. The record will reflect the errors done
13 against Appellant
14
15
16
17
18
19

20 Respectfully
21 Submitted
22

23 Joseph N. Warren III
24 P.O. Box 1208
25 Indian Springs, NV
26 89070
27
28

CLERK OF THE COURT

RECEIVED
DEC 19 2022

CERTIFICATE OF SERVICE BY MAILING

I, Joseph N. Warren, hereby certify, pursuant to NRCP 5(b), that on this 13th
day of December, 2022, I mailed a true and correct copy of the foregoing, "Notice
of Appeal"

by placing document in a sealed pre-postage paid envelope and deposited said envelope in the
United State Mail addressed to the following:

STEVEN D. LARSON
200 LEWIS AVENUE
3rd FLOOR
LAS VEGAS, NEVADA 89155-1160

CC: FILE

DATED: this 13th day of December, 2022.

Joseph N. Warren
Joseph N. Warren # 30724
/In Propria Personam
Post Office Box 208, S.D.C.C.
Indian Springs, Nevada 89018
IN FORMA PAUPERIS:

Joseph N. Warren #30727
P.O. Box: 208
Indian Springs, NV 89070

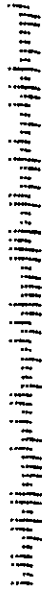
LAS VEGAS NV 890

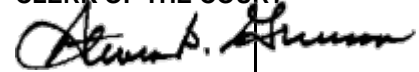
14 DEC 2022 PM 4 L



Steven D. Giersohn
200 Lewis Avenue 3RD Floor
Las Vegas, Nevada 89155-1160

89101-630000





1 ASTA

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6 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**
7 **STATE OF NEVADA IN AND FOR**
8 **THE COUNTY OF CLARK**
9

10 JOSEPH N. WARREN, III,

11 Plaintiff(s),

12 vs.

13 WARDEN NUJERA,

14 Defendant(s),
15

Case No: A-22-858403-W

Dept No: XXI

16
17 **CASE APPEAL STATEMENT**
18

19 1. Appellant(s): Joseph N. Warren, III

20 2. Judge: Tara Clark Newberry

21 3. Appellant(s): Joseph N. Warren, III

22 Counsel:

23 Joseph N. Warren, III #30727
24 P.O. Box 208
Indian Springs, NV 89070

25 4. Respondent (s): Warden Nujera

26 Counsel:

27 Steven B. Wolfson, District Attorney
28 200 Lewis Ave.
Las Vegas, NV 89155-2212

1 5. Appellant(s)'s Attorney Licensed in Nevada: N/A
2 Permission Granted: N/A

3 Respondent(s)'s Attorney Licensed in Nevada: Yes
4 Permission Granted: N/A

5 6. Has Appellant Ever Been Represented by Appointed Counsel In District Court: No

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

7 8. Appellant Granted Leave to Proceed in Forma Pauperis**: N/A
8 ***Expires 1 year from date filed*
9 Appellant Filed Application to Proceed in Forma Pauperis: No
10 Date Application(s) filed: N/A

11 9. Date Commenced in District Court: September 15, 2022

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

13 Type of Judgment or Order Being Appealed: Civil Writ of Habeas Corpus

14 11. Previous Appeal: No

15 Supreme Court Docket Number(s): N/A

16 12. Child Custody or Visitation: N/A

17 13. Possibility of Settlement: Unknown

18 Dated This 21 day of December 2022.

19 Steven D. Grierson, Clerk of the Court

20
21 /s/ Amanda Hampton

22 Amanda Hampton, Deputy Clerk
23 200 Lewis Ave
24 PO Box 551601
25 Las Vegas, Nevada 89155-1601
26 (702) 671-0512

27 cc: Joseph N. Warren, III
28

CASE SUMMARY

CASE NO. A-22-858403-W

Joseph Warren, III, Plaintiff(s)
vs.
Warden Nujera, Defendant(s)

§
§
§
§
§

Location: **Department 21**
Judicial Officer: **Clark Newberry, Tara**
Filed on: **09/15/2022**
Cross-Reference Case Number: **A858403**

CASE INFORMATION

Related Cases

C-21-356232-1 (Writ Related Case)

Case Type: **Writ of Habeas Corpus**

Case Status: **09/15/2022 Open**

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number A-22-858403-W
Court Department 21
Date Assigned 09/15/2022
Judicial Officer Clark Newberry, Tara

PARTY INFORMATION

Plaintiff **Warren, Joseph N, III**

Lead Attorneys

Pro Se

Defendant **Warden Nujera**

Other **State of Nevada**







Wolfson, Steven B
Retained
702-671-2700(W)

DATE

EVENTS & ORDERS OF THE COURT

INDEX

EVENTS

09/15/2022	 Inmate Filed - Petition for Writ of Habeas Corpus Party: Plaintiff Warren, Joseph N, III <i>[1] Post Conviction</i>
09/16/2022	 Order for Petition for Writ of Habeas Corpus <i>[2] Order for Petition for Writ of Habeas Corpus</i>
10/20/2022	 Response <i>[3] State's Response to Petitioner's Petition for Writ of Habeas Corpus (Post-Conviction)</i>
11/23/2022	 Motion Filed By: Plaintiff Warren, Joseph N, III <i>[4] Motion and Order for Transportation of Inmate for Court Appearance or, in the Alternative for Appearance by Telephone or Video Conference</i>
11/23/2022	 Clerk's Notice of Nonconforming Document <i>[5] Clerk's Notice of Nonconforming Document</i>
12/20/2022	 Notice of Appeal Filed By: Plaintiff Warren, Joseph N, III

CASE SUMMARY
CASE NO. A-22-858403-W

[7] Notice of Appeal From Denial of Post Conviction Relief

12/21/2022



Case Appeal Statement

Case Appeal Statement

HEARINGS

11/17/2022



Petition for Writ of Habeas Corpus (9:30 AM) (Judicial Officer: Clark Newberry, Tara)

Denied;

Journal Entry Details:

Upon Court's inquiry, Ms. Sullivan submitted on their response filed by their Appellate Unit. Based on the Deft. not being present the Court noted it would not take oral argument and would make a decision based on the brief; COURT FINDS the Deft's criminal case, C356232, was closed and the sentencing was complete, therefore, the Deft. was not entitled to a Writ relief as requested. Thus, COURT ORDERED petition DENIED; State DIRECTED to prepare the order and Advised they could use the return as the basis of the order. CLERK S NOTE: A copy of this minute order has been mailed to: Joseph N. Warren, ID#30727, Southern Desert Correctional Center, PO Box 208, Indian Springs, Nevada 89070-0208. // cbm 11-21-2022 ;

DISTRICT COURT CIVIL COVER SHEET

A-22-858403-W

Dept. 21

County, Nevada

Case No.

(Assigned by Clerk's Office)

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

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

Joseph Warren III

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

Warden Nujera

Attorney (name/address/phone):

Attorney (name/address/phone):

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

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

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

September 15, 2022

PREPARED BY CLERK

Date

Signature of initiating party or representative

See other side for family-related case filings.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Writ of Habeas Corpus

COURT MINUTES

November 17, 2022

A-22-858403-W Joseph Warren, III, Plaintiff(s)
vs.
Warden Nujera, Defendant(s)

**November 17, 2022 9:30 AM Petition for Writ of Habeas
Corpus**

HEARD BY: Clark Newberry, Tara **COURTROOM:** RJC Courtroom 14A

COURT CLERK: Carina Bracamontez-Munguia

RECORDER: Robin Page

REPORTER:

PARTIES

PRESENT: Sullivan, Skyler L Attorney

JOURNAL ENTRIES

- Upon Court's inquiry, Ms. Sullivan submitted on their response filed by their Appellate Unit. Based on the Deft. not being present the Court noted it would not take oral argument and would make a decision based on the brief; COURT FINDS the Deft's criminal case, C356232, was closed and the sentencing was complete, therefore, the Deft. was not entitled to a Writ relief as requested. Thus, COURT ORDERED petition DENIED; State DIRECTED to prepare the order and Advised they could use the return as the basis of the order.

CLERK S NOTE: A copy of this minute order has been mailed to: Joseph N. Warren, ID#30727, Southern Desert Correctional Center, PO Box 208, Indian Springs, Nevada 89070-0208. // cbm 11-21-2022



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

JOSEPH N. WARREN, III, #30727
P.O. BOX 208
INDIAN SPRINGS, NV 89070

DATE: December 21, 2022
CASE: A-22-858403-W

RE CASE: JOSEPH N. WARREN, III vs. WARDEN NUJERA

NOTICE OF APPEAL FILED: December 20, 2022

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

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

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

NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. **The district court clerk shall apprise appellant of the deficiencies in writing**, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (g) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

Please refer to Rule 3 for an explanation of any possible deficiencies.

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

Certification of Copy

State of Nevada }
County of Clark } SS:

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

NOTICE OF APPEAL FROM DENIAL OF POST CONVICTION RELIEF;
CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET;
DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

JOSEPH N. WARREN, III ,

Plaintiff(s),

vs.

WARDEN NUJERA,

Defendant(s),

Case No: A-22-858403-W

Dept No: XXI

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 21 day of December 2022.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk