

Steven D. Grierson

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Joseph Napoleon Warren III
State of Nevada

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

Electronically Filed
Dec 28 2022 02:14 PM
Elizabeth A. Brown
Clerk of Supreme Court

Notice of Appeal
From Denial of Post Conviction Relief

Appellant comes before this Court challenging the Denial of His Constitutional Rights. Appellant contends and prays that this Honorable Court will rectify this miscarriage of justice that's been done against him. The record will reflect the errors done against Appellant

Respectfully
Submitted

Joseph N. Warren III
P.O. Box 1208
Indian Springs, NV
89070

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

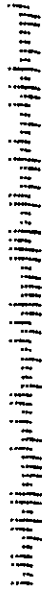
LAS VEGAS NV 890

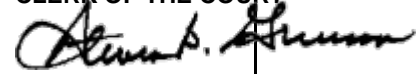
14 DEC 2022 PM 4 L



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

89101-630000





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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 STATE OF NEVADA,

11 Plaintiff(s),

12 vs.

13 JOSEPH NAPOLEON WARREN, III,

14 Defendant(s),
15

Case No: C-21-356232-1

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: 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: No

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: May 24, 2021

10. Brief Description of the Nature of the Action: Criminal

Type of Judgment or Order Being Appealed: Post-Conviction Relief

11. Previous Appeal: Yes

Supreme Court Docket Number(s): 84290

12. Child Custody or Visitation: N/A

Dated This 21 day of December 2022.

Steven D. Grierson, Clerk of the Court

/s/ Amanda Hampton

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

cc: Joseph N. Warren, III

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY**CASE NO. C-21-356232-1**

State of Nevada
vs
Joseph Warren, III

§
§
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§
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§
§
§
§

Location: **Department 21**
Judicial Officer: **Clark Newberry, Tara**
Filed on: **05/24/2021**
Cross-Reference Case Number: **C356232**
Defendant's Scope ID #: **0982861**
Lower Court Case Number: **21-CR-015138**
Supreme Court No.: **84290**

CASE INFORMATION

Offense	Statute	Deg	Date	Case Type:	Felony/Gross Misdemeanor
1. ATTEMPT BATTERY WITH SUBSTANTIAL BODILY HARM <i>Filed As:</i> RESIDENTIAL BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON Arrest: 03/28/2021	200.481.2b	G	09/28/2020	Case Status:	09/20/2021 Closed
2. BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM, VICTIM 60 YEARS OF AGE OR	200.481.2e2	F	09/28/2020		
3. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON, VICTIM 60 YEARS OF AGE OR OLDER	200.010	F	09/28/2020		
4. ATTEMPT ROBBERY WITH USE OF A DEADLY WEAPON, VICTIM 60 YEARS OF AGE OR OLDER	200.38	F	09/28/2020		

Related Cases

A-22-858403-W (Writ Related Case)

Statistical Closures

09/20/2021 Guilty Plea with Sentence (before trial) (CR)


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

Case Number C-21-356232-1
Court Department 21
Date Assigned 05/24/2021
Judicial Officer Clark Newberry, Tara

PARTY INFORMATION

Defendant	Warren, Joseph Napoleon, III	<i>Lead Attorneys</i> Public Defender <i>Public Defender</i> 702-455-4685(W)
Plaintiff	State of Nevada	Wolfson, Steven B 702-671-2700(W)

DATE**EVENTS & ORDERS OF THE COURT****INDEX****EVENTS**


05/24/2021  Criminal Bindover - Confidential
[1]

In
#1

CASE SUMMARY
CASE NO. C-21-356232-1

05/24/2021	 Criminal Bindover [2]	In #2
05/25/2021	 Information [3] Information	In #3
06/07/2021	 Transcript of Proceedings [4] Reporter's Transcript of Preliminary Hearing	In #4
06/14/2021	 Notice of Witnesses and/or Expert Witnesses [5] State's Notice of Witnesses and/or Expert Witnesses	In #5
07/07/2021	 Motion to Dismiss Counsel Party: Defendant Warren, Joseph Napoleon, III [6]	In #6
07/21/2021	 Motion to Dismiss Counsel Party: Defendant Warren, Joseph Napoleon, III [7]	In #7
07/26/2021	 Notice of Witnesses and/or Expert Witnesses Filed By: Plaintiff State of Nevada [8] State's First Supplemental Notice of Expert Witnesses	In #8
07/26/2021	 Notice of Witnesses and/or Expert Witnesses Filed By: Plaintiff State of Nevada [9] State's Second Supplemental Notice of Witnesses	In #9
07/28/2021	 Order [10] Order Releasing Certified Medical Records and Authorization for Related Witness Testimony	In #10
07/28/2021	 Supplement Filed by: Defendant Warren, Joseph Napoleon, III [11] Second Supplement to Motion to Dismiss Counsel	In #11
08/09/2021	 Notice of Witnesses and/or Expert Witnesses Filed By: Plaintiff State of Nevada [12] State's Third Supplemental Notice of Expert Witnesses	In #12
08/09/2021	 Notice of Witnesses and/or Expert Witnesses Filed By: Plaintiff State of Nevada [13] State's Fourth Supplemental Notice of Witnesses	In #13
08/18/2021	 Motion to Dismiss Counsel Party: Defendant Warren, Joseph Napoleon, III [14] Defendant's Motion to Dismiss Counsel	In #14
08/18/2021	 Clerk's Notice of Hearing	In #15

CASE SUMMARY
CASE NO. C-21-356232-1

	<i>[15] Notice of Hearing</i>	
08/23/2021	 Notice of Witnesses and/or Expert Witnesses Filed By: Plaintiff State of Nevada <i>[16] State's Fifth Supplemental Notice of Witnesses and/or Expert Witnesses [NRS 174.234(1)(a)]</i>	In #1
08/26/2021	 Guilty Plea Agreement Party: Defendant Warren, Joseph Napoleon, III <i>[17] Guilty Plea Agreement</i>	In #1
08/26/2021	 Amended Information Filed By: Plaintiff State of Nevada <i>[18] Amended Information</i>	In #1
09/20/2021	 Judgment of Conviction <i>[19] JUDGMENT OF CONVICTION</i>	In #1
02/11/2022	 Notice of Appeal (Criminal) <i>[20] Notice of Appeal from Wrongful Conviction/Guilty Plea Arrangement</i>	In #2
02/24/2022	 Case Appeal Statement <i>[21] Case Appeal Statement</i>	In #2
04/12/2022	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>[22] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed</i>	In #2
12/20/2022	 Notice of Appeal (Criminal) <i>[23] Notice of Appeal</i>	In #2
12/21/2022	 Case Appeal Statement <i>Case Appeal Statement</i>	In #2
	<u>DISPOSITIONS</u>	
08/26/2021	Disposition (Judicial Officer: Clark Newberry, Tara) 2. BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM, VICTIM 60 YEARS OF AGE OR Amended Information Filed/Charges Not Addressed PCN: Sequence: 3. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON, VICTIM 60 YEARS OF AGE OR OLDER Amended Information Filed/Charges Not Addressed PCN: Sequence: 4. ATTEMPT ROBBERY WITH USE OF A DEADLY WEAPON, VICTIM 60 YEARS OF AGE OR OLDER Amended Information Filed/Charges Not Addressed PCN: Sequence:	
08/26/2021	Plea (Judicial Officer: Clark Newberry, Tara) 1. ATTEMPT BATTERY WITH SUBSTANTIAL BODILY HARM Guilty PCN: Sequence:	

CASE SUMMARY**CASE NO. C-21-356232-1**

08/26/2021 **Disposition** (Judicial Officer: Clark Newberry, Tara)
 1. ATTEMPT BATTERY WITH SUBSTANTIAL BODILY HARM
 Guilty
 PCN: Sequence:


08/26/2021 **Adult Adjudication** (Judicial Officer: Clark Newberry, Tara)
 1. ATTEMPT BATTERY WITH SUBSTANTIAL BODILY HARM
 09/28/2020 (G) 200.481.2b (DC50244)
 PCN: Sequence:


Comment (08/26/21 - ADJUDGED DEFT. GUILTY as pled, a gross-misdemeanor, and ORDERED, in addition to the \$25.00 Administrative Assessment fee, a \$150.00 DNA Analysis fee including testing to determine genetic markers, and \$3.00 DNA Collection fee, Deft. SENTENCED to credit for time served.)

Fee Totals:

Administrative Assessment Fee	25.00
\$25	
DNA Analysis Fee	150.00
\$150	
Genetic Marker Analysis AA Fee	3.00
\$3	
Fee Totals \$	178.00

HEARINGS

05/26/2021  **Initial Arraignment** (8:00 AM) (Judicial Officer: Leavitt, Michelle)
 Plea Entered;
 Journal Entry Details:
Deputized Law Clerk, Joshua Judd, also present on behalf of the State. Lynn Avants, also present on behalf of the Public Defender's Office for the Defendant. Colloquy regarding the charges that were bound up to District Court. State noted the original counts 2 through 5 were bound up; therefore, the 4 counts on calendar are correct. DEFT. WARREN ARRAIGNED. Defendant stated he did not discuss this matter with his lawyer and would like an opportunity to speak with his lawyers as there is vital information that he needs to convey. Defendant state he is NOT GUILTY. Court stated this matter can be continued for the Defendant to speak with his attorney. Mr. Jenkins advised the Defendant to enter a not guilty plea today. Defendant stated they can move forward. DEFT. WARREN PLED NOT GUILTY and INVOKED the 60-DAY RULE. COURT ORDERED, matter set for trial. Upon Court's inquiry, Defendant stated he is in High Desert and confirmed he would like to speak with his attorney right away. Court directed counsel to convey the Defendant's representations to his attorney. CUSTODY 06/15/2021 1:30PM CALENDAR CALL (DEPT 21) 06/21/2021 9:00AM JURY TRIAL (DEPT 21) ;

06/15/2021  **Calendar Call** (1:30 PM) (Judicial Officer: Bonaventure, Joseph T.)


MINUTES

Matter Heard;

Journal Entry Details:

Mr. Van Luven requested matter be trailed for the handing attorney. Mr. Palal noted Mr. Jenkins was assigned to this case and needed to continue trial; further noted the State had no objection. Objection by Defendant. Upon Court's inquiry, Mr. Palal noted Deft. was invoked and suggested they wait for Mr. Jenkins. MATTER TRAILED. MATTER RECALLED. Mr. Jenkins now present. Mr. Jenkins stated defense was not ready, noted Deft. may want to file a motion to withdraw counsel and indicated he had discussed possible negotiations with the State. Therefore, requested the trial be vacated and a status check be set in three weeks to discuss with Deft. whether he wants to file a motion to withdraw counsel and discuss negotiations. COURT ORDERED trial date VACATED and matter SET for status check on negotiations/ trial setting. CUSTODY (NDC) 07-06-2021 01:30 PM STATUS CHECK: NEGOTIATIONS/TRIAL SETTING ;

SCHEDULED HEARINGS

 **Status Check: Negotiations/Trial Setting** (07/06/2021 at 1:30 PM) (Judicial Officer: Clark Newberry, Tara)
 07/06/2021, 07/13/2021

06/21/2021 **CANCELED Jury Trial** (9:00 AM) (Judicial Officer: Clark Newberry, Tara)

CASE SUMMARY

CASE NO. C-21-356232-1

Vacated

07/06/2021  **Status Check: Negotiations/Trial Setting (1:30 PM)** (Judicial Officer: Clark Newberry, Tara)
07/06/2021, 07/13/2021

MINUTES

Matter Continued;

Trial Date Set;

Journal Entry Details:

Court noted matter was on for status check on negotiations and trial setting, however, indicated it had received a Motion to Dismiss Counsel which was set to be heard on August 5, 2021. Mr. Jenkins stated he received the motion and noted it needed to be addressed. Further, Mr. Jenkins Advised there had been an offer of negotiation from the State but the Deft. had not accepted that offer. Court indicated a trial date needed to be set. Statement by Deft. Mr. Jenkins interjected and advised the Deft. not to give a statement. Court Advised Deft. to speak to his counsel before addressing the Court. COURT ORDERED matter SET for trial. NDC 08-24-2021 01:30 PM CALENDAR CALL 08-30-2021 09:00 AM JURY TRIAL ;

Matter Continued;

Trial Date Set;

Journal Entry Details:


Upon Ms. St. Clair's inquiry, Deft. noted he didn't know the negotiations and requested to address the Judge. MATTER TRAILED for Ms. St. Clair to speak with Deft. MATTER RECALLED. Ms. St. Clair indicated Deft. was interested in obtaining new counsel, therefore, requested the matter be continued for Deft. to speak with Mr. Jenkins. Court Advised if Deft. was inclined to hire private counsel to make sure they know a trial date would be set at the next hearing and they should appear. COURT ORDERED matter CONTINUED. NDC CONTINUED TO: 07-13-2021 01:30 PM ;


SCHEDULED HEARINGS

Calendar Call (08/24/2021 at 1:30 PM) (Judicial Officer: Clark Newberry, Tara)

CANCELED Jury Trial (08/30/2021 at 9:00 AM) (Judicial Officer: Clark Newberry, Tara)

Vacated

08/05/2021  **Motion to Dismiss (1:30 PM)** (Judicial Officer: Clark Newberry, Tara)
Motion to Dismiss Counsel
Denied; Motion to Dismiss Counsel

08/12/2021  **Motion to Dismiss (1:30 PM)** (Judicial Officer: Clark Newberry, Tara)
Motion to Dismiss Counsel
Off Calendar;
Journal Entry Details:
Mr. Ramsey informed the matter had been heard a week ago and should be taken off calendar. Court concurred and ORDERED matter OFF CALENDAR as the Motion to Dismiss and the supplement had been previously decided. NDC;

08/24/2021 **Calendar Call (1:30 PM)** (Judicial Officer: Clark Newberry, Tara)
Vacated and Reset;

08/24/2021 **Motion to Dismiss (1:30 PM)** (Judicial Officer: Clark Newberry, Tara)
08/24/2021, 08/26/2021


Defendant's Motion to Dismiss Counsel

Matter Continued;

Withdrawn;

Matter Continued;

Withdrawn;


08/24/2021  **All Pending Motions (1:30 PM)** (Judicial Officer: Clark Newberry, Tara)
Matter Heard;
Journal Entry Details:

DEFENDANT'S MOTION TO DISMISS COUNSEL...CALENDAR CALL Upon Court's inquiry, Mr. Jenkins indicated the Deft. had made the request to represent himself and noted he had added a cover sheet on it as a Motion to Dismiss Counsel so it could be considered by the Court. Court noted it reviewed the submission. Ms. Wong had no position. Court Advised the matter would need to set for a hearing to determine the Deft s ability to represent himself. Ms. Wong mentioned the only problem was the matter was set for Calendar Call, therefore, the Central Calendar Call would need to be scheduled for tomorrow. Mr. Jenkins Advised the Deft. would like to file motions and needed to receive discovery

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. C-21-356232-1

	<p>from the State before going to trial which would necessitate vacating the trial to give him time to adequately prepare for trial. Mr. Jenkins requested the matter be possibly set for the next trial stack. Colloquy regarding trial settings. Upon Court's further inquiry, Deft. requested trial be reset and matter be set for determination of his ability to represent himself, COURT SO ORDERED, trial dates VACATED and RESET; matter SET for hearing regarding dismissal of counsel and pro per status. Court clarified and ORDERED matter SET for Faretta Canvass Hearing. CUSTODY (NDC) 08-26-2021 01:30 PM FARETTA CANVAS 10-05-2021 01:30 PM CALENDAR CALL 10-11-2021 09:00 AM JURY TRIAL ;</p>
08/26/2021	<p>Faretta Canvass (1:30 PM) (Judicial Officer: Clark Newberry, Tara) Off Calendar;</p>
08/26/2021	<p>Entry of Plea (1:30 PM) (Judicial Officer: Clark Newberry, Tara) Defendant Sentenced;</p>
08/26/2021	<p> All Pending Motions (1:30 PM) (Judicial Officer: Clark Newberry, Tara) Matter Heard; Journal Entry Details: FARETTA CANVASS...DEFENDANT'S MOTION TO DISMISS COUNSEL Court noted a Guilty Plea Agreement had been filed. Upon Court's inquiry, Mr. Jones indicated he believed the Deft. wanted to withdraw his motion and enter his plea. Deft. concurred. COURT ORDERED Defendant's Motion to Dismiss Counsel WITHDRAWN and Faretta Canvass OFF CALENDAR. NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED on August 26, 2021 and placed on the record by Mr. Jenkins. DEFT. WARREN ARRAIGNED and PLED GUILTY to ATTEMPT BATTERY WITH SUBSTANTIAL BODILY HARM (F-GM). Court ACCEPTED plea, WAIVED a Pre-Sentence Investigation (PSI) Report and Gross Misdemeanor Worksheet, ADJUDGED DEFT. GUILTY as pled, a gross-misdemeanor, and ORDERED, in addition to the \$25.00 Administrative Assessment fee, a \$150.00 DNA Analysis fee including testing to determine genetic markers, and \$3.00 DNA Collection fee, Deft. SENTENCED to credit for time served. NIC;</p>
08/30/2021	<p>CANCELED Jury Trial (9:00 AM) (Judicial Officer: Clark Newberry, Tara) Vacated</p>
10/05/2021	<p>CANCELED Calendar Call (1:30 PM) (Judicial Officer: Clark Newberry, Tara) Vacated</p>
10/11/2021	<p>CANCELED Jury Trial (9:00 AM) (Judicial Officer: Clark Newberry, Tara) Vacated</p>

DATE

FINANCIAL INFORMATION

Defendant Warren, Joseph Napoleon, III

Total Charges

178.00

Total Payments and Credits

0.00

Balance Due as of 12/21/2022

178.00

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****May 26, 2021**

C-21-356232-1 State of Nevada
vs
Joseph Warren, III

May 26, 2021 8:00 AM Initial Arraignment

HEARD BY: Leavitt, Michelle **COURTROOM:** RJC Lower Level Arraignment

COURT CLERK: Haly Pannullo
Sandra Matute

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT: Warren, Joseph Napoleon, III Defendant

JOURNAL ENTRIES

- Deputized Law Clerk, Joshua Judd, also present on behalf of the State. Lynn Avants, also present on behalf of the Public Defender's Office for the Defendant.

Colloquy regarding the charges that were bound up to District Court. State noted the original counts 2 through 5 were bound up; therefore, the 4 counts on calendar are correct. DEFT. WARREN ARRAIGNED. Defendant stated he did not discuss this matter with his lawyer and would like an opportunity to speak with his lawyers as there is vital information that he needs to convey. Defendant state he is NOT GUILTY. Court stated this matter can be continued for the Defendant to speak with his attorney. Mr. Jenkins advised the Defendant to enter a not guilty plea today. Defendant stated they can move forward. DEFT. WARREN PLED NOT GUILTY and INVOKED the 60-DAY RULE. COURT ORDERED, matter set for trial. Upon Court's inquiry, Defendant stated he is in High Desert and confirmed he would like to speak with his attorney right away. Court directed counsel to convey the Defendant's representations to his attorney.

CUSTODY

PRINT DATE: 12/21/2022

Page 1 of 14

Minutes Date: May 26, 2021

C-21-356232-1

06/15/2021 1:30PM CALENDAR CALL (DEPT 21)

06/21/2021 9:00AM JURY TRIAL (DEPT 21)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 15, 2021

C-21-356232-1 State of Nevada
 vs
 Joseph Warren, III

June 15, 2021 1:30 PM Calendar Call

HEARD BY: Bonaventure, Joseph T. **COURTROOM:** RJC Courtroom 16C

COURT CLERK: Carina Bracamontez-Munguia

RECORDER: Robin Page

REPORTER:

PARTIES

PRESENT:	Jenkins, Daniel R.	Attorney
	Palal, Binu G.	Attorney
	State of Nevada	Plaintiff
	Van Luven, Michael L.	Attorney
	Warren, Joseph Napoleon, III	Defendant

JOURNAL ENTRIES

- Mr. Van Luven requested matter be trailed for the handing attorney. Mr. Palal noted Mr. Jenkins was assigned to this case and needed to continue trial; further noted the State had no objection. Objection by Defendant. Upon Court's inquiry, Mr. Palal noted Deft. was invoked and suggested they wait for Mr. Jenkins. MATTER TRAILED.

MATTER RECALLED. Mr. Jenkins now present. Mr. Jenkins stated defense was not ready, noted Deft. may want to file a motion to withdraw counsel and indicated he had discussed possible negotiations with the State. Therefore, requested the trial be vacated and a status check be set in three weeks to discuss with Deft. whether he wants to file a motion to withdraw counsel and discuss negotiations. COURT ORDERED trial date VACATED and matter SET for status check on negotiations/ trial setting.

C-21-356232-1

CUSTODY (NDC)

07-06-2021 01:30 PM STATUS CHECK: NEGOTIATIONS/TRIAL SETTING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 06, 2021

C-21-356232-1 State of Nevada
 vs
 Joseph Warren, III

**July 06, 2021 1:30 PM Status Check:
Negotiations/Trial Setting**

HEARD BY: Clark Newberry, Tara **COURTROOM:** RJC Courtroom 16C

COURT CLERK: Carina Bracamontez-Munguia

RECORDER: Robin Page

REPORTER:

PARTIES

PRESENT: St. Clair, Ashley M. Attorney
 State of Nevada Plaintiff
 Warren, Joseph Napoleon, III Defendant
 Wyse, Seleste A Attorney

JOURNAL ENTRIES

- Upon Ms. St. Clair's inquiry, Deft. noted he didn't know the negotiations and requested to address the Judge. MATTER TRAILED for Ms. St. Clair to speak with Deft.

MATTER RECALLED. Ms. St. Clair indicated Deft. was interested in obtaining new counsel, therefore, requested the matter be continued for Deft. to speak with Mr. Jenkins. Court Advised if Deft. was inclined to hire private counsel to make sure they know a trial date would be set at the next hearing and they should appear. COURT ORDERED matter CONTINUED.

NDC

CONTINUED TO: 07-13-2021 01:30 PM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 13, 2021

C-21-356232-1 State of Nevada
 vs
 Joseph Warren, III

July 13, 2021

1:30 PM

**Status Check:
Negotiations/Trial Setting**

HEARD BY: Clark Newberry, Tara

COURTROOM: RJC Courtroom 16C

COURT CLERK: Carina Bracamontez-Munguia

RECORDER: Robin Page

REPORTER:

PARTIES

PRESENT:	Jenkins, Daniel R.	Attorney
	State of Nevada	Plaintiff
	Warren, Joseph Napoleon, III	Defendant
	Wyse, Seleste A	Attorney

JOURNAL ENTRIES

- Court noted matter was on for status check on negotiations and trial setting, however, indicated it had received a Motion to Dismiss Counsel which was set to be heard on August 5, 2021. Mr. Jenkins stated he received the motion and noted it needed to be addressed. Further, Mr. Jenkins Advised there had been an offer of negotiation from the State but the Deft. had not accepted that offer. Court indicated a trial date needed to be set. Statement by Deft. Mr. Jenkins interjected and advised the Deft. not to give a statement. Court Advised Deft. to speak to his counsel before addressing the Court. COURT ORDERED matter SET for trial.

NDC

08-24-2021 01:30 PM CALENDAR CALL

C-21-356232-1

08-30-2021 09:00 AM JURY TRIAL

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 12, 2021

C-21-356232-1 State of Nevada
 vs
 Joseph Warren, III

August 12, 2021 1:30 PM Motion to Dismiss

HEARD BY: Clark Newberry, Tara **COURTROOM:** RJC Courtroom 16C

COURT CLERK: Carina Bracamontez-Munguia

RECORDER: Robin Page

REPORTER:

PARTIES

PRESENT: Ramsey, Scott A. Attorney
 State of Nevada Plaintiff
 Wong, Hetty O. Attorney

JOURNAL ENTRIES

- Mr. Ramsey informed the matter had been heard a week ago and should be taken off calendar. Court concurred and ORDERED matter OFF CALENDAR as the Motion to Dismiss and the supplement had been previously decided.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****August 24, 2021**

C-21-356232-1

State of Nevada

vs

Joseph Warren, III

August 24, 2021**1:30 PM****All Pending Motions****HEARD BY:** Clark Newberry, Tara**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Carina Bracamontez-Munguia**RECORDER:** Robin Page**REPORTER:****PARTIES****PRESENT:**

Jenkins, Daniel R.

Attorney

State of Nevada

Plaintiff

Warren, Joseph Napoleon, III

Defendant

Wong, Hetty O.

Attorney

JOURNAL ENTRIES**- DEFENDANT'S MOTION TO DISMISS COUNSEL...CALENDAR CALL**

Upon Court's inquiry, Mr. Jenkins indicated the Deft. had made the request to represent himself and noted he had added a cover sheet on it as a Motion to Dismiss Counsel so it could be considered by the Court. Court noted it reviewed the submission. Ms. Wong had no position. Court Advised the matter would need to set for a hearing to determine the Deft s ability to represent himself. Ms. Wong mentioned the only problem was the matter was set for Calendar Call, therefore, the Central Calendar Call would need to be scheduled for tomorrow. Mr. Jenkins Advised the Deft. would like to file motions and needed to receive discovery from the State before going to trial which would necessitate vacating the trial to give him time to adequately prepare for trial. Mr. Jenkins requested the matter be possibly set for the next trial stack. Colloquy regarding trial settings. Upon Court s further inquiry, Deft. requested trial be reset and matter be set for determination of his ability to. represent himself, COURT SO ORDERED, trial dates VACATED and RESET; matter SET for hearing

regarding dismissal of counsel and pro per status. Court clarified and ORDERED matter SET for Faretta Canvass Hearing.

CUSTODY (NDC)

08-26-2021 01:30 PM FARETTA CANVAS

10-05-2021 01:30 PM CALENDAR CALL

10-11-2021 09:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 26, 2021

C-21-356232-1 State of Nevada
 vs
 Joseph Warren, III

August 26, 2021 1:30 PM All Pending Motions

HEARD BY: Clark Newberry, Tara **COURTROOM:** RJC Courtroom 16C

COURT CLERK: Carina Bracamontez-Munguia

RECORDER: Robin Page

REPORTER:

PARTIES

PRESENT:	Jenkins, Daniel R.	Attorney
	State of Nevada	Plaintiff
	Warren, Joseph Napoleon, III	Defendant
	Wong, Hetty O.	Attorney

JOURNAL ENTRIES

- FARETTA CANVASS...DEFENDANT'S MOTION TO DISMISS COUNSEL

Court noted a Guilty Plea Agreement had been filed. Upon Court's inquiry, Mr. Jones indicated he believed the Deft. wanted to withdraw his motion and enter his plea. Deft. concurred. COURT ORDERED Defendant's Motion to Dismiss Counsel WITHDRAWN and Faretta Canvass OFF CALENDAR. NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED on August 26, 2021 and placed on the record by Mr. Jenkins. DEFT. WARREN ARRAIGNED and PLED GUILTY to ATTEMPT BATTERY WITH SUBSTANTIAL BODILY HARM (F-GM). Court ACCEPTED plea, WAIVED a Pre-Sentence Investigation (PSI) Report and Gross Misdemeanor Worksheet, ADJUDGED DEFT. GUILTY as pled, a gross-misdemeanor, and ORDERED, in addition to the \$25.00 Administrative Assessment fee, a \$150.00 DNA Analysis fee including testing to determine genetic markers, and \$3.00 DNA Collection fee, Deft. SENTENCED to credit for time served.

NIC



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: C-21-356232-1

RE CASE: STATE OF NEVADA vs. JOSEPH NAPOLEON WARREN, III

NOTICE OF APPEAL FILED: December 20, 2022

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

STATE OF NEVADA,

Plaintiff(s),

vs.

JOSEPH NAPOLEON WARREN, III,

Defendant(s).

Case No: C-21-356232-1

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