

Case No. 86881

IN THE SUPREME COURT OF THE STATE OF NEVADA

Electronically Filed
Aug 23 2023 04:57 PM
Elizabeth A. Brown
Clerk of Supreme Court

PETER JASON HELFRICH,

Petitioner,

v.

THE STATE OF NEVADA; THE HONORABLE DAVID R. GAMBLE;
AND DAVID H. NEELY, III,

Respondents.

**RESPONDENT HONORABLE DAVID R. GAMBLE'S APPENDIX,
VOLUME I**

AARON D. FORD
Nevada Attorney General
Nevada Bar No. 7704
SABRENA K. CLINTON
Deputy Attorney General
Nevada Bar No. 6499
Office of the Nevada Attorney General
555 E. Washington Ave., Ste. 3900
Las Vegas, NV 89101
(702) 486-3420
sclinton@ag.nv.gov

Attorney for Respondent Honorable David R. Gamble

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EXHIBIT NO.	DOCUMENT DESCRIPTION	PAGES
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C.	Petition for Writ of Habeas Corpus, Filed September 10, 2021	AG041 - AG116
D.	Petition for Writ of Mandamus, Filed October 14, 2022	AG117 – AG124
E.	Order Granting Petition for Writ of Mandamus, Filed June 8, 2023	AG125 – AG127

DATED this 23rd day of August, 2023.

AARON D. FORD
Attorney General

By: /s/ Sabrena K. Clinton

Sabrena K. Clinton (Bar No. 6499)

Deputy Attorney General

*Attorney for Respondents Fifth Judicial
District Court and Honorable David R.
Gamble, Sr. Judge*

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing document with the Clerk of the Court by using the electronic filing system on the 23rd day of August, 2023, and e-served the same on all parties listed on the Court's Master Service List.

I further certify that any of the participants in the case that are not registered as electronic users will be mailed the foregoing document by First-Class Mail, postage prepaid.

Mr. Peter Jason Helfrich #1111875
HDSP
P. O. Box 650
Indian Springs, NV 89070

/s/ Jeny M. Beesley
Jeny M. Beesley, an employee of
the Office of the Nevada Attorney General

EXHIBIT “A”

Case Summary, August 22, 2023

Fifth Judicial District Court - Nye County

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Case Summary

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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	DUECKER, ALEXIS

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
Prosecui (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 JUDICAL 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 RECOGIZANCE RELEASE, ORDER TO CONTINUE, SECOND AMENDED CRIMINAL COMPLAINT
12/09/2020	BINDOVER ORDER

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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

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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 JUDICIAL 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 BE 102 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 INCIDENT. 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

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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

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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

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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

11/17/2022 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

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"MIKE", ET. AL. PERFORMANCE AUTO AND MORE EXPOSED
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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
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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)
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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)
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NDOC-HDSP
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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
02/01/2023 NOTICE IN LIEU OF REMITTITUR
02/01/2023 AFFIDAVIT OF JUDICIAL NOTICE (SUBMITTED BY DEFENDANT, PETER JASON HELFRICH,
IN PROPER PERSON)
02/01/2023 AFFIDAVIT OF EMERGENCY MOTION (SUBMITTED BY DEFENDANT, PETER JASON
HELFRICH, IN PROPER PERSON)
02/03/2023 AFFIDAVIT OF JUDICIAL NOTICE OF CONTINUED EFFORTS TO PROGRAMS
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02/08/2023 AFFIDAVIT OF JUDICIAL NOTICE OF FRAUD

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02/09/2023 NOTICE TO AGENTS
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03/06/2023 AFFIDAVIT OF OPPOSITION TO SABRENA CLINTON/EX.RE., ET. AL, AARON FORD'S
"ANSWER" TO "AFFIDAVIT OF INDIGNET PETITION FOR WRIT OF HABEAS CORPUS..."
PURSUANT TO 28USC1746, (1) W/O USA"
03/06/2023 AFFIDAVIT OF JUDICIAL NOTICE
03/06/2023 AFFIDAVIT OF JUDICIAL NOTICE
03/08/2023 ORDER DENYING PETITION
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AND TIMELY PROSECUTION
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03/24/2023 AFFIDAVIT OF JUDICIAL NOTICE
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03/28/2023 *****END OF FILE #5*****
03/31/2023 AFFIDAVIT OF JUDICIAL NOTICE
03/31/2023 NOTICE IN LIEU OF REMITTITUR
04/07/2023 AFFIDAVIT OF JUDICIAL NOTICE
04/07/2023 *****END OF FILE #6*****
04/07/2023 AFFIDAVIT OF JUDICIAL NOTICE
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04/14/2023 *****END OF FILE #7*****
04/17/2023 AFFIDAVIT OF MOTION FOR LEAVE
04/21/2023 LEGAL ARGUMENT
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EMERGENCY MOTION FOR A TEMPORARY RESTRAINING ORDER & PRELIMINARY INJUNCTION
06/20/2023 ORDER APPOINTING DAVID NEELY, ESQ. (TO REPRESENT PETER JASON HELFRICH, IN
PETITION FOR WRIT OF HABEAS CORPUS)

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06/20/2023 ORDER (FOR RESPONSE TO PETITION FOR WRIT OF HABEAS CORPUS, 20 DAYS;
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06/27/2023 NOTICE OF CHANGE OF ADDRESS

06/27/2023 AFFIDAVIT OF JUDICIAL NOTICE OF FURTHER EVIDENCE OF
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06/27/2023 JUDICIAL NOTICE OF AFFIDAVIT OF MOTION FOR LEAVE TO SUPPLEMTN EXHIBIT:11;
IN SUPPORT OF AFFIDAVIT OF PETITION FOR WRIT OF HABEAS CORPUS-NEW EVIDENCE
4/24/23

06/27/2023 NOTICE OF MOTION (DATE TO BE DETERMINED)

06/27/2023 AFFIDAVIT OF MOTION TO RECUSE JUDGE DAVID R. GAMBLE & NOTICE OF NEVADA
COMMISSION ON JUDICIAL DISCIPLINE

06/27/2023 NOTICE OF MOTION & REQUEST FOR SUBMISSION (DATE TO BE DETERMINED)

06/27/2023 NOTICE OF SPECIAL LIMITED APPEARANCE OF INMATE SUBSTITUTE COUNSEL JESSE
ARON ROSS PURSUANT TO THE AMERICANS WITH DISABILITIES ACT (ADA)

06/27/2023 "REQUEST FOR PRODUCTION OF DOCUMENTS" GOVERNMENT PERSONNEL/INMATES FILES,
MINUTES, STATISTICS, AND/OR RECORDS AND REGULATIONS

06/27/2023 AFFIDAVIT OF JUDICIAL NOTICE OF NEVADA COMMISSION ON JUDICIAL DISCIPLINE
VERIFIED STATEMENT OF COMPLAINT CC: AARON FORD A.G. OF NEVADA ATTORNEY FOR
RESPONDENTS, EX REL. ET. AL.

06/27/2023 AFFIDAVIT OF MOTION FPR LEAVE TO SUPPLEMENT "EXHIBIT:10"; IN SUPPORT OF
PROOF OF EXHAUSTION OF STATE REMEDIES

06/27/2023 NOTICE OF MOTION (AFFIDAVIT OF MOTION FOR LEAVE TO AMEND &
SUPPLEMENT/ADDENDUM) (DATE TO BE DETERMINED)

06/30/2023 PETITION FOR WRIT OF MANDAMUS / PROHIBITION (NRS 34.150 THROUGH 34.320)

06/30/2023 NOTICE OF MOTION (TBD)

07/05/2023 NOTICE IN LIEU OF REMITTITUR

07/07/2023 RECEIPT FOR DOCUMENTS (86881)

07/07/2023 RECEIPT FOR DOCUMENTS (86882)

07/10/2023 RESPONDENT'S ANSWER TO PETITION FOR WRIT OF HABEAS CORPUS

07/11/2023 DEFENSE ATTORNEY: DUECKER, ALEXIS ASSIGNED

07/11/2023 ORDER GRANTING MOTION AND APPOINTING COUNSEL (REMOVING DAVID NEELY, ESQ AND
APPOINTING ALEXIS DUECKER, ESQ)

07/26/2023 MOTION TO WITHDRAW AS COUNSEL (BY ALEXIS DUECKER)

07/31/2023 ORDER DIRECTING ANSWER

07/31/2023 ORDER DIRECTING ANSWER

08/04/2023 DEFENDANT'S MOTION FOR WITHDRAWAL OF ATTORNEY OF RECORD, REQUEST TO OBTAIN
COPY OF DEFENDANT'S FILE, AND REQUEST TO HAVE COURT APPOINTED
REPRESENTATION DURING POST CONVICTION RELIEF PROCESS

08/07/2023 FINAL MOTION FOR PRODUCTION OF ALL TRANSCRIPTS /&/ MOTION FOR PRODUCTION OF
DOCUMENTS, PAPERS, PLEADINGS AND TANGIBLE PROPERTY OF DEFENDANT

08/07/2023 NOTICE OF MOTION

08/14/2023 JUDICIAL NOTICE OF CERTIFICATE OF SERVICE

08/21/2023 ORDER DENYING PETITION FOR EXTRAORDINARY WRIT RELIEF

08/21/2023 EMERGENCY MOTION FOR A THIRTY DAY ENLARGEMENT OF TIME & PAGES (36) ; TO
FILE AFFIANTS'S OPPOSITION & RESPONSE TO RESPONDENTS ANSWER TO PETITION FOR
WRIT OF HABEAS CORPUS, DUE TO NDOC-HDSP AGENT BIAN WILLIAMS, FNU WIKOFF,
EX. REL., ET AL. CAMPAIGN OF RETALIATION, ATTRITION, CONSPIRACY AGAINST
RIGHTS (18 USC 241, ET SEQ.)

08/22/2023 ORDER

EXHIBIT “B”

**Transcript of Proceedings,
Sentencing July 28, 2021**

AUG - 3 2021

1 CASE NO. 2020-CR-145A

2 DEPARTMENT I


Nye County Clerk
Deputy

3 FIFTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

4 IN AND FOR THE COUNTY OF NYE

5 BEFORE THE HONORABLE DISTRICT COURT SENIOR JUDGE

6 DAVID R. GAMBLE

7 -oOo-

8 THE STATE OF NEVADA,

9 PLAINTIFF,

10 -VS-

11 PETER HELFRICH,

12 DEFENDANT.

13 _____/

14
15 TRANSCRIPT OF PROCEEDINGS

16 SENTENCING

17 JULY 28, 2021

18 COURTHOUSE

19 PAHRUMP, NEVADA

20
21
22
23 REPORTED BY:

SUZANNE KUES ROWE

24 Nevada CCR #127

1 APPEARANCES

2
3
4
5
6 FOR THE STATE OF NEVADA: KIRK VITTO, CHIEF CRIMINAL
7 DEPUTY DISTRICT ATTORNEY
8 1520 EAST BASIN AVE #107
9 PAHRUMP, NEVADA 89049
10

11
12
13 FOR THE DEFENSE: DAVID NEELY
14 ATTORNEY AT LAW
15 PAHRUMP, NEVADA 89049
16

17
18 FOR THE DEPARTMENT OF NOT PRESENT
19 PAROLE AND PROBATION:
20
21
22
23
24

1 FRIDAY, JULY 28, 2021 PAHRUMP, NEVADA, 10:16 A.M.

2 -oOo-

3 MR. VITTO: Good morning, Your Honor.

4 MR. NEELY: Good morning, Your Honor. Long time no
5 see.

6 THE COURT: We could barely get here through your flood
7 waters.

8 MR. NEELY: You're lucky you weren't here Monday. You
9 would have had trouble getting out of here.

10 THE COURT: I heard that.

11 This is Case Number --

12 Suzy, are you on there?

13 THE COURT REPORTER: I'm on there. Hi, Judge.

14 THE COURT: Hi, Suzy. This is Case Number, CR-20-145A,
15 the State of Nevada versus Peter Helfrich.

16 Show the appearance of Mr. Neely on behalf of
17 Mr. Helfrich, together with his client, and I'm sorry, sir. Is
18 it Mr. Allmon?

19 MR. VITTO: No. It's Kirk Vitto with the DA's office,
20 Your Honor.

21 THE COURT: Mr. Vitto, I do that to you every single
22 time. It's because you have that mask on. That's my excuse this
23 time.

24 MR. VITTO: No worries.

1 THE COURT: Show the appearance of Mr. Vitto on behalf
2 of the state. This is the time set for sentencing in this case.
3 There have been a couple of presentence reports made. I take it
4 you both have received both of them.

5 One was prepared June 8th, 2021, and the second or the
6 amended or supplemental was prepared June 21st, 2021. And the
7 only change I see in that one is that Mr. Neely's name has been
8 placed in the new one, and mine has been placed in the new one.

9 Was anybody able to discern any other changes between
10 the, with the reports?

11 MR. NEELY: I have not, Your Honor.

12 MR. VITTO: I did not.

13 THE COURT: Okay. Thank you, Mr. Vitto.

14 Mr. Neely, do you have any corrections you would like
15 to point out? Mr. Helfrich, how are you?

16 THE DEFENDANT: I'm hanging in there, Your Honor. How
17 are you doing?

18 MR. NEELY: I don't have any corrections. However
19 there were some things that Mr. Helfrich saw in that that he
20 wanted me to point out to the Court. There were some things he
21 saw there that, as I'm giving my sentencing argument, I agreed to
22 point to and read them into the record that are in the PSI.
23 Other than that, we don't have anything, and of course
24 Mr. Helfrich will probably make a statement to the Court.

1 THE COURT REPORTER: Mr. Neely, if you wouldn't mind
2 sitting in front of the microphone, it would make my job easier.

3 MR. NEELY: I'm sorry. I'm so used to standing. Judge
4 Hoyt used to make us stand no matter what.

5 THE COURT: Judge Hoyt didn't have to work with Zoom.

6 Mr. Vitto, do you have any corrections you would like
7 to point out in the PSI.

8 MR. VITTO: I do not, Your Honor.

9 THE COURT: I note that we don't have a probation and
10 parole person here today. And I know that both you gentlemen are
11 familiar with this, but there's a really complicated credit for
12 time served calculation that needs to be done.

13 And my first question to P and P was going to be how
14 many days does he have credit for? Do either of you know that?

15 MR. NEELY: I was going to ask the Court. He had to
16 serve 180 days, he had to serve six months to take care of all
17 the time on his misdemeanor, and then the time that would credit
18 toward this sentence would be after the 180 days were over.

19 THE COURT: That's basically my understanding of it
20 too, except that the first 180 days, I guess it would have been
21 easier for the person, for you guys to say that when he's
22 finished his Justice Court sentence, good time will begin to
23 apply, or credit for time served will begin to apply to this
24 case.

1 But, that's not what you did. Mr. Vitto, do you have
2 an opinion about that?

3 MR. VITTO: Judge, just, you know, trying, it's rather
4 arcane the way it's articulated. The easiest way I think I can
5 distill it is to just say, attribute 180 days time served below,
6 that leaves him 102 days, give him 102 days credit on the case.

7 THE COURT: Mr. Neely, would you talk to Mr. Helfrich
8 and see what he thinks?

9 (Discussion between the defendant and his attorney off
10 the record.)

11 THE COURT: If you can reach a stipulation about it,
12 that would be a huge advantage.

13 MR. NEELY: He's telling me that's a no.

14 THE COURT: I came really close to that same number
15 when I calculated it before I came in here, but I was hoping P
16 and P would give us their calculation.

17 Is everyone satisfied with 102 days?

18 THE DEFENDANT: I really don't know. I know the
19 longest stint of incarceration here started October 20th, 2020.
20 But, there were a couple prior to that that included I'd say
21 almost a week and maybe a day.

22 But, off the top of my head, I just don't know enough
23 to make an educated opinion on it.

24 So, I mean if that's what everybody's going towards,

1 great. If it ends up being a discrepancy of a week or two, I
2 just don't have the facts before me. I just don't know.

3 THE COURT: Okay. Let's do this. Let's presume for
4 purpose of today that's 102 days. And then I will ask counsel to
5 be in contact with P and P to see if they differ from that
6 calculation, and if it's a greater amount of credit for time
7 served, we will amend the JOC to reflect that. If it's a lesser
8 amount it will stay at 102.

9 MR. NEELY: That sounds good.

10 MR. VITTO: That works for us, Your Honor. Thank you.

11 THE COURT: Mr. Vitto, is that satisfactory?

12 MR. VITTO: Yes.

13 THE COURT: Mr. Neely, do you have a recommendation for
14 me?

15 MR. NEELY: Yes, I do, Your Honor. Mr. Helfrich is 44
16 years old now. You can say during this childhood he suffered
17 severe physical and emotional abuse from his alcoholic drug
18 addicted parents. He's had a pretty tough childhood.

19 In fact, when he was younger as a baby, wandering
20 around the house, his parents would allow him to use marijuana
21 and drink alcohol at the parties. So, he's really had a lot of
22 time though, some mental health issues.

23 THE COURT: I don't want to interrupt you, Mr. Neely.
24 I did want to make clear before we started argument, I wanted to

1 make sure that Mr. Helfrich knew that I have read every single
2 word of what you've put in here.

3 THE DEFENDANT: Thank you, sir. I greatly appreciate
4 that. I thank you for taking that time. Thank you.

5 THE COURT: I did instruct the clerks on the file, the
6 documents that you presented while you were represented by
7 counsel, because, but I have them marked as exhibits. I have a
8 package of those exhibits, but I don't really see any reason to
9 admit them. They're in the court file already they're just
10 lodged on the left side.

11 THE DEFENDANT: Thank you, sir. I appreciate it.

12 THE COURT: I apologize, Mr. Neely.

13 MR. NEELY: That's okay, Your Honor. Given his mental
14 health history, it's been extensive throughout his whole life.
15 But, it looks to me, after talking to him, he's reached a point
16 in his life where he wants to deal with his issues.

17 So, he's been to treatment while he's in custody with
18 Serenity Mental Health for PTSD, anxiety, major depression,
19 bipolar disorder and they've got him on some medication for it.
20 So, he wants to seek some treatment for his mental health issues.

21 During the negotiations, I received, I talked to him in
22 jail and I received some correspondence indicating that he was
23 told he could possibly go to the Clark County Mental Health
24 Court.

1 Well, I have had a lot of experience dealing with them,
2 and if you have any crime of violence, you are not eligible. I
3 told him, I said that Clark Mental Health Court sounds pretty
4 good. But, I know those people. And he has a Manslaughter. So
5 that definitely was not looking possible, Your Honor.

6 So, what we would like to do is we would like to ask
7 the Court to sentence him to probation, sentence him to minimum
8 of two max of six, suspend it, send him to Serenity Mental
9 Health. We spoke with them and they will allow him to go there
10 and do a one year program.

11 They have got a bed there at the facility. And after
12 the one year, he would get trained for a job, or actually a job,
13 after he completes it. He's reached a point in his life where he
14 wants to try to change things and I spent some time this morning
15 talking to him about it.

16 What we all want to see is you get on the right track.
17 I think his mental health history and everything has got a lot to
18 do with it.

19 So, that's his plan, to try to change his life going
20 forward, Your Honor, is to try to get some mental health
21 counseling to get himself straightened out. We'd also like to
22 point out, and look at his criminal record, Your Honor. He's got
23 one felony and two misdemeanor convictions.

24 He had one prison and two jail.

1 He's never been on probation and he didn't do parole on
2 his felony he did day for day. So, he's never had an opportunity
3 for probation, Your Honor. He's asking the Court to allow him
4 probation to see if he can succeed in getting some mental health
5 and changing his life for the better.

6 I think he can do it.

7 THE COURT: Sorry. Hang on. Boy you guys would have
8 been in trouble if your phone went off. Good thing it wasn't
9 mine. Good grief. That's what happens when you have a new
10 phone.

11 Yes, sir?

12 MR. NEELY: So, that's our request, Your Honor. If you
13 want to speak with Mr. Helfrich in one second, he's going to
14 probably want to make a statement.

15 He asked me to read some stuff into the record. I know
16 the Court's already told him that you reviewed everything. Let
17 me see what he's got to say now.

18 (Discussion between the defendant and his counsel off
19 the record.)

20 MR. NEELY: He's got some stuff here he wants me to
21 read. He would like me to read this into the record, Your Honor,
22 the offense synopsis:

23 "Ms. Sanchez stated that they were being shot at, but
24 couldn't provide any further details, other than the vehicle

1 pulled off the road, and they saw what they believed to be a
2 firearm and that Helfrich just rammed the vehicle.

3 THE COURT: Mr. Neely, would you slow down, and louden
4 up.

5 MR. NEELY: What I'm reading, Your Honor, is on page
6 six, middle of the offense synopsis, Your Honor.

7 THE COURT: Yes, sir.

8 MR. NEELY: And he's asked me to read this statement in
9 the PSI:

10 "Sanchez stated that they were being shot at, but
11 couldn't provide any further details, other than the vehicle
12 pulled off the road and they saw what they believed to be a
13 firearm, and that Helfrich just rammed the vehicle."

14 I also have one more thing he would like me to read,
15 Your Honor. I'm back on page seven, Your Honor, Defendant's
16 Statement.

17 THE COURT: I have it.

18 MR. NEELY: I think I'm on the third sentence:

19 "He further admitted that he rammed into the back of
20 the Volkswagon, but said he felt he had no other option, because
21 he heard gunshots being fired and felt that his life was in
22 danger."

23 And then I think Mr. Helfrich might want to make a
24 statement.

1 THE COURT: He will be able to do that after Mr. Vitto
2 speaks.

3 Mr. Vitto, do you have a recommendation for me?

4 MR. VITTO: Thank you, Your Honor. Thank you very
5 much. My recommendation is 48 months minimum, 120 months
6 maximum, and a \$10,000 fine.

7 At this point in the defendant's criminal career, I
8 think the specific and general deterrence factors are paramount,
9 specifically this Court has the opportunity to stop the defendant
10 for a minimum of four years from involving himself with criminal
11 conduct.

12 The general deterrence factor, this Court has the
13 opportunity to protect the law abiding citizenry for a minimum of
14 four years.

15 Looking at the history, listening to everything, taking
16 everything into consideration, it appears that the best shot at
17 any kind of rehabilitation is taking full advantage of any and
18 all programs that are within the controlled environment of the
19 Nevada Department of Corrections.

20 The defendant positions himself before the Court today
21 for sentencing as a threat and a menace to society. He's
22 menacing. He's violent. He won't stop. After being charged
23 with murder and pleading guilty to manslaughter and going to
24 prison on a 48 to 120, the defendant got out, and didn't let much

1 time go by, before he then began to involve himself with the
2 criminal conduct that you see on page five of the PSI:

3 Harassment, Prepare Or Deliver to a Person Simulated
4 Legal Document.

5 Battery with Use of a Deadly Weapon.

6 Assault With a Deadly Weapon.

7 False Statement to Obstruct Public Office.

8 Assault, Certain Unlawful Acts.

9 Driving Without a Valid License.

10 Unlawful Acts.

11 Proof of Insurance.

12 Harassment.

13 Baiting.

14 Eluding.

15 Failing to Stop on Signal of Police.

16 Intimidating a Public Officer.

17 Et cetera.

18 THE COURT: Those are all charges, is that correct?

19 MR. VITTO: Those are all charges.

20 THE COURT: The convictions are, in fact, one felony
21 and two misdemeanors?

22 MR. VITTO: Correct. And most of those were resolved,
23 no, all of those were resolved as a result of the negotiation
24 before the Court. But, that's the criminal conduct that he

1 immediately involved himself with upon being released for killing
2 a man.

3 My recommendation to the Court today is that the
4 defendant be sentenced to the maximum term of incarceration, 120
5 months in the Nevada Department of Corrections, that parole
6 eligibility is after a minimum of 48 months has been served.

7 I'm also asking that a \$10,000 fine be imposed.

8 Thank you, Your Honor.

9 THE COURT: Thank you, Mr. Vitto.

10 Mr. Helfrich, is there anything you would like to tell
11 me before I decide what to do?

12 THE DEFENDANT: I remember previously when we spoke, or
13 when we met the last time, when Mr. Martinez was my attorney, you
14 asked me basically what motivated me to partake in this
15 situation.

16 And I didn't really have enough time, I don't think we
17 were limited on time, and, and therefore I had a lot of time to
18 think about it. And I want to explain to you what happened, you
19 know, some of the deputy part and whatnot reflects that Maria
20 Sanchez was in a band in our church. We began dating. We had a
21 picnic at the park that day, and she invited me to her rental
22 house.

23 And she said that she would have to ask permission for
24 me to be there. We were going to watch some Christian-based

1 movie. I forget the name of it. But, anyways, she then called
2 Alvin Thornton while I was in front of her, and requested
3 permission for me to come over to her rental home and watch a
4 movie.

5 To the best of my knowledge, that permission was
6 granted. We proceeded to the Wilson Road residence, and parked
7 there. It's a high fence, gated off property.

8 As we entered, and we were bringing like various
9 things, like leftover food and what have you, from the picnic.
10 And with her autistic son, Josway Flores, who was about 24 at the
11 time. He's special needs. So, as we entered the door of this
12 home that she was renting from Alvin Thornton and came in, Alvin
13 Thornton barged in the house, and this gentleman, Alvin Thornton,
14 he's a black male, larger than this deputy here in stature.

15 And this Alvin Thornton was yelling and screaming at
16 the top of his lungs, at Maria Sanchez, saying, Maria, I am going
17 to kick you out of my house and into the street as soon as
18 possible.

19 We were totally flabbergasted. We thought this man
20 gave us permission to be there. I would never have gone over,
21 being an ex-felon, in a situation where I am not welcome
22 somewhere.

23 Anyways, Maria basically stated, Alvin we asked
24 permission. I'm renting this place for me. You said it was okay

1 for Peter to be here. I want you to leave. I'm paying rent.

2 And she and I asked him to leave a couple times. Then
3 he forcibly put his hands on her shoulders, and forcibly shoved
4 her.

5 She went spluttering around trying to catch her
6 balance, banged her knee on the coffee table, and got scraped up
7 a little bit, then fell on the ground.

8 Then Alvin began beating on his chest like a barbarian,
9 daring me to pepper spray him.

10 Now I, being a small guy, and this individual is larger
11 than this gentleman over here, and I wouldn't stand a chance, you
12 know what I mean, if he attacked me. So, I used nonlethal means,
13 which is pepper spray, to subdue him.

14 And then we fled and went to the Basin Road, Nye County
15 Sheriff's Office. No one was around. We called 911 and
16 requested medical attention for her banged-up, scraped-up knee,
17 and we requested a deputy help file a report.

18 I don't know. I mean this is all well acknowledged and
19 accepted by Mr. Martinez told me that he had talked to one of the
20 other prosecutors, Mr. Allmon, that this is all verified.

21 There's video evidence that we drove there and video
22 evidence that we entered the building, and then eventually 15, 20
23 minutes later, this deputy came out. I don't remember his name.

24 We told him what happened. We requested medical

1 attention for her knee. We requested that Assault and Battery
2 charges be filed.

3 He refused our request, and he told us to go back to
4 the scene and wait across the street, and a deputy would be there
5 to take our report. And if we needed medical or whatever, it
6 would go from there.

7 The only reason that -- I would never have gone back to
8 the scene of an incident like this unless an officer had told me
9 to do so.

10 Being an ex-felon, you always got butterflies in your
11 stomach when you're around police. And when they tell you to do
12 something you want to think that it's in your best interests to
13 do so.

14 Well, that wasn't the case that day. We went back,
15 and, unfortunately there was no deputy present. And then Alvin
16 came out from the gated area, and motioned this car to come
17 forth, and then he pointed at our SUV. Astrovan; I'm sorry. And
18 then they proceeded to creep forward.

19 And if all this wasn't enough, you know, having a woman
20 assaulted and all this, and Alvin Thornton has a history with
21 Domestic Battery, With a Deadly Weapon, Strangulation with a
22 former woman. So, this is his serial history repeating itself.

23 This car came forth, and I said to Maria, pardon my
24 German. "I don't see any F'ing sheriffs. This looks like a

1 set-up. I'm getting the F out of here."

2 And I did a U-turn.

3 And as I proceeded towards where we would go out from
4 Wilson and proceed towards 372. I took a left in hopes of
5 fleeing back to the Sheriff's station. I was hoping to make it
6 there, and then we realized I was doing 55 miles an hour at the
7 time.

8 And I just want to say Maria and her son both have some
9 mental health issues. So, while we were being tailgated by these
10 two individuals who admitted this, Azilla Demeno, admitted to
11 this at the preliminary hearing. I don't want to bore you with
12 the lies and everything. But, please just take my word for it.
13 She admitted to tailgating.

14 THE COURT: I read what she did.

15 THE DEFENDANT: Okay, sir. Thank you.

16 Maria was screaming and yelling and hollering, as you
17 may well know, and I've got PTSD, and anxiety.

18 So, I was just trying to tell her, please, why don't
19 you call 911? And they were too terrified. I tapped on the
20 brakes to try and get them off my bumper.

21 And then they came along the side of us and Maria goes:

22 "Oh, my God. He's got a gun. Jesus help us."

23 And all this stuff. And she's screaming, and I look,
24 and sure enough, there's Alturio there, pointing a pistol at me,

1 a black pistol at me. And I almost lost control of the vehicle
2 at the time.

3 Just out of the sheer terror of having this happen, and
4 then I somehow regained my composure, and I kept telling Maria,
5 "Would you just please shut up and let me drive?"

6 But, she wouldn't. More and more terrified. They
7 passed us, and about 500 feet away, they got back in our lane and
8 stopped dead in the middle of the road.

9 It's like a nightmare. This is the kind of stuff you
10 see in Hollywood films, but you never think it is going to happen
11 to you. But, then again, this is Pahrump, Nevada. I mean,
12 anything can happen in the Nyelight Zone.

13 I proceed to pass them off the double yellow line. I
14 know that's illegal, but I passed them, you know, left to right,
15 and then they performed the same maneuver again, coming
16 alongside, brandishing the pistol and all the while he's grinning
17 at me like it's funny.

18 Once again stopped about 50 feet away, give or take,
19 and then I once again passed them and I'm doing about 75 or 80,
20 trying to get away from them. And this is a little Volkswagon
21 Beetle GTI, and I've got a four cylinder. If I did a U-turn,
22 like the hills have eyes-ville to California.

23 There was no place from that stretch of Wilson to where
24 I'm talking about to turn left or turn right to try and evade

1 them. Sometimes the only way through hell is straight ahead.

2 My grandfather was a World War II vet. Robert
3 Journegan, Army Air Force, and unfortunately, he's right.

4 Now, it was about three quarters of a mile, give or
5 take, and that's like third time they passed us, they passed us
6 like they were standing still. They must have been doing 100,
7 120. Because I was doing about 75, 80.

8 And somewhere between five hundred and a thousand feet,
9 before they pulled over near that storage building, we distinctly
10 heard, it was like three or four shots, and then Maria just went
11 ballistic, and I kept saying, "Somebody call 911, oh, my God,"
12 you know? And I'm going, "What am I gonna do?"

13 So, the closer we approached, and mind you, even though
14 I only made it through four weeks of military training, and I got
15 sick from the Anthrax vaccine, and I got discharged. There's
16 something that they teach you in the military very early on.

17 It's think like your opponent, and I'm thinking to
18 myself, if I just fired three to four shots off at somebody from
19 a distance and missed, and then I pull over to the side of the
20 road, to me seemed like a tactic to get a clearer shot.

21 I mean it doesn't take Rambo or an Army general to
22 figure out that if somebody has fired three to four shots off at
23 you, and pulls over to the right-hand side of the road, instead
24 of continuing driving away like they said they were going to

1 Walmart.

2 Well, why weren't they going to the sheriff's
3 department, if they were trying to get a license plate number
4 that they could have gotten when Maria drove back home.

5 I just, I just panicked and freaked out. I thought to
6 myself, and I saw in my mind, if I drive by them and they get
7 lucky, Maria or her autistic is son, who is like 23 or 24, would
8 likely be the targets. And I made a quick decision, right or
9 wrong. I just said to myself, I think the only way to get the
10 sheriffs involved with this and take thing seriously, and the
11 only way to hope that we're not going to get shot at was to run
12 into the back of the car. And then after I did that, I went
13 around behind the building, the buildings, and parked the vehicle
14 and I said, "Okay. Both of you get out. Both call 911 and hide
15 until the sheriffs show up. Get somewhere to find safety."

16 And then as I turned, there's all this poof of dirt and
17 smoke and what have you, and I can only see from this far up,
18 Alturo was out of the car, and he looked in my direction he said,
19 Peter, I'm going to get you, Peter.

20 And I said, "Oh, brother." I don't know if he still
21 had the gun or not, or what was going on. So I took that as a
22 threat.

23 And I used to run track when I was a kid, you know, in
24 school so I just ran. And as I ran, people were pouring out of

1 the storage building, and I said, you know, "He's got a gun.
2 Call the sheriffs. He's got a gun," whatever, as I'm running.

3 So, I saw people like they were getting on their
4 cellphones and whatnot, these individuals coming out of the
5 storage unit building, like the office.

6 And then I just, I ran, and there was this house, and I
7 asked the gentlemen in his back yard, I said, "Sir, someone was
8 shooting at us. I feel my life's in danger. I'm trying to get
9 back on 372. If I got to walk to the sheriff's station or flag
10 down a sheriff when they finally arrive."

11 So, he told me how to get back on 372.

12 There was, an undercover shows up, and I waived them
13 down.

14 And I said, "Did you find the gun?"

15 And they both looked at each other.

16 I said, "Well, did you find the gun?" I'm going oh,
17 great. I invoked my right to remain silent. I handed over my
18 pepper spray, and that was it.

19 And the main thing, like I said, you know, I've got the
20 deputy report here and I'm sure you've read it.

21 THE COURT: I have. I read every bit of it.

22 THE DEFENDANT: So, basically, don't even take my word
23 for it. Maria saw the gun, I saw the gun. We all know that, if
24 it took five minutes, if it took ten minutes there's time to bury

1 that thing, Chuck it across the street, whatever. I don't know
2 how they made it disappear, but I know that they did, because
3 there definitely was a gun.

4 The only last thing I had, pursuant to the NRS
5 176.1561(b) was in the offensive analysis, I feel that the
6 omission of those facts, blatant omission of those facts that
7 were omitted being after Maria was attacked, we went to the
8 sheriff's department, did our due diligence to try and seek
9 assault charges, and, you know, medical attention for her banged
10 up knee, and then that we were denied the same, and told to go
11 back to the scene.

12 I think that that being omitted from the offense
13 synopsis to the untrained eye, I know you've read it all and you
14 are aware of it.

15 But, I object to that being omitted, because the
16 untrained person, or the average person, they would have a hard
17 time thinking, like, well, why did this guy go back? Why in the
18 world did this guy go back? And when I search for answers to
19 myself, like what could I have done differently that day?

20 So, I enrolled in the Serenity Mental Health, and I
21 have seen four drug and alcohol mental health counselors. And I
22 told them basically the whole start to finish. And I said what
23 could I have done different to avoid this? All these four well
24 educated people that are listening to other inmates and other

1 people that have crazy traumatic situations.

2 And they said, you should have never listened to the
3 deputy on Basin Road tell you to go back to the scene and wait
4 for a deputy. That was the catalyst that kind of, it was kinda
5 like to me, napalm on the camp fire that created this situation,
6 that got so out of control, Judge.

7 I apologize for panicking. I apologize for freaking
8 out. Post-traumatic stress sort of things are very difficult to
9 live with. I didn't realize how bad my PTSD was until I'm in a
10 situation like this, a fight or flight.

11 I also, one day, on March 2nd, 2020, or 2021. I'm
12 sorry. I was up at Tonopah praying and whatever. It was around
13 11:45, and I said, "You know, God, I really want to talk to
14 Lieutenant Gray about this."

15 And as crazy as it sounds, as corny as it sounds, he
16 shows up. How often does Lieutenant Gray show up all the way to
17 Tonopah? He came to my cell. We have a rapport.

18 I gave him the whole run down, basically, what happened
19 and I said, "Lieutenant, look me in the eye and tell me what I
20 could have done different."

21 And he paused for a moment. "You know, what,
22 Helfrich?" He goes, "Don't ever listen to one of my deputies or
23 any deputy tell you to go back to the scene after a woman or
24 anybody has been assaulted. Don't ever do that again?"

1 And he kind of apologized that it happened that way.

2 So, I have had five people, one of them a lieutenant,
3 and a decorated, former officer beat cop that had hit the
4 streets, and he told me the same thing. He said, "You should
5 have never went back to the scene."

6 And he said, "If something like this ever happens
7 again, just go home. Wait until the next day. Come in and talk
8 to somebody else other than whoever told you to do that until you
9 get the right answer. Or you're going to find somebody, an
10 officer, a deputy, or detective that will file a police report
11 for assault, that will take pictures if there's any bang up or
12 scrape or whatever, and things will go hopefully better, if it
13 ever happens again, next time."

14 So, I apologize for getting out of control, and I feel
15 stupid for listening to that deputy, but, you know, you're an
16 Honorable Judge. I'm an ex-felon.

17 I'm just saying, if you went down there under the same
18 circumstances, I doubt that they would have told you to go back
19 to the scene. And you know the law well enough, you probably
20 would have told them I'm not going to. You are going to get your
21 superior over here or something.

22 I had just got done, it was stressful. The whole
23 situation previous to this was stressful. And I was having an
24 anxiety attack, and I just followed his directions, foolishly,

1 and look how out of control it got.

2 You know, it was, in Hollywood, you know, the hero
3 rides away in the sunset, and all this stuff. But it doesn't
4 always happen in real life.

5 I'm thankful that nobody was really seriously injured.
6 But, what it all boiled down to was those two individuals felt
7 justified, because I pepper sprayed their father to prevent
8 myself from being assaulted after he assaulted Maria Sanchez,
9 that they were justified in playing vigilantes.

10 And nobody has the right, in my opinion. And you can
11 correct me if I'm wrong, sir, to tailgate us, chase us and do all
12 these crazy antics. Neither one of them, they both admitted they
13 never graduated from the Police Academy, and they had no
14 experience in pursuing suspects. They terrified us that day.
15 Both of them.

16 And I don't know how anybody, you know, you put a
17 hundred people in a situation, a similar situation, you might get
18 a hundred different responses of how they act.

19 I felt like because of my prior history in Nye County
20 that the Sheriff's Department was turning a blind eye to helping
21 us. I mean, I could be wrong, but I felt like I was on my own
22 down that lone stretch that day, and nobody was going to come to
23 the rescue or anything. And I was in fear of not only my safety,
24 but my passengers'. And I just made what many may think or

1 believe to be a rash decision, but I really didn't know what else
2 to do.

3 But, we don't know what would have happened if I would
4 have drove by, if anything. That might have been the right
5 decision. I just can't say, only God knows that.

6 But, I want to apologize, in general, also to let you
7 down, because you remember when I lost my parental rights and all
8 that, you wished me well and hoped that things would go good.

9 Actually, I couldn't find a job when I got out of
10 prison. I was up in Vegas. Nobody would hire me. I'm a
11 National Honor student. I've got an associate's degree. My
12 health issues forced me out of my bachelor's. I ended up out
13 here. I didn't have to worry about toxic mold, just toxic
14 people.

15 My certifications and everything else that I had going
16 for me really didn't seem to mean much when I tried to find
17 employment, and I wasn't aware of Serenity Health or Hope For
18 Prisoners. and some of these other things that I, unfortunately,
19 under these circumstances, became aware existed, to my disposal,
20 so I ended up back in Pahrump, working my way out of a tent, and
21 this is how I ran into Maria Sanchez. We started off friends,
22 and I was volunteering as a cook at the church, and other things.

23 Lastly, the only other thing that I wanted to point out
24 was there was some discrepancy about this simulation of a legal

1 document.

2 THE COURT: I don't care about that.

3 THE DEFENDANT: It was a formal demand letter, sir.

4 THE COURT: You are not being sentenced for that.

5 THE DEFENDANT: I just want to apologize to everybody
6 else. It wasn't my intent to hurt anybody. It was my intent to
7 disable that vehicle, force the sheriffs to take this matter
8 seriously, because it got out of hand, by these three individuals
9 that were, in my opinion, seeking vindication for pepper spraying
10 Alvin Thornton, who has a history of assaulting and strangling
11 and beating women. And why the sheriffs didn't take it
12 seriously, because they already arrested him previously for
13 assaulting women is beyond me.

14 But, I can't change anything, Judge. And I know you
15 have given me two recommendations from these two gentlemen, both
16 well educated, and experienced on both sides of the fence.

17 I'm offering a third option and a prayer to the Court
18 that if you would give me a two to five, or a two to six, or
19 however you want to structure it, I promise you right here on the
20 record that when I do believe that two to five or two to six, I
21 will directly go into Serenity's one-year mental health program.

22 But, not just mental health but the drug and alcohol
23 program. Because part of the thing was, after this event
24 happened, I was so stressed out, even though I got OR'd, I was so

1 stressed out I started drinking heavily, and getting into drugs
2 again, to try to combat this serious case over my head and
3 looking at going back to prison, it was just overwhelming. I
4 fell off the wagon again.

5 Since I been incarcerated and been in treatment, I've
6 got a proper diagnosis. They finally gave me a rim rod (sic) it's
7 this medication for PTSD. It helps me sleep.

8 I was having flashbacks from this event, nightmares and
9 things. One time I was awake for five days straight, so they
10 finally got me on the right medications.

11 And I just want to say how grateful I am that we have a
12 program in Nye County, finally, called Serenity Mental Health,
13 because I didn't have that during the whole manslaughter thing.

14 I had gone through a traumatic experience and there was
15 no --

16 THE COURT: I need you to wind it up.

17 THE DEFENDANT: There was no help there. I'm trying to
18 get the help that I can with what I can. And I hope you will
19 give me the chance. And a two to five, or two to six, and then
20 going to counseling after, if these other options that you're
21 weighing, I'm just trying to give you a third option.

22 Thank you.

23 THE COURT: Thank you, Mr. Helfrich. Do you have any
24 legal cause to show, Mr. Neely, why this sentence should not be

1 imposed?

2 MR. NEELY: No, Your Honor I do not.

3 THE COURT: I've got a few things to say before I
4 impose the sentence.

5 Mr. Helfrich, a couple things. While you were
6 incarcerated, for you to seek out and participate in this program
7 I think is probably the most important thing that's happened to
8 you since I've known you, which is now quite a while. So, I'm
9 glad for that. That's a good thing.

10 There were lots of bad choices made that night, and
11 there wasn't just the one, but there were lots of them. And what
12 you are being sentenced for, just so you understand, is not the
13 reaction to what you perceived to be happening at the house where
14 the lady lived, it's what you did with the car, assaulting,
15 battering the other car and the people in it.

16 I just want to make it clear what the important part of
17 this is to me. The rest of it is important also, but that's the
18 event for which you are being sentenced.

19 So, enough said. There being no legal cause
20 established, it is the Judgment of the Court that you are, in
21 fact, guilty of the offense of Battery With the Use of a Deadly
22 Weapon, a Category B felony.

23 It is the Judgment of this Court that you are, in fact,
24 guilty of that charge. In accordance with the laws in the State

1 of Nevada, I do now sentence you as follows:

2 In addition to the \$25 administrative assessment fee,
3 and whatever fees are necessary to be imposed, there's a three
4 dollar administrative assessment, DNA administrative assessment.
5 I doubt if there's a \$150 DNA analysis fee, DNA fee. But, since
6 nobody from P and P is here, I can't know that for sure, because
7 his DNA was undoubtedly taken last time.

8 I know there was a discussion of restitution early on,
9 but all I've got is somebody's estimate of a damage figure, and
10 that's insufficient for me to order restitution.

11 So, Mr. Helfrich, you're not going to be granted
12 probation.

13 You will be sentenced to a term of six years in the
14 Nevada State Prison with a minimum parole eligibility of two
15 years, and you will be given credit for 102 days served, unless a
16 higher number is developed by P and P following this Imposition
17 of Sentence.

18 Important to my decision is the fact that Mr. Helfrich
19 has never been on probation. He has had innumerable
20 opportunities to seek out the kind of counseling that he has
21 finally sought out, and didn't choose to do that while he was not
22 incarcerated.

23 I understand that the drug and alcohol issues and those
24 need to be addressed as well.

1 The reason I am putting kind of a long tail on it, that
2 is two to six, that is in hopes that when you are paroled, you
3 will have a pretty substantial parole tail, because that will
4 give you access to the Serenity program.

5 And I really hope that you take advantage of that, and
6 that I don't see you here again.

7 Gentlemen, I don't every day do sentencings anymore.
8 Have I covered everything that needs to be covered?

9 MR. VITTO: Yes, Your Honor.

10 MR. NEELY: I agree, Your Honor. You got it all.

11 THE COURT: That will be the Order. And the defendant
12 is remanded to the custody of the Nye County Sheriff.

13 THE DEFENDANT: Thank you, Judge. After I get out, I
14 am going to go right into that program for you. Can I let you
15 know?

16 THE COURT: Show me, don't tell me. Take care, sir.
17 (Whereupon proceedings concluded at 11:00 a.m.)

1 STATE OF NEVADA)
2) Ss
3 COUNTY OF DOUGLAS)

4 I, SUZANNE KUES ROWE, Certified Court Reporter,
5 licensed in the State of Nevada, License #127, and a Notary
6 Public in and for the State of Nevada, County of Douglas, do
7 hereby certify that the foregoing proceeding was reported by me
8 and was thereafter transcribed under my direction into
9 typewriting; that the foregoing is a full, complete and true
10 record of said proceedings.

11 I further certify that I am not of counsel or attorney
12 for either or any of the parties in the foregoing proceeding and
13 caption named, or in any way interested in the outcome of the
14 cause named in said caption.

15
16
17 Date: August 4, 2021
18
19

20 _____
21 SUZANNE KUES ROWE, CCR #127
22
23
24

EXHIBIT “C”

**Petition for Writ of Habeas
Corpus, Filed September 10, 2021**

Peter-J. Helfrich
VS Affiant

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 USC 1746(1), &
Public Law 116 Congress, sess. 92

State of Nevada
Corporate Fictional Entity

that David Neely, esq. was FIRED July 8, 2021 & is herein FIRED
because he failed or REFUSED to correct said Factual Errors as
I requested; by mail & in person = I AC

Now COMES Affiant Peter-Jason of the Helfrich Clan, who MOVES
this Honorable Court to ORDER Parole & Probation of Southern
Nevada Chief Tom Lawson, etc., et al to Correct & Amend said
Factual Errors contained in said PSI Report; See: (Attached)

1. Affidavit of Judicial Notice of objection to Factual Errors Pursuant to
NRS. 176.156(1)(b) & Mailed to David Neely III. June 26, 2021;
2. Judicial Notice that I hereby FIRE David Neely, esq., III, Filed July 8, 2021;
3. COMPLETE COPY OF Parole & Probation Presentence Investigation
Questionnaire
4. PSI Report

See Also: Case Summary

The Amendments must include word for word #1 (above)
An un-rebutted Affidavit(s) stands as Truth, which is a
Universal Maximum of Law. My un-rebutted Affidavits
as Filed in the Nye County Clerks office; as RECORDED to the
Public Record (see Case Summary) = ARE THE TRUTH!!!
Neither Mr. Arabia, Mr. Vitto, etc., et al; NOR the Alleged Victims
have contested, nor-rebutted said Affidavits; & as such
this Honorable Court Must Grant this Writ & ALL requested
Corrections to said PSI Report.

NOTICE TO AGENTS IS NOTICE TO PRINCIPALS
NOTICE TO PRINCIPALS IS NOTICE TO AGENTS

Silence is Acquiescence; Acquiescence is Estoppel!

You Have 45 Days!!!

28 USC 1746(1); W/O USA©

Dated: 8/24/2021

By: Peter-J. Helfrich; ucc 1-207/1308/3-402(b)

Power of Attorney General In Behalf of

the PETER JASON HELFRICH TRUST©

see Public Law 116 Congress, sess. 92

COMPLETE INDIGENT FILE STAMPED COPY REQUIRED

Brass Slip # 2518986

It appears that there is a conspiracy to keep said facts off the
Record / & / off the PSI

FILED

FIFTH JUDICIAL DISTRICT

SEP 10 2021

Nye County Clerk
Deputy

FILED
FIFTH JUDICIAL DISTRICT

JUL 28 2021

Nye County Clerk

Deputy

~~Terri Pemberton~~

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

THE STATE OF NEVADA,

Plaintiff,

vs.

JUDGMENT OF CONVICTION

PETER J. HELFRICH,

Defendant.

On April 8, 2021, the Defendant above named, appeared before the Court with his counsel, Daniel Martinez, Esq., and entered a no contest plea to the crime of *Battery with Use of a Deadly Weapon*, a violation of NRS 200.481(2, e, 1) a Category "B" Felony.

On July 28, 2021 the Defendant appeared personally and with his counsel, David Neely, Esq. for entry of Judgment. No sufficient legal cause was shown by the Defendant as to why judgment should not be pronounced against him. The Court adjudged the Defendant guilty of the crime of *Battery with Use of a Deadly Weapon*, a violation of NRS 200.481(2, e, 1) a Category "B" Felony.

The court then sentenced the Defendant to serve a minimum term of twenty-four (24) months and a maximum term of seventy-two (72) months in the Nevada Department of Corrections.

Defendant shall pay to the Clerk of the Court a \$25.00 administrative assessment fee.



FIFTH JUDICIAL DISTRICT COURT
ESMERALDA AND NYE COUNTIES




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Defendant shall pay to the Clerk of the Court a \$3.00 DNA administrative fee.

The Defendant shall receive credit for 102 days presentence incarceration.

DATED this 28 day of July, 2021.


DAVID GAMBLE,
DISTRICT JUDGE

CERTIFICATION OF SERVICE

The undersigned hereby certifies that on the 28th day of July 2021, she mailed (or hand delivered) copies of the foregoing **JUDGMENT OF CONVICTION** to the following:

NYE COUNTY DISTRICT ATTORNEY
PAHRUMP, NV
(HAND DELIVERED)

DAVID NEELY, ESQ.
PAHRUMP, NV
(HAND DELIVERED)

NEVADA DIVISION OF PAROLE AND PROBATION
PAHRUMP, NV
(HAND DELIVERED)

NYE CO. SHERIFF (DETENTION)
PAHRUMP, NV
(HAND DELIVERED)

Melissa Stepp
MELISSA STEPP, secretary to
DISTRICT COURT JUDGE

Fifth Judicial District Court
ESMERALDA AND NYE COUNTIES



7020 0090 0001 5983 3944

Affidavit of reservation of rights UCC 1-308/1-207

PUBLIC-THIS IS A PUBLIC COMMUNICATION TO ALL
Notice to agents is notice to principles
Notice to principles is Notice to Agents
Applications to all successors and assign
All are without excuse

:peter-jason: of the helfrich clan sui juris Executive Trustee
of PETER JASON HELFRICH(c)082494 TRUST
All rights reserved UCC1-308/1-207
% General Delivery
a republic near Pahrump, Nevada [00000]
Phone: (702) 888-4560
Non-domestic without the United States

NOTICE OF ESTOPPEL AND STIPULATION OF CONSTITUTIONAL CHALLENGE TO ALL STATE OF NEVADA STATUTES ETC

Let it be known to all that I, :peter-jason: of the helfrich clan, explicitly reserves all of my rights. See UCC 1-308 which was formally UCC 1-207. I reserve all of my rights and liberties at all times and in all places, nunc pro tunc (now for then) from the time of my birth and forevermore. Further, I retain my rights not to be compelled to perform under any contract or commercial agreement that I did not enter knowingly, voluntarily and intentionally. Further, I do not accept the liability of the compelled benefit of any unrevealed contract or commercial agreement. I am not ever subject to silent contracts and have never knowingly or willingly contracted away my sovereignty. Further, I am not a United States citizen or a 14th amendment citizen. I am a State Citizen of the republic and reject any attempted expatriation. See 15 United States at large, July 27, 1868 also known as the expatriation statute. Further, let all be advised that all actions commenced against I may be in violation of USC TITLE 18 > PART 1 > CHAPTER 13 > § 242 Deprivation of rights under color of law USC TITLE 18 > PART 1 > CHAPTER 13 > § 241 Conspiracy against rights. Further, I reserve my right to sue you and all your agencies and contractors for using my name or my property PETER JASON HELFRICH(c) dba PETER JASON HELFRICH(c)082494 TRUST ens legis. Violation fee of my liberty is \$250,000 per incident or per 15 minutes or any part thereof. Wherefore all have undeniable knowledge.

MATTER OF STATE OF NEVADA AND PETER HELFRICH, CASE NO: 20PC01449

To dispel any notion that I am any defendant that would give you subject-matter or personal jurisdiction. Therefore, your court must dismiss this case against this Consumer for the following reasons:

1. THE RESERVATION OF MY RIGHTS. Such rules shall not abridge, enlarge or modify any substantive right. All laws in conflict with such rules shall be of no further force or effect after such rules have taken effect, pursuant to 28 USC § 2072. Rules of procedure and evidence, power to prescribe. (a) A party that with explicit reservation of rights performs or promises performance or assents to performance in a manner demanded or offered by the other party does not thereby prejudice the rights reserved. Such words as "without prejudice," "under protest," or the like are sufficient.
2. PRIVATE RIGHT OF ACTION. There is no need for arbitration as there is no parity between us. This communication shall become a part of executing my claim to resolve the matters at hand. As the only court of competent jurisdiction, I render the foregoing matter dismissed with prejudice.
3. CONSTITUTIONAL QUESTIONS. (1) Inalienable rights, protected by 1867 Maryland Constitution & Articles 1 & 4 DECLARATION OF RIGHTS, right to travel, has been violated, in the past. (2) 1867 Maryland Constitution & Article 26. That all warrants, without oath or affirmation, to search suspected places, or to seize any person or property, are grievous and oppressive; and all general warrants to search suspected places, or to apprehend suspected persons, without naming or describing the place, or the person in special, are illegal, and ought not to be granted.
4. FURTHER ADVISEMENT. All of the actions of the court and all others in these cases against my Consumer are in violation of USC TITLE 18 > PART 1 > CHAPTER 13 > § 242 Deprivation of rights under color of law and USC TITLE 18 > PART 1 > CHAPTER 13 > § 241 Conspiracy against rights. THIS COMMUNICATION EFFECTUATES THE DISMISSAL OF THIS MATTER WITH PREJUDICE.

AFFIDAVIT

Affiant, :helfrich, peter-jason, sui juris, a natural born Sovereign, Traveler, now in its de jure capacity as a republic and as one of the several states of the union created by the constitution for the united States of America 1777/1789. This incidentally makes me an American national and a common man of the Sovereign People, does swear and affirm that Affiant has scribed and read the foregoing facts, and in accordance with the best of Affiant's firsthand knowledge and conviction, such are true, correct, complete, and not misleading, the truth, the whole truth, and nothing but the truth. By: :peter-jason: of the helfrich clan; by special appearance, in Propria Persona, Proceeding Sui Juris with explicit reservation of all my Inalienable rights.

28 U.S.C. 1746(1); Executed without the UNITED STATES; ALL RIGHTS RESERVED & RETAINED WITHOUT RECOURSE NOR PREJUDICE;

Dated: June 11th, 2020 By: :Peter Jason: Helfrich ; UCC 1-207, & 1-308



:Peter Jason: Helfrich

ALL AUTHORITY - ACCEPTED FOR VALUE - PEACE AND LOVE - NOT FOR HIRE - NOT AT WAR

041

Case# CR20-0145 5th Judicial District Court of Nye County, Nevada
state of Nevada v. peter-j. helfrich
Complete Indigent File stamped Copy Required/Requested
Affidavit of Judicial Notice of Objection to Factual
Errors Pursuant to NRS 176.156(1)(b); & Formal
Demand That David Neely, esq. File Motion(s) to
Withdraw Plea Deal Due to IAC, etc.
See Attached Letter to David Neely, esq.
Mailed to Mr. Neely on June 24, 2021

YOU WILL PLEASE TAKE JUDICIAL NOTICE OF THE FOLLOWING FACTUAL ERRORS
CONTAINED IN THE PSI REPORT

See Page 2@: US Citizen YES*4 Should = NO, i took an oath in 2016
which is filed in Federal Court, US Citizenship is REVOKED/RESCINDED
as is the SSI# as proven in the US Passport ID on file
with United States Passport Agency. i am an American National;
See Page 3@: Other Sources "ex-wife" should state:

"ex-wife Maria Sanchez";

See Page 3@: "obtained an associate degree as a Paralegal"
should state: "obtained an A.A.S. in Visual/Audio/Photo/Radio
Communications."

See P. 3@: Substance Abuse History should state:

"Alcohol consumption & Marijuana first experienced at age 1"
Problematic Alcohol & Marijuana abuse began at
age of 9 & 13, respectively,"

See Page 6 v. OFFENSE SYNOPSIS

Key objection is the blatant omission of the facts THAT:

1. Peter helfrich and Maria Sanchez traveled to the NCSO Station
on E. Basin Road and called 911 for medical attention and
requested Assault Charges be filed against Alvin Thornton
(Google Alvin Thornton PV Times Domestic Battery with a Deadly Weapon
Strangulation) for assaulting Maria Sanchez, yet the only known
NCSO Deputy on duty May 27, 2020 refused BOTH REQUESTS &
ordered us to drive back to the scene of the incident & a
NCSO Deputy would be there to file a report, etc. MS. Sanchez
had a banged up / scraped up knee due to the assault

See P. 6@: i was not "screaming at him and his father"

i was screaming at Maria Sanchez (Paraphrasing):

"Where the fuck is the fucking Sheriff?!?; don't see
any fucking Sheriffs, i'm getting the fuck out of
here, this looks like a setup!!!"
i did a u-turn & fled as soon as i realized:

1. No NCSO Deputy Present; &

2. A black VW came out of Alvin Thornton's property &
Alvin was pointing at our van as if to tell the VW's
occupants to pursue us.

Continued on BACK SIDE TO CONSERVE \$ due to INDIGENCE.



See P. 6@: Furthermore, Maria Sanchez called Alvin Thornton previously and obtained permission for Mr. Helfrich to visit Ms. Sanchez's rental house to watch a movie; yet Alvin Thornton barged in the house upon our entering it and he was screaming at Maria Sanchez and said that he was kicking her outta my house and into the street as soon as possible. Soon after Ms. Sanchez asked him to leave he attacked her; she banged her knee on a coffee table and fell to the ground. Alvin Thornton then began beating on his chest like a barbarian and dared me to pepper spray him. I believed he was high on drugs and was going to attack me, so I pepper sprayed him as he requested.

See P. 6@: Furthermore, the female driver made two attempts to force me to stop the mini van and Alterio brandished a pistol at me 3 times and later discharged 3-4 shots from approximately 3/4 of a mile away before pulling over to the right side, near the mini storage building.

See P. 6@: I did not attempt to flee in the mini van; I drove it behind the storage buildings to safety because we had previously been shot at by Alterio Thornton. Alterio yelled "Peter, I'm going to get you Peter!" and he began to run in my direction.

I had a good head start on him; I outran him. Between his verbal threats and previous acts:
1. Brandishing a pistol; 2. Firing 3 to 4 shots at us; I was in fear of my safety/life. It was too cloudy from the foot dirt & smoke clouds to see if he still had the gun. His verbal threats alone put me in fear of my life.

The wording in the OFFENSE SYNOPSIS is false & misleading.

See P. 7@: Again, Ms. Sanchez called Alvin Thornton previous to our arrival to said home and we had his permission for me to be there. Alvin Thornton attacked Maria Sanchez. Alvin beat on his chest and demanded to be pepper sprayed.

He got what he asked for. Alvin's a maniac.
Google: PV Times Alvin Thornton Domestic Battery with a Deadly Weapon / Strangulation - David Neely needs to ask Alvin Thornton about this at trial.



For the Record: Isela Nino claimed that Alvin Thornton called the NCSO 911; so why was Isela & Alterio taking the LAW into their own hands by tailgating, chasing & shooting at Maria Sanchez's Mini Van, allegedly to obtain Maria's License Plate Number when that information could easily be obtained when Maria drove back to said rental home, after Pete Helfrich was dropped off at his motor home???

The Preliminary Hearing (November 30, 2020)
Transcripts are clear:

See P. 82, Lines 1 thru 10 [Lines 4-5]
Q. "Did you call the Police at that point?"
*A. "Alvin made the call, we didn't." 4 @ L. 6
Q. "Alvin made the call to who?" 4 @ L. 7
*A. "To the Sheriffs." 4 @ L. 8
Q. "So Alvin called the Police?" 4 @ L. 9
*A. "Yes" 4 @ L. 10 Isela Nino = *A.

Daniel Martinez = Q.

See P. 85 Lines 12-13

Q. "... You were tailgating him, right?"
*A. "Um-hum."

See P. 54 Lines 18-24

L. 18

** A. = Alterio Thornton

Q. = Daniel Martinez

Q. "... You got out of the car after the impact?"

L. 19 **A. "Um-hum."

L. 20 Q. "You didn't call 911, right?"

L. 21 **A. "... no, I didn't."

L. 23 Q. "So you didn't?"

L. 24 **A. "I didn't call at the time. I was trying to chase"

[continued on P. 55] "him." 4 @ L. 1

See P. 55, L's 2-3: Q. "You got out of the car and tried to chase him?"

L. 4 **A. "I was trying to chase him."

These three criminals: (Alvin) assaulted a mentally ill Illegal Alien woman; conspired to murder 3 innocent people; one of whom is ANTISTIC;

ROAD RAGED us at gun point; shot at us 3 to 4 times;

Alterio & Isela & (Alterio) threatened and chased me from the scene. 28 USC 1746(i); w/o USA

Dated: June 24, 2021

By: : Peter V. Helfrich
3 ucc 1-207/1-308/3-402(h)

i Demand that David Neely, esq. File a Motion to Withdraw Plea Deal/Agreement. Daniel Martinez promised me that if i took said Plea Agreement that he would file the Paperwork, etc. to try to get me into the 8th Judicial District Court Mental Health Court.

Either he was in-effective in researching the Eligibility Requirements, or he was just telling me what i wanted to hear = I A C.

Pitaro & Fumo were just as ignorant. The Associate i spoke to said [REDACTED] that my request would be do-able, see Attached

Certificate of Service
i, Peter J. Helfrich, declare Pursuant to 28 USC 1746(c) that i mailed the foregoing Affidavit of Judicial Notice to: Nye County Clerk
1520 E. Basin Road
Pahrump, Nevada 89060

On June 24, 2021

By: Peter J. Helfrich
ucc1-207/1-308/3-402(b)

Dear David Neely, i have been unable to contact you by Phone upon numerous attempts.

i previously mailed out to Nye County Clerk a Judicial Notice to Revoke/Rescind the Plea Agreement in Case# LA20-0145A due to me being under the influence of Rimron & IAC. Daniel Martinez claimed the State Filed 3 More Felony Cases to which i later found out 1 to be false.

Said Cases were bogus & aimed at forcing a LOUSY DEAL = 2 to 10 & 1 Misd. eating my County time. Pitaro & Fumo = useless.

i require you to file a Motion to Withdraw Said Plea Deal based upon IAC & the fact that i was on PSY meds when i signed the Plea Deal (lets take it to trial) & IAC.

i am Filing this letter in a Judicial Notice & i am mailing you a TRUE HAND COPY.

Dated: June 21st 2021

By: Peter J. Helfrich

COPY

UCC1-207/1-308/3-402(b)

Let's waste millions of Tax Payer \$'s over 2 gang bangers trying to Kill me.

911 Call = "66 Shots fired."

i need a copy of the Preliminary Hearing Transcripts.

Please review Said Transcripts.

i was being tail gaited, Shot at & Chased.

i need a Complete Copy of the Judicial Notice that contained My Pre-Sentence Investigation Questionnaire.

i need to meet you in Person ASAP.

DAVID H. NEELY III
ATTORNEY AT LAW

3520 E. Tropicana Ave., Suite D-1
Las Vegas, Nevada 89121
Telephone: (702) 565-0716

Peter Helfrich
Tonopah Jail
P.O. Box 831
Tonopah, NV 89049

Dear Sir:

I have enclosed a copy of the Eighth Judicial District Court Mental Health Court eligibility requirements. To be eligible you must have "no or low level history of violent offenses". Your prior Manslaughter conviction will result in your ineligibility for the Eighth Judicial District Mental Health Court.

Dated this 23 day of June, 2021.


DAVID H. NEELY III

Case# CR20-0145

State of Nevada

v.

Peter-J. Helfrich

of Rimron for PTSD, Anxiety, etc. 28 USC 1746(1); Hearing requested

5th Judicial District Court of Nye County, Nevada

Complete Indigent File Stamped Copy Required
Affidavit of Judicial Notice of Motion to Withdraw
"Plea" & Notice that I am FIRE David Neely

The Plea is Revoked, Rescinded, Withdrawn Due to
IAC, Coercion, etc. & being under the influence

Public Law 116 Congress, sess. 92; YOU WILL PLEASE TAKE JUDICIAL NOTICE THAT;

I hereby FIRE David Neely, esq.; & I hereby Move to Withdraw
Said "Plea" due to Serial IAC, Coercion & being under the influence
of Rimron for Post Traumatic Stress Disorder, Anxiety, etc.

SEE Preliminary Hearing, November 30, 2020; Case# 20CR01449
Page 126, Lines 10-19; Daniel Martinez: "As we talk about this case and
what we heard today, Judge, what I heard was two people who hopped
in a car and decided to be vigilantes, to follow the Defendant even though
Maria Sanchez rented the Property from Alvin Thornton.

[Keep in mind Alvin Thornton ASSAULTED Maria Sanchez; See
[PV Times Alvin Thornton Domestic Battery with a Deadly Weapon, Strangulation]
→ They could have gotten her information, they could have called the
→ Police, they could have gotten a description of the Van. A

[Keep in mind; Maria Sanchez & Pete Helfrich previously drove to the
NCSO Station on Basin Road, called 911 & asked a Deputy for medical
attention & ASSAULT CHARGES be filed against Alvin Thornton & said
Deputy REFUSED our requests & ordered us to drive back to the
scene & file a report with a Deputy !!! We were AMBUSHED !!!
[by vigilantes !!!] They [Alvin Thornton & his Cohort] didn't do
that. They acted as vigilantes to go and try and get Mr. Helfrich
themselves. The tailgated him, they had to speed to catch up
to him!! NCSO Just Handled me a 1983 Federal Tort =

Breach of Oath; Failure of Duty to Protect!!! Thank you.

For The Record: Daniel Martinez Promised me that if I signed
the Rail Road of a Plea Deal, that he would try to get me into
Mental Health Court. David Neely recently made me aware that I
do not qualify for Mental Health Court. This = IAC.
Furthermore, Mr. Martinez claimed that the DA had
invented 3 more Felony cases, which would be dropped
if I signed the Deal. & This later proved to be false. = Coercion

Pitara & Fumo were useless, yet an associate claimed they
could try to get me into Mental Health Court. = IAC

David Neely is un-reachable by phone, & has failed to visit
me, or even speak to me. I hereby FIRE David Neely &
Withdraw My Plea. If the DA does not offer a
better offer, one which RESTITUTION is off the table, etc.;
then I demand my Right to a Speedy Trial.

Indigent File Stamped Copy Required

Run: 07/08/2021
13:43:21

Case Summary

Page 2

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

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.

Case# CR20-0145

State of Nevada

v.

Peter-J. Helfrich

of Rimron for PTSD, Anxiety, etc. 28 USC 1746(1); Hearing requested

5th Judicial District Court of Nye County, Nevada

Complete Indigent File Stamped Copy Required
Affidavit of Judicial Notice of Motion to Withdraw
"Plea" & Notice that I am FIRE David Neely

The Plea is Revoked, Rescinded, Withdrawn Due to
IAC, Coercion, etc. & being under the influence

Public Law 116 Congress, sess. 92; YOU WILL PLEASE TAKE JUDICIAL NOTICE THAT;

I hereby FIRE David Neely, esq.; & I hereby Move to Withdraw
Said "Plea" due to Serial IAC, Coercion & being under the influence
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SEE Preliminary Hearing, November 30, 2020; Case# 20CR01449
Page 126, Lines 10-19; Daniel Martinez: "As we talk about this case and
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in a car and decided to be vigilantes, to follow the Defendant even though
Maria Sanchez rented the Property from Alvin Thornton.

[Keep in mind Alvin Thornton ASSAULTED Maria Sanchez; See
[PV Times Alvin Thornton Domestic Battery with a Deadly Weapon, Strangulation]
→ They could have gotten her information, they could have called the
→ Police, they could have gotten a description of the Van. A

[Keep in mind; Maria Sanchez & Pete Helfrich previously drove to the
NCSO Station on Basin Road, called 911 & asked a Deputy for medical
attention & ASSAULT CHARGES be filed against Alvin Thornton & said
Deputy REFUSED our requests & ordered us to drive back to the
scene & file a report with a Deputy !!! We were AMBUSHED !!!
[by vigilantes !!!] They [Alvin Thornton & his Cohort] didn't do
that. They acted as vigilantes to go and try and get Mr. Helfrich
themselves. The tailgated him, they had to speed to catch up
to him!! NCSO Just Handled me a 1983 Federal Tort =

Breach of Oath; Failure of Duty to Protect!!! Thank you.

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the Rail Road of a Plea Deal, that he would try to get me into
Mental Health Court. David Neely recently made me aware that I
do not qualify for Mental Health Court. This = IAC.
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could try to get me into Mental Health Court. = IAC

David Neely is un-reachable by phone, & has failed to visit
me, or even speak to me. I hereby FIRE David Neely &
Withdraw My Plea. If the DA does not offer a
better offer, one which RESTITUTION is off the table, etc.;
then I demand my Right to a Speedy Trial.

Indigent File Stamped Copy Required

July 1st, 2021

Dear David; Please be advised that I previously (twice)
FILED Affidavit(s) of "Judicial Notice(s) of Invoking The Right
to a Speedy Trial"; (Most recent FILED March 29, 2021).

Invoked Nunc Pro Tunc May 28, 2020

I repeatedly DEMANDED from day one that
Mr. Martinez invoke my Speedy Trial Right; yet
he failed [IAC] or refused to.

This is all the more merit towards IAC Claims.

Please FILE said Motion to Withdraw Plea &
re-invoke my Right to a Speedy Trial.

June 25, 2021: Called David Neely @ 10:49am & 4:25pm = No Answer

June 28, 2021: Called David Neely (702) 565-0716 @ 12:52pm = No Answer

6/30/2021: Called @ 11:00am = No Answer & 7/1/2021 @ 2:48pm

Since you have failed to answer my Phone calls, etc.
nor meet me in person, I need you to withdraw
from my case immediately. Thank you kindly.

(Immediately after filing the above named Motions!)

Thank you; *Peter J. Helfrich*

See Enclosed: (COPY) "Affidavits of Judicial Notices"
1. Objection to Factual Errors Pursuant to NRS 176.156(1)(b), &
Demand That David Neely, esq. File Motion(s) to Withdraw
Plea Deal... &

2. "Illegal Alien Con Artist Maria Sanchez Fled
Pahrump..."

cc: Nye County Clerk

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Plea Deal... &

2. "Illegal Alien Con Artist Maria Sanchez Fled
Pahrump..."

cc: Nye County Clerk

4TH REQUEST ATTEMPT

Certified Mail Tracking# 7020 0640000213988916

Judicial Notice with 68 Page Completed

Pre-Sentence Investigation Questionnaire

Dear Judy Ayotte: I have made numerous attempts, in writing & via Phone to obtain an indigent copy of the above named Judicial Notice, in vain.

Please honor my 4th request.

Thank You!



Pete J. Pappas

I Paid \$8.45 in Postage=

- I went broke to get a File Stamped Copy. Please assist.

I request the Court Minutes & Docket Sheet in CR20-0145,

Indigent Request.

For the Record: A Competent Attorney would be able to Negotiate a better Plea Deal than the current offer; See Also: Deputy Report For cas# 20NY1730; see P.6 @ 20:31:12, 5/27/2020-Rucker SS - From:

McRae JC "need id a unit/we have possible road rage and shots fired" @ 20:31:35: "unk who might have a fire arm" @ 20:28:23 "Rucker SS- From Beard WR" believe that the parties involved in this accident were the ones i was ent to on Wilson; [4-Confirms Maria Sanchez & i called 911 & asked NCSO for help vs. Alvin Thornton assault on Ms. Sanchez] see P.4 Paragraph 4 = Deputy Sehnert: "I went to speak with Josue Flores and he" ... "stated that the female with him by the name of Maria Sanchez told him that they were being shot at during the incident" ... "Maria did in fact state that the vehicle was pulled off to the side of the road and that they saw what they believed to be a fire arm" ...

NCSO did not bother to TEST Alterio Thornton for GUN SHOT RESIDUE; they did a cursory inspection of the car & Passenger/driver. Alterio had plenty of time to toss his gun or bury it in some poof dirt [near a bush, etc.] so he could retrieve it later] before NCSO arrived on scene.

Someone at the Storage Company heard GUN SHOTS. This Affiant, Maria Sanchez, etc. heard GUN SHOTS. Someone Called 911 due to "shots fired."

Given these FACTS, Competent Counsel would have been able to mitigate a better Plea offer than the possibility of 6 1/2 years in Prison due to Alvin Thornton assaulting Maria Sanchez; Maria & Pete helfrich flee to the NCSO Station & call 911 for medical attention & Assault charges be filed - only to have a NCSO Deputy REFUSE our requests & send us back to (The Lions Den) Wilson Road where we were ambushed, tail gaited, road raged & shot at 3 to 4 times by Alterio Thornton & his GF in RETALIATION for this Affiant Pepper Spraying Alterio's woman beating father, Alvin; who has a history (in Pahrump) of Domestic Battery with a Deadly Weapon // Strangulation? Court minutes & Docket Sheet REQUESTED

Since THREE Attorneys have failed to mitigate a better / fair / Plea Deal; i hereby Withdraw My Plea (#2 offer) & if Offer #3 is not fair; then i demand a Speedy Trial.

i request Ronnie Boskovich Pick up this case & help mitigate a fair Plea Deal; or lets go to trial

28 USC 1746(1); W/O USA
UCC 1-207/1-308/3-402(b)

By: Pete - J. helfrich

Certificate of Service

I Mailed a True Copy of the
aforementioned Affidavit on
July 5, 2021 to Nye County Clerk
1520 E. Basin Road
Pahrump, Nevada

I requested a File Stamped
Copy of Same

28 USC 1746

W/O USA

By: Peter Windach

UCC 1-207/1-308/3-402(b)



Certificate of Service

I declare (28 USC 1746(1)) that on
May 8, 2021, I mailed the foregoing
Affidavit & Pre-Sentence Investigation
Questionnaire to Nye County Clerk
1520 E. Basin Road
Pahrump, Nevada [89060]
& REQUESTED a Complete Indigent
File Stamped Copy

By: *[Signature]*
UCC 7-207, 7-308, 3-402(b)

The Clerk of Court is hereby directed
to electronically serve this entire
Affidavit & Exhibit #1 to lthelaner@dps.state.nv.us
& REPEAT lthelaner@dps.state.nv.us
& mail / serve the same via mail to:
Nevada Department of Parole & Probation
2250 E. Postal Road Ste. 5
Pahrump, Nevada 89048
(775) 751-3548

Parole & Probation REQUIRES a Complete
File Stamped Copy of this entire
Affidavit & Exhibit #1
as does this Affiant
dogcia2006@aol.com

Certificate of Service

I declare (28 USC 1746(1)) that on May 8, 2021, I mailed the foregoing Affidavit & Pre-Sentence Investigation Questionnaire to Nye County Clerk
1520 E. Basin Road
Pahrump, Nevada [89060]
& REQUESTED a Complete Indigent File Stamped Copy

By: *[Signature]*
UCC 7-207, 7-308, 3-402(b)

The Clerk of Court is hereby directed to electronically serve this entire Affidavit & Exhibit #1 to lthelaner@dps.state.nv.us & REPEAT lthelaner@dps.state.nv.us & mail / serve the same via mail to:
Nevada Department of Parole & Probation
2250 E. Postal Road Ste. 5
Pahrump, Nevada 89048
(775) 751-3548

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dogcia2006@aol.com

Certificate of Service

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Questionnaire to Nye County Clerk
1520 E. Basin Road
Pahrump, Nevada [89060]
& REQUESTED a Complete Indigent
File Stamped Copy

By: Debra J. Helphick
UCC 1-207, 1-308, 3-402(b)

The Clerk of Court is hereby directed
to electronically serve this entire
Affidavit & Exhibit #1 to lthelaner@dps.state
nv.us ; REPEAT lthelaner@dps.state.nv.us
& mail /serve the same via mail to:
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2250 E. Postal Road Ste. 5
Pahrump, Nevada 89048
(775) 751-3548

Parole & Probation REQUIRES a Complete
File Stamped Copy of this entire
Affidavit & Exhibit #1
as does this Affiant.
dogcia2006@aol.com



Nevada Department of
Public Safety
Parole and Probation

Division of Parole and Probation
Presentence Investigation Questionnaire



Interviewed by Specialist: _____

Date: _____

Name: Pete HeffrichCriminal Case No: CR 20-0145

Sentence Date: _____

Time: _____

NPP OFC Phone No: _____

A Presentence Investigation has been ordered by the Court. Please complete this questionnaire accurately and completely. Deliberate falsehoods or misrepresentation will be reported to the Court.

Anything that contradicts the fact(s) that Alvin Thornton attacked Maria Sanchez & he sent his son & his GF to retaliate via Fast & Furious car chase shall be contested. (shots fired)
NCSO left us high & dry & we were Ambushed.
These facts are well known to Daniel Martinez, esq. & the D.A. These are FACTS; Not Claims. NRS 176.156
An un-rebutted Affidavit stands as Truth. 28 USC 1746(1), w/o U.S.A.

2250 East Postal Road Ste 5, Pahrump, NV 89048

NPP Fax Phone No: (775) 751-3548

Office Address

E-mail: lthelaner@dps.state.nv.us

At the time of your interview, please bring the following documents (in the event of a phone interview, please mail copies ASAP):

- Driver's License/ID Card ^{stolen}
- Proof of Residence ^{Non-Resident}
- Alien Registration Card
- Armed Forces Papers (DD214) ^{stolen}
- Educational Degrees ^{stolen}
- Most recent paycheck stub
- Proof of Mental Health/Substance abuse program attendance

Be prepared to pay the following fees to the Clerk of Court on the date of sentencing:

- \$25 Court and \$3 DNA Administrative Assessment Fee (all cases)
- \$35 Domestic Battery or \$60 Chemical Analysis Fee, if applicable
- \$150 Genetic Marker Testing Fee (if your offense mandates DNA testing)

IMPORTANT: Children (under 18) are not allowed inside a Nevada Parole and Probation office

IF YOU ARE GRANTED PROBATION

- You will be required to pay \$30 per month supervision fees for the entire term of probation
- The first two months fees (\$60) must be paid within the first 30 days of the probation grant
- Fees must be paid by check or money order - CASH IS NOT ACCEPTED
- Make the check or money order payable to: Nevada Division of Parole and Probation
- Name and social security no. must be printed clearly on the check or money order

IF YOU INTEND TO RESIDE IN A STATE OTHER THAN NEVADA

- It may take two, or over fifty (50) business days to receive reporting instructions, please plan accordingly
- Reporting instructions may be denied by the receiving state, delaying the process
- Reporting instructions must be accepted by the receiving state prior to being permitted to leave Nevada
- The first two months fees (\$60) must be paid in advance, and prior to leaving the state
- Once formally accepted in the receiving state for supervision, no new Nevada supervision fees are paid
- You may be required to pay supervision fees by the receiving state in amount determined by that state

NOTE: Corrections to this report are in accordance with NRS 176.156 (refer to page 11.)



Defendant Information

Name: 2 peter-jason helfrich Social Security No.: rescinded/revoked

Residence address: 921 1st Street #1 Pahrump Nevada [00000]
(If homeless enter "none") Number Street City State Zip

Mailing address: General Delivery Pahrump Nevada [00000]
Number Street City State Zip

Years/months at current residence: 4 months Have you ever been homeless? ☒ Yes ☐ No

Non-resident Alien

Nevada resident? ☐ Yes ☒ No

Perpetual Traveler

How long have you lived in Nevada in years/months? 11 years
Drivers License/Identification Number: None/N/A State issued from: N/A

Phone No. (Home): None (Work): None (Cell): None

E-mail Address(s): None

Alias (Maiden name): _____

Alias (Prior married): _____

Alias (Other): _____

Place of Birth: Rochester, New York Republic Date of Birth: 8/24/1976 Age: 44

Are you a U.S. Citizen? ☐ Yes ☒ No If not, of what Country? Rescinded Citizenship in 2016

Have you applied for U.S. citizenship? ☐ Yes ☒ No Are you married to a U.S. citizen? ☐ Yes ☒ No

Alien Registration Number: American National ☐ Permanent ☐ Temporary

Are you seeking political asylum in the U.S.? seeking political asylum outside of U.S. after this is behind me

Primary Language: Kings English Other Languages: _____

Height: 5'9" Weight: 150 Hair Color: Blond Eye Color: blue Sex: man

Race: ☐ White-Non Hispanic ☐ Black-Non Hispanic ☐ Hispanic ☐ Asian ☐ Native American ☐ Other

Distinguishing Marks

Scar or Tattoo	Location	Description	Scar or Tattoo	Location	Description
Scar <input type="checkbox"/> Tattoo <input checked="" type="checkbox"/>	<u>Right shoulder</u>	<u>Man & woman</u>	Scar <input type="checkbox"/> Tattoo <input type="checkbox"/>		
Scar <input type="checkbox"/> Tattoo <input type="checkbox"/>			Scar <input type="checkbox"/> Tattoo <input type="checkbox"/>		
Scar <input type="checkbox"/> Tattoo <input type="checkbox"/>			Scar <input type="checkbox"/> Tattoo <input type="checkbox"/>		
Scar <input type="checkbox"/> Tattoo <input type="checkbox"/>			Scar <input type="checkbox"/> Tattoo <input type="checkbox"/>		
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Scar <input type="checkbox"/> Tattoo <input type="checkbox"/>			Scar <input type="checkbox"/> Tattoo <input type="checkbox"/>		
Scar <input type="checkbox"/> Tattoo <input type="checkbox"/>			Scar <input type="checkbox"/> Tattoo <input type="checkbox"/>		

Attorney Name: _____ Phone: _____ ☐ Retained ☐ Appointed ☒ Public Defender



Family Information

Briefly describe your childhood. For example: Did your mother and father live together? Did you have regular contact with other extended family members, such as grandparents, cousins, aunts and uncles? Were you abused or neglected? Was there any drug or alcohol abuse present? Was either parent ever incarcerated? Was Social Services involved in your family? Include any information you think explains why you developed into the person you are: ^{left home at 16}

Alcohol/drug + Abusive Father/Mother. Social Services involved.
I was a National Honors Student (A.A.S.) / Deans List, 3.5 GPA
in New York. Health issues forced me out to a Desert Climate.
I had to drop out of my B.A. (3rd semester) = Pahrump has
been a living hell Nye Light Zone/Hills Have Eyes
experience. I would have rather died of Toxic Mold / Lyme
Disease than have gotten stranded in Nye County = S.O.S.

Have any members of your immediate family ever been in prison or on probation? ☐ No ☒ Yes

If you answered yes above, please complete the following:

Name	Relationship	Crime	When	Where
N/A				

Where did you grow up? 33 years trouble free in New York (not even a speeding ticket)

List immediate family members and relationship (ie: mother, sister, brother,) contact (yes or no):

Name	Relationship	Contact	Address	Phone No.
N/A				

Marital status, are you currently (select one): ☐ Single ☐ Married ☐ Separated ☒ Divorced = Maria Sanchez

Name of current spouse/partner: _____

Do you live together? ☒ Yes ☐ No How many years/months have you been together? 6 months

Prior spouse/partner relationships (please complete below. Note: for time together use years/months)

Name	Together (y/m)	Address	Phone No. (if known)
N/A			



Family Information (continued)

Information on Children (please complete below)

Name	Date of Birth	Gender	Age	Address	Custody ¹	Relation ²
Sheldai hefrich-castillo	8/6/2013	Girl	7	N/A		

¹List the legal custodian (who has legal custody?)

²List the child's relation to you, i.e., biological/natural child, stepchild, adopted child

Have you been court ordered to pay child support for any of your children? ☐ Yes ☒ No

If yes, what is the monthly payment amount required? _____

Are your wages being garnished for child support? ☐ Yes ☒ No Is any child support past due? ☐ Yes ☒ No

If yes, explain _____

Are any of your dependents or their guardians receiving welfare benefits? ☐ Yes ☐ No ?

If yes, from where? (county, state, SNAP, etc.) ? _____

Does anyone other than your spouse/partner or children listed above live with you now? ☐ Yes ☒ No

If yes, complete the following:

Name	Date of Birth

Are there any weapons in your home? ☐ Yes ☒ No If yes, complete the following:

Weapon type	Location	Owner

With whom do you keep contact other than family?

Name	Address	Phone	Years/Months known



Employment

Your employment status is: ☐ Employed ☐ Unemployed ☐ Retired ☒ Disabled ☐ Homemaker

Were you employed at the time of the instant offense? ☒ No ☐ Yes

If you selected employed or unemployed above, please provide how long in years and months: _____

Current Employer: _____ Supervisor: _____
Address: _____ Phone No.: _____
Job Title: _____ Hours per week: _____ Salary per month: _____
Date Started: _____ Date terminated: _____ Reason for leaving: _____

Former Employer: _____ Supervisor: _____
Address: _____ Phone No.: _____
Job Title: _____ Hours per week: _____ Salary per month: _____
Date Started: _____ Date terminated: _____ Reason for leaving: _____

Former Employer: _____ Supervisor: _____
Address: _____ Phone No.: _____
Job Title: _____ Hours per week: _____ Salary per month: _____
Date Started: _____ Date terminated: _____ Reason for leaving: _____

Financial

Assets and Liabilities

Assets: List assets below. Include real estate, vehicles, jewelry, collectibles, electronics, savings, cash, etc. In the description, provide the address for real estate; provide make, model, license and state for vehicles; provide the bank/ credit union and account type (savings, checking, retirement, etc.) for accounts

Asset	Description	Value
	All assets stolen by maria Sanchez; &/ or doug davis, etc. SSI Debit card frozen due to fraud.	
Total Asset Value:		\$0

Liabilities: List liabilities below. Include loans, child support, medical bills, legal fees, credit cards, etc.

Liability	Description	Value
	Legal fees pending	?
Total Liabilities:		\$0

Financial (continued)

Income and Expenses

List income and expenses below. Do not report cents.

Monthly Income (approximate)		Monthly Expenses (approximate)	
Regular Job (+ tips)		Rent/House Payment	\$ 800
Part Time Job		Utilities	150
Spouse's Income		Food/Clothing	190
Unemployment Comp		Car Payment	
Workman's Comp		Gasoline	
Social Security	\$ 1,072	Car Insurance	
Child Support/Alimony		Health Insurance	
Federal Benefits		Child Care	
General Assistance		Child Support/Alimony	
Food Stamps	190	Fees/Fines	
		Salary Garnishment	
		Medical Bills	
		Credit Cards	
		Loans	
		Cell Phone/Pager	
		Cable/Satellite TV	
		Counseling	
Income Total =	1,260	Expense Total =	\$ 1,140

Education

Do you have a high school diploma? ☐ No ☒ Yes If no, highest grade completed: _____

If yes, list school: _____ Year: _____ Do you have a GED? ☒ No ☐ Yes

Did you attend college? ☐ No ☒ Yes Do you have a degree? ☐ No ☒ Yes

If you attended college, list school: MCC, Rochester, NY No. of years completed: 2

If you have a college degree, list type: A.A.S. Professional licenses, certificates: A+ certified, Paralegal

Special education classes? ☐ No ☒ Yes Any learning disabilities? ☐ No ☒ Yes

Were you ever suspended or expelled from school? ☒ No ☐ Yes

Military Service

Did you serve? ☐ No ☒ Yes If no, did you register for selective service (draft)? ☐ No ☐ Yes ?

Start date: Oct 2005 End date: Nov 2005 Military branch: Air Force Country: America

Rank at discharge: [Seperation] E-2 Type of discharge: Entry Level = PTSD etc.

Duties/training: Boot camp

Awards/Medals: None



Health

How would you rate your health? ☐ Good ☐ Fair ☒ Poor

Have you now, or in the past, had any diagnosed or known serious, chronic, medical or mental health issues?

If yes, please explain: Myco toxico sis, Chronic Lyme Disease; PTSD,
Anxiety, ^{Major} Depression, Bi-Polar, Over active immune system,
High Blood Pressure,

Are you receiving medical treatment now? ☐ No ☒ Yes If yes, for what? PTSD, Anxiety,
high blood pressure

List all medications you take: RIM RON, Lininipro (Phonetic)

Do you possess a valid medical marijuana card? ☒ No ☐ Yes If yes, what state? _____

For what ailment? Pot = Legal in Nevada

Have you ever participated in mental health counseling? ☐ No ☒ Yes

When & where? Dec. 15,
2020 - Present in (Nevada) Jail(s)

Did you receive a diagnosis? ☐ No ☒ Yes PTSD, Anxiety, (Bi-Polar?)

If yes, please explain (include diagnosis/treatment): Depression. Treatment = counseling
& RIM RON

Name of Therapist, Doctor, Psychologist: Christian (702-815-1550) Serenity
mental Health

List medications if applicable: RIM RON

Have you ever attempted or thought seriously about, suicide? ☐ No ☒ Yes

If yes, when, how, why? 17 years old = 400 sleeping Pills; 44 = 90 Pills; PLAN ON
getting it right on #3 if the judge Maxes me out.

Have mental health and/or physical disabilities contributed to problems in your life? ☐ No ☒ Yes

If yes, please explain: PTSD/Axiety = grew 100x's worse from the
trauma / Violence / Abuse of 6 years in Prison.
Prison = Gladiator School; the weak are prey. I needed
Serenity Mental Healths Programs & RIM RON etc.; NOT
6 more years of Trauma / Violence / Abuse at NV Gladiator School

Do you believe mental health and/or physical disabilities negatively affect your employment? ☐ No ☒ Yes

If yes, please explain: PTSD / Anxiety & Pot / Alcohol / abuse = bad mixture.
When i am Sober & eating healthy & physically fit = good
job performance. i had difficulty finding employment in Vegas
due to Felony.



Substance Abuse History

Indicate your use of controlled substances below:

Substance	Age at first use	How often do you use?	Last used?	Arrested/Sold?
Alcohol	1 year old	daily	October 2020	No
Marijuana	1 year old	daily	October 2020	
Cocaine/Crack	18	stopped	1990's	
PCP	N/A			
Meth/Speed/Crank	None	Never		
Hallucinogens (LSD/Acid/Mushrooms)	DMT, etc.	Between 1-2 months 1 time per week	Oct. 2020	
Ecstasy	None			
Heroin	18-20	Someone slipped it in Pot	1990's	
Prescription pills	Na			
Inhalants	N/A			
Other (please list)	DMT	1x per week	October 2020	

Are drugs a problem for you? ☐ No ☒ Yes

Is alcohol a problem for you? ☐ No ☒ Yes

Approximately how much do you spend on alcohol and/or drugs per week? \$10-\$30

Has drugs or alcohol ever caused a problem for you? ☐ No ☒ Yes

If yes, how recent? October 2020; causes mood swings/worse Makes PTSD

Has drug or alcohol use ever caused a problem with employment? ☐ No ☒ Yes

If yes, how recent? 2004

Have you ever been in substance abuse treatment? ☐ No ☒ Yes

If yes, please explain (when? where? what substance(s)? etc.): i have enrolled in serenity Tonopah & Nye Jail
mental health + drug/alcohol counseling & i am on psy. meds.
& i am tackling my addictions, etc.

What are you doing to address these issues now? i signed up for serenity mental health treatment, etc. = i have to change before its too late.

Were you under the influence when you committed the instant offense? ☒ No ☐ Yes

Is gambling a problem for you? ☒ No ☐ Yes

Approximately how much do you spend gambling per week? _____

Have you ever been in treatment for gambling? ☒ No ☐ Yes



Criminal History

Age at first arrest: Early 20's Offense: mailing a Prank & my entire criminal history post card till Nye County in 2012

Were you ever on juvenile probation or parole? ☒ No ☐ Yes If yes, complete the following:

Date: _____ Location: _____ Phone: _____

Name of last supervising officer: _____

Did you have any violations on juvenile probation/parole? ☐ No ☐ Yes If yes, please explain below:

Were you ever on adult probation? ☒ No ☐ Yes If yes, complete the following:

Date: _____ Location: _____ Phone: _____

Name of last supervising officer: _____

Discharge type: _____

Did you have any violations while on probation? ☐ No ☐ Yes If yes, please explain below:

Have you ever been sentenced to a jail/prison as an adult? ☐ No ☒ Yes

Have you ever been in prison? ☐ No ☒ Yes If yes, complete the following:

Date: 2013-2019 Name of jail/prison and State: HDSP & Nevada

Date: _____ Name of jail/prison and State: _____

Date: _____ Name of jail/prison and State: _____

Have you ever been found guilty of official misconduct while incarcerated as an adult? ☐ No ☐ Yes ?

If yes, please explain: i don't understand the ?

Were you ever on adult parole? ☒ No ☐ Yes If yes, complete the following:

Date: _____ Location: _____ Phone: _____

Name of last supervising officer: _____

Did you have any violations while on parole? ☐ No ☐ Yes If yes, please explain below:

Are you in a gang, or do you socialize with gang members? ☒ No ☐ Yes

If yes, gang name and your moniker: _____

Are you a registered sex offender? ☒ No ☐ Yes



Present Offense

Briefly describe the offense committed: See Affidavit of Judicial Notice of Plea Counter offer & Mitigating Facts; See Affidavit of Judicial Notice of Mitigating Facts Contained in Deputy Report
See Deputy Report for case 20NY-1730 Attached

Why did you commit the offense? We were being tailgated / road raged / chased by Alterio Thorton & his GF & he brandished a Pistol & shot at us = all because i pepper sprayed Alvin Thorton after Alvin attacked maria Sanchez.

Thinking back to the date of your criminal activity which resulted in this case, what, if anything would you have done differently? i would have NEVER listened to the NCSO Deputy who told us to go back to the scene & file a report with the deputy (that NEVER arrived)

In your opinion, how do you believe this crime affected the victim? Hopefully, they don't tailgate, road rage & try to gun down anyone else. They did not expect my Military Training / defense tactics.

How did this crime affect you? PTSD, Night Terrors, divorce, lost all my (\$) property; i'm a mental wreck; i wish i was dead; i would have rather they had killed me (Alterio) than go back to prison.

What do you feel would be an appropriate penalty/consequences for your actions? 2 to 5 sentence; i regret this situation got so out of control. +1 year in Patient Program

Defendant Statement

If you are eligible for and granted probation, what is your plan? (residence, employment, etc.)

Serenity Mental Health
Address: 1901 S. Jones Blvd. 89146

Phone No.: 702-815-1550

With whom do you plan to reside? Serenity Mental Health's (1 year Program)

Employment: SSI/SSD Address: N/A

Is your current or potential employer aware of your current legal issues: ☐ No ☐ Yes ☐ N/A

What would be your goals? (treatment, programs, schooling, etc.) Complete Serenity Mental Health 1 year Program, get an apartment, finish college,

Complete Probation, SEEK Job Over-seas & NEVER RETURN to Nevada / USA. i hope to become a defense att. i plan on leaving USA after completing Parole etc. Daniel Martinez, esq. told me he would try to enroll me in Mental Health Court, yet he dropped off this case. I AM REQUESTING Mental Health Court.

NCSO (Mr.) SGT. Cleveland made this Affiant aware (May 28, 2020) that Alterio Thornton is a Gang Member.



Nevada Department of
Public Safety
Parole and Probation

Division of Parole and Probation
Presentence Investigation Questionnaire



Affidavit of Truth Pursuant to 28 USC 1746(c)

Defendant Statement

Explain in your own words the circumstances of your offense, why you committed the offense, your present feelings about your situation, and why you may be suitable for probation. A copy of this statement will be sent to the judge. Write or print clearly. If using a pencil, please write as dark as possible. If you do not want to submit a written statement, you must still initial that you acknowledge when and how changes to the PSI may be made. Case# CR20-0145

Affidavit Pursuant to 28 USC 1746(c); w/o USA

[1 Page is not enough to Explain said Circumstances] See Attached (Filed) Affidavit, un rebutted / Filed as Judicial Notice. See Affidavit of Judicial Notice of Plea Counter offer & Mitigating Facts; See Affidavit of Mitigating Facts contained in Deputy Report (ATTACHED)

Altera's) Alvin Thornton (Google PU TIMES Alvin Thornton Domestic Battery with a Deadly Weapon / Strangulation) ASSAULTED Maria Sanchez; after he barged in said rental home; Alvin then beat on his chest & dared me to Pepper Spray him. i Pepper Sprayed Alvin & we drove to NCSO Station on Basin Road, Pahrump; called 911 & asked for medical attention for Maria Sanchez & that a Police Report be filed. A NCSO Deputy Came out & *REFUSED* to CALL an AMBULANCE nor FILE a Report. Said Deputy TOLD us TO *DRIVE BACK TO THE SCENE* & a Deputy would take a report on Wilson Road. We were AMBUSHED on Wilson Road by Alterio Thornton & his France; they tailgated us / ROAD RAGED us & Alterio brandished a Pistol at us & they made numerous attempts to force us to stop our vehicle. They fired 3-4 shots (Alterio Thornton) at our vehicle (missed the target) before pulling over (Right side of Hwy 372) to what i believed was a tactic (pulling over) so the shooter (Alterio Thornton) could get a better shot at us. (someone called 911 = shots fired). i panicked out of fear of possibly being shot / killed; i drove our van into their car to create a diversion in hope that Nye County Sheriffs would actually intervene & put a stop to the Thornton's transgressions. Alterio Thornton managed to ditch the gun before NCSO arrived. Alterio threatened me & chased me from the scene & i out ran him. Had Alterio's gun been found by NCSO; i would have went to trial. Maria Sanchez was attacked; we could have died that day at the hands of the Thornton's. 28 USC 1746 (1); w/o USA (Alterio is a gang member)

In accordance with NRS 176.156, you will have an opportunity to object to factual errors, and after sentencing the court may order changes to your Presentence Investigation Report under certain circumstances. The information used in your Presentence Investigation Report may be reviewed by federal, state and/or local agencies and used for future determinations to include, but not limited to; mental health, parole consideration, pardon investigation Initials P.H.

28 USC 1746(c); w/o U.S.A.

Peter D. Helrich
Defendant Signature

April 28, 2020
Date

ucc1-207/1-308/3-402(6)

dogcia2006@aol.com

NPP JSF0005 (B) PSIQ

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AG074

09/10/2019

PI CASE (Judge) ORDER Mental Health Court

Alterio Thornton is a known Gang Member & Cleveland made (NCSO) me aware May 28, 2020



Serenity Mental Health

Regarding Peter Helfrich,

To whom it may concern.

My name is Christian L, I am a Licensed Marriage and Family Therapist Intern and a Certified Alcohol and Drug Counselor Intern in the Nye County Detention Center. Mr. Helfrich has been attending treatment for mental health and substance abuse since December 15th, 2020 to work on minimizing anxiety and depression symptoms along with eliminating substance use to be able to live a sober life and be able to improve daily functioning. He has been diagnosed with Major Depression Disorder, Recurrent; Generalized Anxiety Disorder, and Post Traumatic Stress Disorder. He has shown progress in understanding how past impulsive reactions have impacted his decision-making ability, he is also showing progress in understanding the impact substance abuse has on future decisions and how it can impact reaching future goals he has. Mr. Helfrich has also been working on implementing proper coping skills to reduce anxiety and depression symptoms to prevent further issues when he is released and to help maintain sobriety. He has shown consistent weekly attendance and participation during his time in treatment and has indicated that he will reach out to Serenity Mental Health once he is released to continue treatment, if you have additional questions please feel free to call our office at 702-815-1550.

Sincerely,

Christian L, MFT-Intern

Christian L, MS, MFT-Intern, CADC-Intern

Serenity Mental Health

info@serenitymentalhealth.org

*1901 S Jones-Las Vegas NV 89146 * 2280 East Calvada Suite #301-Pahrump, NV 89048* * 755 N. Roop St., Ste 101-Carson City, NV 89701*
702-815-1550 775-751-5211 775-841-6050

De-Escalation Tips

1. Be Empathic and Non-judgmental

Respect the feelings of others. Whether or not you think their feelings are valid, they are real to the other person.

2. Respect Personal Space

Be mindful of your position and closeness to the other individual. Respecting their personal space can ease a person's anxiety and protect you, as well.

3. Use Nonthreatening Nonverbals

Remain aware of your facial expressions, body language, and tone in voice. When someone is upset, they are often more sensitive to these factors than the actual words coming out of your mouth.

4. Keep Your Emotional Brain in Check

Stay as calm and rational as possible. Keep your own emotions in check, as you don't want your personal feelings to influence your judgment.

5. Focus on Feelings

People tend to have a hard time expressing how they are feeling. Be as supportive as you can by focusing on their real message. Saying things like "that must be scary" can help the individual feel understood.

6. Ignore Challenging Questions

Instead of challenging how the person feels, focus on what the two of you can do to find a solution.

7. Set Limits

Provide choices for the individual as they process through their emotions. Keep them simple and positive.

8. Choose Wisely What You Insist Upon

Be thoughtful in deciding what negotiations to be rigid in and in which to compromise. Being flexible can help avoid any unnecessary altercations.

9. Allow Silence for Reflection

Even when they may seem awkward, moments of silence allow for people to process through what they are feeling. In these moments, solutions may even be found.

10. Allow Time for Decisions

Remain patient with the individual as they are processing through their emotions. Stress levels can rise if one feels rushed; allowing them this time can help ease the emotions.

Remember, even though we can't control everything that happens to us, we **can** control how we react. We can make the choice to be more mindful and compassionate. It may sound easier said than done, but by choosing this route, we allow ourselves to feel **more peace** and **less anger**. We learn to meet people where they are at, instead of forcing our idea of where they should be.

5th Judicial District Court of Nye County, Nevada

State of Nevada	Affidavit of Judicial Notice of Mitigating Facts
v.	Contained In Deputy Report For Case # 20NV00030
HELFRICH PETER KOSHER	Pursuant to 28 U.S.C. 1746 (1); W/o U.S.A.
Peter-Jason Helfrich Private Attorney General	Indigent File Stamped Copy Required / Requested & Request For Submission & Hearing (Sentence of 2 to 5) You WILL PLEASE TAKE JUDICIAL NOTICE THAT:

See Deputy Report Page 6 @ [REDACTED] 20:31:12 05/27/2020 - Rucker SS
* From: McRae JC "need id a unit / We have possible road rage and
shots fired that occurred during this 20:31:35 - 66 UNK who might
have a firearm 99 see also 20:28:23 - 66 Rucker SS - From: Beard WR 99
"believe that the parties involved in this accident were the ones i was
ent to on Wilson 99 4 Confirms we asked NCSO for help re: Alvin Thornton
assaulting Maria Sanchez (Google: PV Times Alvin Thornton Domestic Battery
With a Deadly Weapon Strangulation) See also page 4 paragraph 4
Narrative = Deputy Schnert 66 I went to speak with Josue Flores
and he 99 66 Stated that the female with him, by the
name of Maria Sanchez told him that they were being shot
at during the incident 99 66 Maria did in fact state that the vehicle
was pulled off to the side of the road and that they saw what
they believed to be a Firearm 99 28 U.S.C. 1746 (1); W/o U.S.A.
Alterio Thornton is a Gang Banger! Certificate of Service: 1p
Peter-Jason Helfrich mailed the Above Affidavit of Judicial Notice to
Nye County Clerk of Court @ 1520 E. Basin Ave. - a.k.a. Road
on 1/21/2021 By: Peter-Jason Helfrich, ucc1-207/1-308/
c/o 1521 E. Sini Lane 3-402 (b)
Pahrump, Nevada

1 driving a burgundy van?

2 A. Yeah, it was a burgundy GMC Chevy or something.

3 Q. Had you ever met him before?

4 A. I didn't know him at all.

5 Q. Okay.

6 A. I didn't know his name.

7 Q. What about the female passenger within his car,
8 did you know her at all?

9 A. Like I said, I only met her once when Dad was
10 trying to introduce me. That was a while back when she was
11 trying to refer him.

12 Q. Okay.

13 A. And that was it.

14 Q. So she rented the property from him?

15 A. Yes, of course.

16 Q. But you had only met her the one time?

17 A. Just one time, that was it.

18 Q. And you don't remember her name; right?

19 A. No, I'm not good with names. I'm not even sure.

20 But I know he told me about -- told me the name.

21 Q. You said Mr. Helfrich was yelling things out of
22 the car?

23 A. Yeah, he was saying, I don't see no effing
24 police.

CAPITOL REPORTERS (775) 882-5322

1 Q. Now, was he still inside the car?

2 A. He was still inside the car.

3 Q. When he arrived, were the windows rolled down?

4 A. Of course. I could hear him yelling.

5 Q. Okay. So the windows were rolled down?

6 A. Yelling and cussing.

7 Q. So he wasn't yelling at you necessarily, he was
8 just yelling?

9 A. Yes, pretty much.

10 Q. Okay. And at that point when he showed up and he
11 was yelling, you didn't call the police at that point; right?

12 A. I was just about to dial 911 until I asked my dad
13 what is the license plates.

14 Q. Okay.

15 A. Which he did not know.

16 Q. Okay.

17 A. So that's --

18 Q. So you decided not to call 911?

19 A. I was going to. I --

20 Q. So you decided to though; right?

21 A. Of course.

22 Q. Okay, You're not a police officer; right?

23 A. No.

24 Q. Okay, You've never been through the police

CAPITOL REPORTERS (775) 882-5322

1 academy?

2 A. No.

3 Q. Any training in pursuing suspects?

4 A. No.

5 Q. But you decided to do that anyway; right?

6 A. (No audible response.)

7 Q. Is that yes?

8 A. Yeah, yeah.

9 Q. Okay. And that was only after Mr. Helfrich drove

10 the van away; right?

11 A. He was actually on a corner. He actually stopped

12 right there, still yelling. I was just trying to go take a

13 picture.

14 Q. And at some point, you drove away, though?

15 A. Yeah, he drove away.

16 Q. Is that how you got in the car to follow him?

17 A. No, we was actually leaving. But yeah, he was

18 going the same way we was going to Walmart to be honest.

19 Q. So he was traveling towards Walmart?

20 A. I don't know if he was going to Walmart.

21 Q. (Indiscernible)?

22 A. But he was going that same way.

23 Q. Oh, just the general direction --

24 A. -- yes --

CAPITOL REPORTERS (775) 882-5322

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1 Q. -- of the (Indiscernible) --

2 A. Pretty much, yes.

3 Q. Before he left, you were already in your car?

4 A. Yeah, my girl was out and I was just -- and I

5 just had the phone. I was on the -- I was sitting down.

6 Q. Um-hum.

7 A. In the car with the door open.

8 Q. When you -- okay.

9 A. So just like --

10 Q. Your dad -- was your dad outside talking to you?

11 A. Yeah, he was talking to me. I was just making

12 sure he was okay before I left.

13 Q. Okay. So when you drove up behind his van?

14 A. Yeah.

15 Q. How far away from the property were you?

16 A. We was pretty far, like a block away.

17 Q. Okay.

18 A. Yeah.

19 Q. And he didn't stop when you drove up behind him;

20 right?

21 A. Brake checking pretty much.

22 Q. Okay. Well, he didn't stop; right?

23 A. No.

24 Q. And you said you were trying to get a picture or

CAPITOL REPORTERS (775) 882-5322

44

Print both sides

1 a video of the license plate; right?

2 A. Yeah, my phone keep going to video. I was trying
3 to get a picture.

4 Q. In order to get a clear picture, how close did
5 you have to get to his car?

6 A. Not really. I mean, my phone could zoom in.

7 Q. Um-hum. It's not a smart phone?

8 A. It's just like any regular smart phone.

9 Q. What kind of phone is it?

10 A. It's an Android, a little LG.

11 Q. Okay. Were you one car length behind him?

12 A. Pretty much like maybe three and a half. We was
13 pretty far away from him.

14 Q. Three and a half car lengths behind him?

15 A. Yeah. Until he started to slow down and did a
16 brake check and we was trying to get around him.

17 Q. So you said he was driving erratically; right?

18 A. Yeah, like --

19 Q. But when he was brake checking you, you had your
20 phone in your hand because you were trying to take a picture;
21 right?

22 A. Yeah.

23 Q. You didn't call the police at that point, though?

24 A. I couldn't because I was trying to take a

CAPITOL REPORTERS (775) 882-5322

1 picture.

2 Q. So you didn't switch to your phone to call the
3 police; right?

4 A. Yeah.

5 Q. Okay. You didn't stop completely; right?

6 A. Wait. I wasn't driving. What do you mean?

7 Q. Right. The car didn't stop; right?

8 A. My car or his car?

9 Q. Your car?

10 A. No. We was still going, we was trying to get
11 around him.

12 Q. You didn't tell your girlfriend, hey, stop, he's
13 brake checking us; right?

14 A. Yeah, I just told her to slow down.

15 Q. Did you tell her to turn off, let's get away from
16 this guy?

17 A. Yeah.

18 Q. You did?

19 A. Yeah. That's why she went around, she just went
20 around. There was no other street that she could have turned.
21 It was just still going straight at the time.

22 Q. So when he started brake checking you, though?

23 A. Yeah.

24 Q. You didn't tell her, stop the car, let him get

CAPITOL REPORTERS (775) 882-5322

1 away from us; right?

2 A. No, I just told her to slow down.

3 Q. Now, the road that you were on, how many lanes is
4 it?

5 A. It was only two lanes.

6 Q. So one lane each direction?

7 A. Of course.

8 Q. Was there a double yellow line down the middle?

9 A. Yeah, it was just like solid -- two solid lines.

10 Q. So two solid double yellow lines; right?

11 A. Yes.

12 Q. Okay. What does two solid double yellow lines

13 mean?

14 A. To stay on your lane.

15 Q. It means no passing; right?

16 A. Okay.

17 Q. Right?

18 A. Yeah.

19 Q. Okay. You have your driver's license; right?

20 A. Yes, I have it.

21 Q. So you had to pass a driving test; right?

22 A. (No audible response.)

23 Q. And that's what they teach you, that's what you
24 have to learn is what the lines on the road mean; right?

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1 A. (Nodded head.)

2 Q. Is that a yes?

3 A. Yes.

4 Q. Now, you said your phone kept switching to video
5 mode when you were trying to take a picture; right?

6 A. Yes.

7 Q. Did you eventually take a picture?

8 A. I -- yes, I did.

9 Q. Okay. Or was it a video as you were trying to do
10 it?

11 A. I was just pushing the button, trying to get to
12 picture and --

13 Q. So there might be multiple files in there?

14 A. Maybe just one, one picture. My phone's kind of
15 slow.

16 Q. Now, you said you never met Mr. Helfrich, you've
17 never met the female?

18 A. (No audible response.)

19 Q. Had you ever been inside of that van?

20 A. No.

21 Q. Okay. Never been for a ride in it; right?

22 A. No.

23 Q. Never driven it yourself; right?

24 A. No, I've never driven the van, no.

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Print both pages

1 A. It was just -- she was going so fast, I couldn't
2 really even control. I was just trying to hold on.
3 Q. She was driving so fast that you couldn't control
4 your phone?
5 A. No, I was --
6 Q. Is that --
7 A. Yeah, pretty much.
8 Q. Okay.
9 A. Yeah, I couldn't really control my phone. My
10 phone was acting stupid.
11 Q. Do you have a case on your phone?
12 A. I did put a case on it after I kind of dropped
13 it.
14 Q. Okay. Well --
15 A. I was --
16 Q. At this time, on May 27th, when this happened?
17 A. Yeah, I had a case at the time, yeah.
18 Q. What color was the case?
19 A. It was pretty much black.
20 Q. It was a black case?
21 A. Yes. Yeah.
22 Q. So you got hit and you said you went through what
23 you believe was a cinder block wall?
24 A. Yeah, pretty much.

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1 Q. The air bag deployed on both the driver and the
2 passenger side?
3 A. Yeah, yeah.
4 Q. All right. You said you did get a chance to look
5 at the van too; right?
6 A. I did. When we was passing, I did, and I saw the
7 front of the people.
8 Q. Did you see if the air bags were deployed on that
9 car?
10 A. Their car?
11 Q. Yeah.
12 A. I don't know because they were behind us. I
13 couldn't really even like even try to look inside their car,
14 even do all that.
15 Q. Okay. So you didn't get a good look at the van
16 inside at all; right?
17 A. No.
18 Q. Before you got out of the car after impact?
19 A. Um-hum.
20 Q. You didn't call 911; right?
21 A. I actually -- it was still down, it was still 91,
22 all I had to do was press one and call, but no, I didn't.
23 Q. So you didn't?
24 A. I didn't call at the time. I was trying to chase

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1 him.

2 Q. You got out of the car and you tried to chase

3 him?

4 A. I was trying to chase him.

5 Q. And now when he was gone and you didn't find him?

6 A. Yeah.

7 Q. You didn't call 911 at that point, right?

8 A. I did actually dial the one and I called, which I
9 ran back to her. The paramedics already came there as soon as
10 I picked her up.

11 Q. Did you speak to a 911 operator when you called?

12 A. I did, but I hanged up because they was already
13 there.

14 Q. Now, once the accident happened, did you take any
15 pictures with your phone of the damage to the cars?

16 A. I did, I did took a picture of our car.

17 Q. Okay.

18 A. His van. They told us to stay away from the van.

19 Q. Okay.

20 A. Stay away from people, that's what the cops said.

21 Q. Okay.

22 A. I didn't want to try to --

23 Q. You still have those pictures on your phone?

24 A. I do.

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1 Q. Okay. Same thing as before with the other

2 pictures, when you get a chance, get with the DA --

3 A. Sure.

4 Q. -- and get those pictures over to him, okay?

5 A. Sure.

6 Q. I know the State asked you on direct a little bit
7 about speaking to the insurance company and I know you
8 mentioned your financeé did, but did you personally ever speak
9 to an insurance company?

10 A. No. Yeah, the car was in her name.

11 Q. Okay.

12 A. Yeah.

13 Q. Once your -- once the car, your car that you were
14 in --

15 A. Um-hum.

16 Q. -- hit the cinder block wall, was the car still
17 running?

18 A. No, it wasn't able to run. It was pretty much
19 totalled.

20 Q. Okay.

21 MR. MARTINEZ: Pass the witness, Your Honor.

22 THE COURT: Okay. State, Mr. Allmon.

23 MR. ALLMON: Thank you, Your Honor.

24

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Print both sides

1 Q. Okay.

2 A. I was like all I have was their license plate. I
3 didn't have much info on the other parties' insurance, so --

4 Q. Okay. So to date, as you stand here today, have
5 you ever talked to the other insurance company?

6 A. I have.

7 Q. You have?

8 A. Yes.

9 Q. Do you know what insurance company that is?

10 A. Progressive.

11 Q. Progressive?

12 A. Yes.

13 Q. Now, you testified that when you and Alterion
14 first got to Alvin's house, you learned that he had been
15 pepper sprayed; right?

16 A. Um-hum.

17 Q. How long -- from the time that you got to his
18 house, how long did it take the paramedics to get there?

19 A. Ten minutes.

20 Q. So not very long?

21 A. No.

22 Q. How long were they there with him for?

23 A. Less than five minutes.

24 Q. Real quick?

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1 A. Because -- yes, it was real quick because they
2 just asked him, do you need help, and he denied that he didn't
3 want to get taken to the hospital.

4 Q. All right. Did you call the police at that
5 point?

6 A. Alvin had made the call, we didn't.

7 Q. Alvin made the call to who?

8 A. To the sheriff's.

9 Q. So Alvin called the police?

10 A. Yes.

11 Q. All right. When you guys got to Alvin's house, I
12 assume you got out of the car; right?

13 A. Yes.

14 Q. At some point you got back into the car; right?

15 A. Um-hum.

16 Q. When you got back into the car, did you
17 immediately start following Mr. Helfrich?

18 A. Yes.

19 Q. So prior to following them, you weren't just
20 hanging out in the car; right?

21 A. No.

22 Q. When you got in the car, had Mr. Helfrich already
23 driven away from the property?

24 A. Yes.

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82

Print this side only

Notice:
Serenity Mental Health Records Prove my PTSD/Mental
Health issues, which are also mitigating factors

i did a U-Turn and the VW tailed us to ^{Highway} 372 (left)
and my intent was to drive back to the Sheriff Station
for help.

The Astra Van i was operating was traveling at 55mph
as the Black VW Tailgated us. Maria Sanchez, who is obviously
mentally ill/mentally challenged (as is her son Josue) became
frantically terrified; screaming incessantly, praying to God, Jesus (etc.)
"i don't want to die; save us God" (etc.). Josue is heavily psy.
drug medicated and a Meth, pot (etc.) addict who is autistic (etc.).

i demanded they call 911, yet both were too incompetent
from fear to simply call 911. i tapped the brakes to get the VW
off our tail, and the Black VW responded by passing the
(left lane) double yellow lines ^(P) and ^(S) were keeping along side
of my left; Maria began screaming "he's got a gun" (etc.);
i turned left to glance at a black male pointing a gun at me.
i could not see the driver, nor could i tell if any passengers
were in the back seats. The shock and terror of the situation
nearly caused me to lose control of the vehicle; i lost concentration
and the astro van swerved till i regained my wits. Maria's
constant blood-curdling shrieks/screams aggravated the situation.
The VW passed our van and (after about 1 bus length) sped
into our (right hand) driving lane and then stopped dead in
about 500 feet. i sped up to about 75 mph and i passed
the VW from the left lane and got back into the right lane
after about 1 bus length. The VW repeated it's previous
tactic of passing a double yellow, driving side by side our van and
brandishing a pistol; & passing our van; & stopping again in our
lane about 500 feet from us. i passed the VW again as i did

1 Q. And now he was swerving and braking before you
2 passed them, you said; right? You said you pulled over to
3 pass him?

4 A. When I was in the moment of passing him.

5 Q. Um-hum?

6 A. He tried to hit us on the passenger side.

7 Q. Okay.

8 A. And that's when I had a double -- press my gas
9 because I saw an oncoming car, but I was also trying to pay my
10 directions of the oncoming and him on one side. But basically
11 when I was paying attention is like he almost tried to hit us,
12 we almost got off the road and he almost hit another car in
13 front of us. So I had to like immediately go in front to cut
14 him off.

15 Q. So you almost got off the road, but didn't --

16 A. Yes.

17 Q. Okay. And there was a vehicle coming the other
18 direction?

19 A. Um-hum.

20 Q. And now you said it was almost dark out at this
21 time; right?

22 A. Correct.

23 Q. So did everybody have their headlights on?

24 A. Yes.

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1 Q. When you got in front of them, were there any
2 other cars in front of you?

3 A. No.

4 Q. Were there any cars behind you that you noticed?

5 A. Just him.

6 Q. Okay.

7 A. He was just the only one behind me.

8 Q. How about before you passed him, were there any
9 cars behind him?

10 A. No, I would -- I wouldn't say.

11 Q. You're not sure because --

12 A. No.

13 Q. -- you did (indiscernible)?

14 A. Not sure, yeah.

15 Q. Okay. So you had to slam -- and at this point,
16 when you were behind him and you got real close, how fast were
17 you going? Did you guys slow down when he started braking?

18 A. Yes, we had to slow down. That's when he tried
19 to like -- after we noticed that he kept braking on us, that's
20 when we started slowing down and kept our distance.

21 I was like you're just going to have to like
22 record and say what you see, like the numbers, because it was
23 like with him recording and him like moving side to side, I
24 was just like, just record and save the plate while you're

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1 Defendant's a very violent man. The Defendant has been
2 convicted of manslaughter charges for which he served time in
3 the Nevada Department of Corrections in which he did kill
4 another person. He did admit to those facts.

5 I think that he's a violent man and he's out
6 committing more violent offenses. He -- so I think that this
7 is evidence of a similar series of acts as -- if you let this
8 Defendant out, if you let him roam these streets, I believe
9 that he will commit more violent acts.

10 I think he's a danger to the community. I think
11 bail is necessary. I think he's a flight risk because he does
12 not submit to the will of the court and so I think that the
13 bail staying at \$20,000 is very reasonable.

14 THE COURT: Mr. Martinez.

15 MR. MARTINEZ: Judge, just a couple points for
16 the record. Mr. Helfrich was convicted of a voluntary
17 manslaughter. That was a case where he was briefly charged
18 with a murder. It was a case where he invoked self-defense.

19 There was at least -- there was more than a
20 colorable argument that it was self-defense, Judge, which I'm
21 sure led to the plea negotiation that it did, that it would be
22 dropped down to a voluntary manslaughter. But in any case,
23 that's something that happened. That's something that he's
24 pled to, he has served his time on.

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1 The State talks about him being a violent
2 offender, being a violent person and being out there. I know
3 that Mr. Helfrich has other cases open. None of them are
4 violent, Judge. It has to do with potential harassment for
5 serving documents and things along those lines.

6 And the State may bring up YouTube videos in the
7 future to say -- to present things that Mr. Helfrich has said.
8 Saying things and acting on them are two completely different
9 situations.

10 As we talk about this case and what we heard
11 today, Judge, what I heard was two people who hopped in a car
12 and decided to be vigilantes, to follow the Defendant even
13 though Maria Sanchez rented the property from Alvin Thornton.
14 They could have gotten her information, they could have called
15 the police, they could have given a description of the van.

16 They didn't do that. They acted as vigilantes to
17 go and try and get Mr. Helfrich themselves. They tailgated
18 him, they had to speed to catch up to him. They tailgated
19 him.

20 Whether or not he acted reasonably under the
21 circumstances, that's something we're going to decide at
22 trial. But given the totality of everything here today,
23 Judge, I know that he's being held on other cases as well and
24 we can address them when they come up. We can address the

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Print this side only

1 bail then. I would ask the Judge to reduce -- or I would ask
2 Your Honor to reduce bail down to \$10,000 cash or bond.

3 THE COURT: Okay. Anything else, Mr. Allmon?

4 MR. ALLMON: No, Your Honor.

5 THE COURT: Okay. Bail having previously been
6 set at \$20,000, that will remain and because I added Count V
7 in there, the assault with a deadly weapon, I'm going to
8 increase the bail up to 25,000 cash or bond.

9 Until that amount is posted, he's remanded to the
10 custody of the Nye County Sheriff's Office.

11 Thank you, gentlemen.

12 MR. MARTINEZ: Thank you, Judge.

13 MR. ALLMON: Thank you.

14 (Proceedings concluded.)
15
16
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18
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23
24

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1 STATE OF NEVADA }

2 CARSON CITY }

3

4 I, SHELLIE LOOMIS, do hereby certify:

5 That on November 30, 2020, a preliminary hearing was
6 held in the within-entitled matter at the Pahrump Justice
7 Court, State of Nevada;

8 That said preliminary hearing was recorded on JAVS
9 CD-ROM, and said JAVS CD-ROM was delivered to me for
10 transcription;

11 That the foregoing transcript, consisting of pages 1
12 through 127, is a full, true and correct transcript of said
13 recorded JAVS CD-ROM performed to the best of my ability.

14
15 Dated at Carson City, Nevada, this 21st day of
16 December 21, 2020.

17

18

19

20

21

22

23

24

//Shellie Loomis//
Shellie Loomis, RPR

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Vehicle is a Small hatchback type car

20:09:44 05/27/2020 - Earnest A T

Volxwagon possibly

20:10:01 05/27/2020 - Earnest A T

RP thinks she got out of the vehicle and is sitting on the ground next to the vehicle

20:10:10 05/27/2020 - Earnest A T

RP says license plate is a 545G95

20:10:13 05/27/2020 - Earnest A T

out of Nevada

20:10:21 05/27/2020 - Gilbert D T

another rp

20:10:24 05/27/2020 - Gilbert D T

says his name is matt

20:10:28 05/27/2020 - Gilbert D T

not sure how many vehs

20:10:36 05/27/2020 - Gilbert D T

says there is a bunch of carson charleston park

20:10:41 05/27/2020 - Gilbert D T

rp was not involved

20:10:59 05/27/2020 - Rucker S S

Address change from LINDA/372 to CHARLESTON PARK/372

20:11:55 05/27/2020 - Rucker S S - From: Beard W R

23 yof neck & chest injuries

20:12:57 05/27/2020 - Gilbert D T (PowerPhone)

Q: What exactly has happened?

A: Multiple vehicles

20:15:26 05/27/2020 - Rucker S S - From: Sehnert C A

medics and nhp on scene

20:18:21 05/27/2020 - Gilbert D T - From: PVFRS RS1

carloso far small compact car verses structure no intrapment assessing 1

20:19:07 05/27/2020 - Rucker S S - From: Anderson E S

peter helfrich that fled on foot / possibly injured

20:19:50 05/27/2020 - Gilbert D T - From: PVFRS CAR1

names number is 22870

20:25:06 05/27/2020 - Rucker S S - From: Connelly M A

atling for peter

20:26:09 05/27/2020 - Rucker S S

dvh was contacted / they will call us if anyone comes in with accident type injuries

20:28:23 05/27/2020 - Rucker S S - From: Beard W R

believe that the parties involved in this accident were the ones i went to on wilson

20:28:33 05/27/2020 - Rucker S S - From: Beard W R

ref 20ny23288

20:31:12 05/27/2020 - Rucker S S - From: McRae J C

need ida unit / we have possible road rage and shots fired that occurred during this

20:31:35 05/27/2020 - Rucker S S - From: McRae J C

unk who might have a firearm

20:34:53 05/27/2020 - Rucker S S - From: Sehnert C A

witness / white, jackie

20:48:20 05/27/2020 - Rucker S S - From: Sehnert C A

note in the call we have consent to search veh g95

20:50:52 05/27/2020 - Rucker S S - From: McRae J C

contact 2 star at owners request / need duty tow for the other veh

NARRATIVE:

Narrative Deputy Sehnert//

On 05/27/2020 at approximately 2000 hrs. I was dispatched to HWY 372 and Charleston Park Dr., reference a vehicle accident.

When I arrived at the immediate area the accident location was updated to the north portion of the mini storage located on Charleston Park immediately west of Linda from HWY 372. When I exited the vehicle, I observed a small compact vehicle that crashed into one of the corner portions of the mini storage brick building. I observed the chain link fence on the ground along with debris to include brick structure from the building on the ground to include vehicle parts along with the driver on the ground. Medics were attending the unknown female victim driver and the male victim was standing in the rear of the vehicle. The male was identified as Alterio Thorton with a DOB of [REDACTED] and the female driver was identified as Iseza Del Carmen Nino with a DOB of [REDACTED]. There were no additional occupants at that time.

The female was transported to Desert View for further medical examination due to the fact she is pregnant. The other vehicle involved in the accident was located to the south portion driving path and it was facing towards the west direction. The vehicle had damage to the front portion of the vehicle. There was a female by the vehicle that Deputy Beard was speaking to at the time and there was a male that was also an occupant from the vehicle. The male was identified as Josue Flores through his Nevada Identification card. It should be noted that the driver from the red mini van in the accident fled on foot prior to my arrival.

I began to get verbal statements from multiple witnesses to include the occupants from the 2010 Volkswagen with a Nevada plate of [REDACTED]. I was given information by that vehicle's occupant that they were traveling eastbound on Charleston Park trailing the mini van in order to obtain the vehicle's plate information by taking photos from their cell phone. Alterio stated that the van continuously kept brake checking them so they decided to go around the minivan. He stated that they passed it and were ahead of the vehicle by a bus length and pulled off to the right easement of the road. The male stated that the mini van intentionally drove off the roadway, onto the easement and drove right at them, slamming into them. This forced their vehicle to pass through the chain link fence and continued into the brick structure until they came to a complete stop.

I went to speak with Josue Flores regarding the accident and he stated that Peter was driving the vehicle and that he just rammed into the other vehicle. He additionally stated that the female with him, by the name of Maria Sanchez told him that they were being shot at during the incident, but he wasn't able to articulate anything that would collaborate the shooting allegation at the time. Maria did in fact state that the vehicle was pulled off to the side of the road and that they saw what they believed to be a firearm and that they passed the vehicle, but still stated that Peter rammed into the vehicle.

After reviewing the evidence and speaking to witnesses it was determined that Peter Helfrich intentionally drove the Red Astro minivan bearing Nevada Plate 36A686 into the back of the Volkswagen which caused the vehicle to pass through a chain link fence and cause structural damage to the mini storage facility located at 1280 W. HWY372 to include damage to the front of the 2010 Volkswagen and then he fled the scene. Peter Helfrich was later located by NCSO street

Involvements

Date	Type	Description	Relationship
05/27/20	Name	HELFRICH, PETER JASON	Arrestee
06/01/20	Evidence	KEYS NFD	Evidence Incident
06/01/20	Evidence	PEPPER SPRAY	Evidence Incident
05/27/20	Property	Key 10	Property
05/27/20	Offense	50223 200.481.2e1 - F - 1 count	Charged With
05/27/20	Offense	50223 200.481.2e1 - F - 1 count	Charged With
05/27/20	Cad Call	20:07:26 05/27/20 ASSAULT-WEAP NY	Initiating Call

Case No. 20 CR 0144

FILED
FIFTH JUDICIAL DISTRICT

CR200145

5th Judicial District Court
of Nye County, Nevada

JAN 05 2021

Nye County Clerk
Deputy

State of Nevada
Plaintiff

Affidavit of Judicial Notice of Plea

v.

• Peter-Jason Helfrich

Private Attorney General

Counter offer & mitigating facts in support of
Alford Plea to Binding 2 to 5 & Request For
Submission & Hearing on TBO at TBO
am/pm in Dept 2 of said Court.

YOU WILL PLEASE TAKE JUDICIAL NOTICE THAT: i Private Attorney General
• Peter-Jason Helfrich declare under penalty of perjury the following:
• THAT on 12/25/2020 i left a recorded message to Attorney Daniel
Martinez regarding the Counter Offer i previously (that week)
made and yet again relayed the plethora of mitigating factors in
support of a Binding Alford Plea to a 2 to 5; the events of May 27, 2020:
① Alvin Thornton gave Maria Sanchez permission for this Affiant
to watch a movie at the house she was renting from Alvin; yet upon our
arrival Alvin Thornton (Google: "Alvin Thornton PV Times Domestic
Battery with a Deadly Weapon Strangulation") threatened Maria
and attacked her when she/we asked him to leave her rental
after he barged in to alert Maria (quote) "I'm Kicking you outta
my house and into the street as soon as possible" i pepper
sprayed Alvin before he could assault me and i drove Maria &
her mentally challenged son (Autistic, drug addict) Josue to the 1520
E. Basin Ave Sheriff's Station, 911 was called; yet the Deputy
* refused to allow Maria to file a report regarding the assault and
told us to drive back to the scene and wait across the street
for a NCSO Deputy to file a report. Upon arriving, No NCSO
Car nor Deputy to be found. Alvin came out and stood near his
drive way and a black VW car rolled out of his gated Property;

Notice:
Serenity Mental Health Records Prove my PTSD/Mental
Health issues, which are also mitigating factors

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The Astra Van i was operating was traveling at 55mph
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tactic of passing a double yellow, driving side by side our van and
brandishing a pistol; & passing our van; & stopping again in our
lane about 500 feet from us. i passed the VW again as i did

previously. I have PTSD, anxiety, ^(disorder) bi-polar (etc.), and the stress of these vigilantes, and Maria's psychotic screaming had me in total fight or flight / Fear of my & my passengers lives. The VW sped past us again (left to right lane) at a high rate of speed (I was at 75 mph) and out about $\frac{1}{4}$ th of a mile drove off the road (to the right) and parked. ^{*}(Somewhere between them passing us and pulling over Maria screamed they are shooting at us; it was on or around the area $\frac{1}{2}$ way to $\frac{3}{4}$ way past our van and before they turned off.) Not knowing if the black male had tossed the gun yet; or if the unknown driver had a gun; taking a risk of passing by said VW and possibly being shot at, my (2005 boot camp) instinct told me it's safer to hit the back of the VW to disable it and hopefully NCSO actually shows up this time (unlike when Maria was attacked) to put a stop to these vigilante's retaliating against me (etc.) for pepper spraying Alvin Thornton. After the impact, the astro Van was able to crawl slowly to behind the storage building. I got out and looked towards the dust cloud around the VW to see (Alvin Thornton) the black male's shoulder & head. (60 to 80 feet away) (in the pool dirt cloud). I heard him say "Peter; I'm going to get you Peter" and he proceeded in my direction; but I outran him. I was in fear of my life.

MITIGATING FACTORS

- Alvin Thornton Attacked Maria Sanchez; NCSO Deputy (911) contacted yet refused to intervene, refused to write a report. Instead, he told us to go back to the scene to file a report with a Deputy, thus putting all of us in harms way.

[Take Note that neither alleged victim's stories matched at the Preliminary Hearing; their credibility is lacking.]

[Name unknown]

NCSO Deputy had a duty to protect us and should have had an ambulance check out Maria's injured knee.

- Alterio Thornton and his fiancée took revenge (for his father's transgressions v.s. Maria and i) against me (Maria, Josue) for pepper spraying his father; taking the law into his own hands, he and his fiancée terrorized myself and my passengers; putting us all in fear of our lives.
- Had the Sheriff's intervened initially, this event would never of happened. The 911 call after the accident (see Discovery) claimed "Shots Fired", proving Alterio had a gun.

i offer this Plea Agreement not because i am guilty of leaving the scene of an accident that i was chased from (Alterio admitted at the Preliminary Hearing that he chased me); not because i was not justifiably in fear of my life; but because the risk of a Trial could land me 50-60 years in prison thanks to two vigilantes seeking revenge for Alvin Thornton being pepper sprayed for attacking a mentally ill anemic woman out of jealousy that his attraction for her was not mutual.

Had i not pepper sprayed Alvin, he would of attacked me. Maria, i, and Josue deserved NCSO's protection & intervention; not being chased, threatened at gun point by Alterio Thornton. The taxpayers save \$ instead of the \$ cost of a trial and i save the risks of a trial,

28 USC 1746(1); w/o USA, without Prejudice nor Recourse

Dated: 12/26/2020 By: pepper v. helfrich; ucc1-207/1-308/3-402(b)

Certificate of Service

I, Peter-J. Helfrich, declare under penalty of perjury that
on 12/30, 2020, I mailed the foregoing Judicial Notice
of Counter offer (Alford Plea; Binding 2-5) to:
Nye County Clerk of Court

1520 E. Basin Road

Pahrump, Nevada 89060

E-Filing & E-Service to all Parties required;
Complete Indigent File Stamped Copy Requested to
be mailed to: pete-j. helfrich

→ do G Cardone Lane

Yerrington, Nevada 89447

Because NCSO has a habit of giving my legal documents
to inmates other than myself. (Some of my Discovery has been stolen)

28 USC 1746 (1); W/O USA; By: Peter-J. Helfrich; ucc 1-207/1-308/3-402(b)
Without Prejudice

By Google searching ⁶⁶Alvin Thornton Domestic Battery
PV Times⁹³ or ⁶⁶Alvin Thornton PV Times Battery
Strangulation⁹³; it proves NCSO Knew how dangerous
Alvin Thornton was and that he has a history of
attacking women; so why did the NCSO deputy refuse to
protect and defend Victim Maria Sanchez after
she was assaulted by Alvin on May 27th, 2020??

The Oath he took applies to EVERY human being in Nye County
; not just Citizen's, illegal alien's like Maria Sanchez
had a Right to file a Police Report and file assault
charges v.s. a Serial woman beater like Alvin Thornton.
Alvin & his Son are the ones who took revenge & the law into
their own hands; I defended myself and my passengers.

No one was seriously injured.

Case# 20-NY-1730

5th Judicial District Court of Nevada

CR20-0145A

:peter-j. helfrich

v.
state of Nevada

complete Indigent File Stamped with Required
Affidavit of Judicial Notice = Illegal Alien Confirmed
Maria Sanchez Fled Pahrump After Peter helfrich
Alerted Immigration / ICE of Her Illegal Alien Status
& The Crimes She committed against Peter helfrich =
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 Peter helfrich Dumping / Divorcing Her

FILED

FIFTH JUDICIAL DISTRICT

JAN 20 2021
NYE COUNTY CLERK
Deputy

YOU WILL PLEASE TAKE JUDICIAL NOTICE THAT: Upon serving a
15 Day Demand For Payment Letter Via 3rd Party to Maria

Sanchez's Employer; Joy Divine Church's Pastor Vivian Chess
21161 S. Loop Road, Pahrump, Nevada 89048

this Affiant was contacted via mail by Pastor Chess (see Attached).
Upon information & belief, Maria Sanchez has fled Pahrump after
being notified THAT: (see Attached Letter from Vivian Chess)

1. She was subpoenaed to testify at the Preliminary Hearing in
this instant case, on or around November 30, 2020, yet she
fled her 921 1st Street, Space #1 residence to avoid service of
subpoena; due in part to her fear of:

- A. Being deported by ICE because she is an Illegal Alien;
- B. Her fear of Civil &/or possible Criminal Complaints being filed
relating to the \$ money, property (etc.) she stole, sold, etc.
that belonged to this Affiant, in RETALIATION for me DIVORCING
her. The Social Security Fraud (\$1,295.95) alone is merit
for ICE Deportation; See: Letter to David Neely, Esq.
- C. She is aware of the Plethora of Child Porn on her

Current husband, Martin's Computers. Martin is a
Convicted & Registered Sex offender who previously molested
a 12 Year old girl. Josue Flores (her son) accidentally (viewed)
Found hard core child porn on Martin's computer, and
alerted both Maria Sanchez & this Affiant of
the videos of 6 to 12 Year old girls being gang raped by
40 to 60 year old men. It appears that Maria & Martin fled
Pahrump to avoid (a) Potential Criminal Investigation(s)
related to the Child Porn on Martin's computer(s) & Maria's
Illegal Alien Status, theft/fraud, etc. It appears that Martin
fled with Maria to Vegas & it's doubtful that he has updated
his new address with the Sex offender Registry Address List.
Martin's full name can be found in the Nye County Clerk's
Office when he divorced Maria Sanchez between May 2020
& June 2020, & he re-married her between October - November
2020. It is easy to investigate the above aforementioned
allegations by checking up on Martin at his last known
address & having his computers examined for child porn by
an expert. 28 USC 1746(1); W/o USA; Public Law 116 Congress

By: Peter J. Helfrich Sess. 92

UCC 1-207/1-308/3-402(4)

Page 1 of 5

AG098

Failure to Report/Prosecute (child Porn) is a crime

Steve Sisolak
Governor



Nevada Department of
Public Safety
Parole and Probation

Anne K. Carpenter
Chief
Sheri Sliva
Deputy Chief

PRE-SENTENCE REFERENCE FORM

During the course of my Pre-Sentence Investigation interview, the Division obtained information and completed an assessment of my risk and needs. I acknowledge that the Division of Parole and Probation has provided me a list of community resources. Furthermore, counselors and representatives from the Division of Health and Human Services are available to me for limited onsite assistance and assessments at the Las Vegas Parole and Probation office.

ANY FOLLOW UP OR ACCESS TO RESOURCES IS COMPLETELY VOLUNTARY. THE JUDGE WILL DETERMINE WHAT RESOURCES OR CONDITIONS ARE MANDATORY AT THE TIME OF MY SENTENCING.

THE DIVISION OF PAROLE AND PROBATION DOES NOT ENDORSE OR RECOMMEND ANY SPECIFIC SERVICE PROVIDERS. THE LIST PROVIDED IS FOR GENERAL INFORMATION ONLY. ALL SERVICE PROVIDERS LICENSED WITH THE STATE OF NEVADA ARE ACCEPTED.

Pete Helfrich April 28, 2021
Defendant Date

Presentence Specialist Date

Substance Abuse, Impulse Control, Anger Management and Mental Health Program Providers:

A Restored Life 2001 S. Jones Suite #1 Las Vegas, NV 89146 702-725-1770	ABC Therapy 730 N. Eastern Ave. #130 Las Vegas, NV 89101 702-598-2020	ABC Therapy (Hend) 7 S. Water St. #A Henderson, NV 89015 702-568-5971	ABC Therapy (Hend) 1490 W. Sunset Rd. #100 Henderson, NV 89014 702-776-4469	Abundant BH 2950 S. Rancho #105 Las Vegas, NV 89102 702-754-5566
Adapt Counseling 5940 S. Rainbow #4008 Las Vegas, NV 89118 702-963-6200	Albritton Behavior Health Center 6002 Smoke Ranch Las Vegas, NV 89108 702-790-2977	Bridge Counseling 1640 Alta Dr. #4 Las Vegas, NV 89106 702-474-6450	Center for Behavior Health 3050 E Desert Inn #116 Las Vegas, NV 89121 702-796-0660	Center for Behavior Health (NLV) 2290 McDaniel St #1C N. Las Vegas, NV 89030 702-399-1600
Center for Behavior Health (NLV) 3470 W. Cheyenne #400 N. Las Vegas, NV 89032 702-796-0660	Choices Group 2725 E. Desert Inn #180 Las Vegas, NV 89121 702-252-8342	Community Counseling Center 714 E. Sahara Ave. Las Vegas, NV 89104 702-369-8700	Cornerstone 5825 W. Sahara, #K Las Vegas, NV 89146 702-476-4988	Desert Behavioral Health 4055 S. Jones Blvd. Las Vegas, NV 89146 702-685-3300
Harmony Health 1701 W. Charleston Las Vegas, NV 89102 702-251-8000	Heads Up 2801 S. Valley View Las Vegas, NV 89102 702-922-7015	Las Vegas Indian Center 2300 W. Bonanza Rd. Las Vegas, NV 89106 702-647-5842	Life Gateway BH 2330 Paseo Del Prado #C305 Las Vegas, NV 89102 702-823-2313	LRS Systems 1900 E. Sahara Ave. Las Vegas, NV 89104 702-732-0214
Matters of the Mind 4528 W. Craig #110 N. Las Vegas, NV 89032 702-647-6433	Mbrace Counseling 3030 S. Jones Blvd. #110 Las Vegas, NV 89146 702-749-6926	Mesa Family Counseling 1000 S. Third St. #F Las Vegas, NV 89101 702-383-6001	New Beginnings 3675 Pecos McLeod #900 Las Vegas, NV 89121 702-538-7412	Oasis Counseling 2360 W. Horizon Ridge Henderson, NV 89052 702-294-0433
Red Rock 1515 E. Tropicana #580 Las Vegas, NV 89119 702-898-5311	ROI Counseling 5017 Alta Dr. Las Vegas, NV 89107 702-816-2595	Serenity Mental Health 1901 S. Jones Blvd. Las Vegas, NV 89146 702-815-1550	Silver Lining Counseling 7465 W. Lake Mead Las Vegas, NV 89128 702-920-0757	Skve Counseling 2950 E. Flamingo Rd. #E Las Vegas, NV 89121 702-930-9383
Solutions Recovery 2975 S. Rainbow Blvd. Las Vegas, NV 89146 702-960-1804	Southern Nevada Adult Mental Health 6161 W. Charleston Las Vegas, NV 89146 702-486-6045	Trailways 5120 S. Pecos Rd. Las Vegas, NV 89120 702-560-5973	WestCare 323 N. Maryland Pkwy. Las Vegas, NV 89101 702-385-3330	

No Fee DETOX Facilities:

WestCare- Triage 323 N. Maryland Pkwy Las Vegas, NV 89101 702-383-4044	Desert Hope 2465 E. Twain Ave. Las Vegas, NV 89121 702-789-1373			
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Domestic Violence Program Providers:

ABC Therapy 730 N. Eastern Ave. #130 Las Vegas, NV 89101 702-598-2020	Cornerstone Counseling 5825 W. Sahara Ave. #K Las Vegas, NV 89146 702-476-4988	LRS Systems 1900 E. Sahara Ave. Las Vegas, NV 89104 702-732-0214	Options 3562 W. Cheyenne #100 N Las Vegas, NV 89032 702-646-4736	Safe Nest 2915 W. Charleston #12 Las Vegas, NV 89102 702-887-0133
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Adult Education and GED:

CSN – GED and HiSET 6375 W Charleston, D Las Vegas, NV 89146 702-651-5733	CSN – GED and HiSET 700 College Dr Henderson, NV 89002 702-651-3128	Desert Rose Adult HS 1251 Robin St. Las Vegas, NV 89106 702-799-6420	Las Vegas GED 320 N. Nellis #6 Las Vegas, NV 89110 702-586-3131	UNLV TRiO Adult Ed 1455 E Tropicana #390 Las Vegas, NV 89119 702-744-4200
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Parenting Class:

A Restored Life 2001 S. Jones Suite #J Las Vegas, NV 89146 702-725-1770	Bridge Counseling 1640 Alta Dr. Las Vegas, NV 89106 702-474-6450	COPE 7254 Eldora Ave Las Vegas, NV 89117 866-504-2883	Parenting Project 3900 Cambridge #203 Las Vegas, NV 89119 702-455-5295	
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Alcoholics Anonymous and Narcotics Anonymous:

51 Club 46 Magnesium St. Henderson, NV 89015 702-564-9907	Bungalow Club 5129 Kell Lane Las Vegas, NV 89156 702-444-8422	TIE Club 329 N. 11 th St. Las Vegas, NV 89101 702-387-9282	Triangle Club 4600 S. Nellis Blvd. Las Vegas, NV 89121 702-435-0597	Green Valley Club 1481 Warm Springs #137 Henderson, NV 89014 702-433-9550
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Employment Agencies:

Express Employment 3663 E Sunset Rd. #103 Las Vegas, NV 89120 702-434-3900	Labor Ready 6020 W. Flamingo #15 Las Vegas, NV 89103 702-598-0574	Labormax Staffing 4375 N Pecos Rd #110 Las Vegas, NV 89030 702-369-6030	Labormax Staffing 171 Gibson Rd. Henderson, NV 89012 702-566-1827	Labor Systems 1431 E. Charleston #18 Las Vegas, NV 89108 702-474-9494
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Division of Health and Human Services: Food Stamps and Medical Insurance

700 Belrose Street Las Vegas, NV 89107 (702) 486-1646	3223 West Craig, Suite 140 N. Las Vegas, NV 89032 (702) 631-3386	6390 N. Decatur, Suite 100 Las Vegas, NV 89130 (702) 631-7500	3965 S. Durango Drive Las Vegas, NV 89147 (702) 631-3212	3330 E. Flamingo Road, Suite 55 Las Vegas, NV 89121 (702) 486-9400
520 South Boulder Hwy Henderson, NV 89015 (702) 486-1001	611 North Nellis Blvd Las Vegas, NV 89110 (702) 486-4828	1040 West Owens Avenue Las Vegas, NV 89106- 2520 (702) 486-1899	1840 Pahrump Valley Road Pahrump, NV 89048-6 (775) 751-7400	3101 Spring Mountain Road, Suite 3 Las Vegas, NV 89102 (702) 631-3077

Vocational Training and Job Readiness Programs:

E.I.T 1931 Stella Lake St Las Vegas, NV 89106 702-367-4348	Nevada Partners 710 W Lake Mead Blvd N Las Vegas, NV 89030 702-924-2100	Urban League 3575 W Cheyenne #101 N Las Vegas, NV 89032 702-636-3949	Workforce Connections 6330 W. Charleston #150 Las Vegas, NV 89146 702-638-8750	Hope for Prisoners 3430 E. Flamingo #350 Las Vegas, NV 89121 702-586-1371
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Sober Living and Homeless Shelters:

Boxwood House 6696 Boxwood Ln Las Vegas, NV 89103 702-612-8961	Catholic Charities 1501 N Las Vegas Blvd Las Vegas, NV 89101 702-385-2662	Davis Recovery House 721 Cline St. Las Vegas, NV 89145 702-581-3398	Freedom House 3852 Palo Verde St Las Vegas, NV 89119 702-485-1300	Frog House 3529 Rosewood St Las Vegas, NV 89103 702-612-8961
Hope House 2500 Apricot Lane Las Vegas, NV 89108 702-646-1804	LV Recovery Center 3321 N Buffalo Dr #150 Las Vegas, NV 89129 702-515-1373	LV Rescue Mission 480 W Bonanza Las Vegas, NV 89106 702-382-1766	Oasis House 4701 E. Harmon Ave. Las Vegas, NV 89121 702-416-4196	Oxford House – Men 821 Fairway Ave Las Vegas, NV 89107 702-483-3346
Oxford House – Women 4409 Thompson Cr Las Vegas, NV 89107 702-586-7945	Prestige Recovery 3749 Amber Lantern Cr. Las Vegas, NV 89147 702-750-8521	Salvation Army 211 Judson Ave N Las Vegas, NV 89030 702-399-2769	Samaritan House 1001 N 4 th St Las Vegas, NV 89101 702-382-8437	Shade Tree-Women 1 W Owens Ave N Las Vegas, NV 89030 702-385-0072
Shannon West - Youth 1640 E. Flamingo #100 Las Vegas, NV 89119 702-526-4990	Toni's House 5800 Harmony Ave Las Vegas, NV 89107 702-981-4555	Turning Point 861 N Bruce #3 Las Vegas, NV 89101 323-540-8091	Walter Hoving Home 4641 Corral Pl Las Vegas, NV 89119 702-425-9124	We Care 2216 S 6 th St Las Vegas, NV 89104 702-369-0613

Housing Assistance/ Rental Vouchers:

Clark County Social Services 2432 N MLK Blvd, Las Vegas, NV 89032 702-455-4270	Clark County Social Services 1600 Pinto Ln, Las Vegas, NV 89106 (702) 455-4270	Clark County Social Services 1501 N Las Vegas Blvd Las Vegas, NV 89101 702-455-4270	Clark County Social Services 3885 S Maryland Las Vegas, NV 89119 702-455-8687	Clark County Social Services 522 E Lake Mead Henderson, NV 89015 702-455-7918
Help of Southern Nevada 1640 E Flamingo Rd #100, Las Vegas, NV 89119 702-369-4357	Clark County Social Services 1600 Pinto Ln, Las Vegas, NV 89106 (702) 455-4270	Neighborhood Housing Services of Southern Nevada 1849 Civic Center Dr, North Las Vegas, NV 89030 (702) 649-0998	Southern NV Regional Housing Authority 5390 E Flamingo Rd, Las Vegas, NV 89122 (702) 477-3100	Hopelink of Southern Nevada 178 Westminster Way, Henderson, NV 89015 (702) 566-0500



Nevada Department of
Public Safety
Parole and Probation

SUPPLEMENTAL PRESENTENCE INVESTIGATION REPORT

The Honorable *David Gamble*
Department 1P, Nye County
Fifth Judicial District Court

Date Report Prepared: *June 21, 2021*

Prosecutor: Michael D. Allmon, DDA
Defense Attorney: *David Neely, Appointed*

PSI: 618922

I. CASE INFORMATION

Defendant:	Peter J. Helfrich	PCN:	NYSO8006726C
Case:	CR20-0145A	Offense Date:	05/27/2020
ID:	8471376	Arrest Date:	05/27/2020
P&P Bin:	1003539714	Plea Date:	04/07/2021; No Contest
		Sentencing Date:	pursuant to Alford 07/28/2021

II. CHARGE INFORMATION

Offense: Battery with Use of a Deadly Weapon (F)
NRS: 200.481(2,e,1) Category: B
NOC: 50223
Penalty: By imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 10 years and may be further punished by a fine of not more than \$10,000.

Dear David Neely, i have been unable to contact you by phone upon numerous attempts.

i previously mailed out to Nye County Clerk a Judicial Notice to Revoke/Rescind the Plea Agreement in case # CR20-0145A due to me being under the influence of Rimron, & IAC. Daniel Martinez claimed the State filed 3 more Felony cases to which i later found out to be false.

Said Cases were bogus & aimed at forcing a LOUSY DEAL = 2 to 10 & 1 misd. eating my County time. Pitaro & Fumo = useless.

i require you to file a motion to Withdraw Said Plea Deal based upon IAC & the fact that i was on PSY meds when i signed the Plea Deal (Lets take it to trial) & IAC. i am filing this letter in a Judicial Notice & i am mailing you a TRUE HAND COPY.

Dated: June 21st, 2021

ORIGINAL
COPY

By: Pete J. Neely

UCC1-207/1-306/3-402(b)

Let's waste millions of Tax Payer \$'s
Over 2 gang bangers trying to kill me.

911 Call = "5 shots fired."

i need a copy of the Preliminary Hearing Transcripts.

Please review Said Transcripts.

i was being tailgated, shot at & chased.

i need a complete copy of the Judicial Notice that contained my Pre-sentence Investigation Questionnaire.
i need to meet you in person ASAP.

Page **5**

Number of Months Employed Full Time in 12 months Prior to Commission of Instant Offense: None

Age at first arrest: 19 or younger ☐ 20- 23 ☒ 24 or older ☐

Income: None reported

Other Sources: The defendant receives \$190.00 per month in Food Stamps and \$1,072.00 per month in Social Security Disability; however, his assets are frozen due to the theft of his debit card(s) by his ex-wife.

Assets: None reported

Debts: Unknown-pending legal fees.

Education: The defendant graduated from Brockport High School in New York in 1995. He attended Monroe Community College and Oswego College in New York and obtained an associate degree as a Paralegal. He was working toward a Bachelor of Arts degree for visual/audio communication but became ill in the third semester and dropped out.

Military Service: The defendant stated that he joined the United States Air Force but was discharged during boot camp due to medical problems.

Health and Medical History: The defendant is in poor health. He suffers from Mycotoxicosis, chronic Lyme Disease, High Blood Pressure and has an overactive immune system. He takes Lisinopril for HBP.

Mental Health History: The defendant has been receiving mental health treatment on and off since 2001. He currently receives treatment while in custody through Serenity Mental Health for PTSD, anxiety, major depression, and Bi-Polar Disorder. He takes Rim Ron for anxiety and PTSD. Mr. Helfrich reported two suicide attempts. He was 17 years old when he took 400 sleeping pills and was hospitalized for two weeks and at the age of 44, he took 90 Rim Ron pills and was sick in his cell (he didn't tell anyone). He stated, "Plan on getting it right on #3 if the Judge maxes me out" but could not articulate a plan of action.

Gambling History: None reported

Substance Abuse History: Alcohol consumption was reported to have begun at the age of 1 and is described as problematic with use being daily until October 2020. The defendant reported use of marijuana to have begun at the age of 1 with use described as daily until October 2020. It should be noted that on a previous presentence report he began using alcohol and marijuana at the age of 9 and 13, respectively. He used cocaine for a couple of weeks in the 1990's, used hallucinogens approximately once a week/month beginning in his teens until October 2020, he reported that someone "slipped" heroin in his pot five or six times, and the only time he abused pills was when he attempted suicide. The defendant reported no prior substance abuse treatment until his current incarceration. He receives both mental health and substance abuse treatment through Serenity Mental Health. He plans to participate with inpatient treatment with Serenity in Las Vegas, Nevada upon his release from custody.

Gang Activity/Affiliation: None reported

IV. CRIMINAL RECORD

Records of Federal Bureau of Investigation (FBI), National Crime Information Center (NCIC), and any other applicable sources reflect the following information:

CONVICTIONS- FEL: 1 GM: 0 MISD: 2

INCARCERATIONS- PRISON: 1 JAIL: 2

SUPERVISION HISTORY:

CURRENT- Probation Terms: 0 Parole Terms: 0

PRIOR TERMS:

Probation- Revoked: 0 Discharged: Honorable: 0 Other: 0

Parole- Revoked: 0 Discharged: Honorable: 0 Other: 0

Active Arrest Warrants:

Warrant#: 4453644 Issued: 05/29/2019
Jurisdiction: North Las Vegas Municipal Court Charges: FTA on traffic citation-Violate
Misdemeanor Traffic Law by Bicycle
Rider
Extraditable: Clark County only Bail Amount: \$313.00

Adult:

Arrest Date:	Offense:	Disposition:
04/22/1999 Sunny P.D., New York	Aggravated Harassment 2 nd (M)	Case No. 99040165. 10/21/1999-Plea of guilty to Aggravated Harassment 2 nd (M). Fined \$250. Per defendant, served community service in lieu of fine.
01/01/2012 Pahrump, Nevada NCSO	1. Domestic Battery 1 st (M) 2. Unlawful Use of emergency Phone Number (911) (GM)	Case No. 12CR00011. LEA 12NY-0013. 03/07/2012-Guilty at bench trial of Domestic Battery (M). Sentenced to \$200 fine and fees with credit for time served for fines/fees, 44 days jail with CTS, 48 hours community service, and domestic violence counseling.

01/25/2013 Pahrump, Nevada NCSO	1. Murder, 1 st Degree (F) 2. Attempt to Destroy/Conceal Evidence (M) 3. Battery with Deadly Weapon (F) 4. Battery Resulting in Substantial Bodily Harm (F)	Case No. CR7411A. Case No. 13CR00274A. LEA 13NY-0238. 12/02/2013-Plea of guilty to Voluntary Manslaughter (F). Sentenced to 48/120 months NDOC.
04/20/2020 Pahrump, Nevada Date of Offense	Harassment (M)	Case No. 20CR01739. LEA 20NY-1240. Pursuant to negotiations, this case was dismissed.
04/23/2020 Pahrump, Nevada Date of Offense	Prepare or Deliver to Person Simulated Legal Document (F) (2 counts)	Case No. 20CR01738. LEA 20NY-3974. Pursuant to negotiations, one count was to be amended to Harassment (M) and dismissed and the other charge will be denied.
05/28/2020 Pahrump, Nevada NCSO	Battery with Deadly Weapon (F) (2 counts) 12/02/2021-2nd Amended Criminal Complaint filed: 1. Battery with Use of a Deadly Weapon (F) (2 counts) 2. Duty to Stop at Scene of Accident Involving Death or Personal Injury (F) (2 counts) 3. Assault with a Deadly Weapon (F)	Instant Offense, CR20-0145A. Case No. 20CR01449. LEA 20NY-1730. 06/25/2021-Sentence date.
07/01/2020 Pahrump, Nevada NCSO	False Statement to/Obstruct Public Office (M) 12/15/2020-2 nd Amended Criminal Complaint filed: 1. Assault (M) 2. Certain Unlawful Acts (M) 3. Driving Without a Valid License (M) 4. Unlawful Acts Proof of Insurance (M) 5. Harassment (M) 6. Evade/Elude/Fail to Stop on Signal of Police (M)	Case No. 20TR01961. LEA 20NY-2145. Pursuant to negotiations, the defendant will enter a plea of no contest to Count 1-Assault (M). Both parties will recommend a sentence of confinement in the Nye County Detention Center ending when the defendant enters his plea in the District Court for the instant case where all credit for time served will be applied to 20TR01961 or when the defendant has served 180 days on this case.
10/20/2020 Pahrump, Nevada NCSO	1. Intimidate Public Officer/Others w/TOF (F) 2. Conspiracy to Elude, Evade or Fail to Stop on Sign (GM)	Case No. 20CR03176. LEA 20NY-3679. 12/15/2020-Order granted for joinder of offenses with case number 20TR01961.

Additionally, the defendant's criminal history consists of several instances of failure to appear and one traffic citation in Nye County in September 2011 (CTS).

Supplemental Information: N/A

Institutional/Supervision Adjustment: N/A

V. OFFENSE SYNOPSIS

Records provided by the Nye County Sheriff's Office and the Nye County District Attorney's Office reflect that the instant offense occurred substantially as follows:

On May 27, 2020, Nye County deputies were dispatched to Highway 372 and Charleston Park Drive for an accident where a small compact Volkswagen crashed into the corner of a mini storage brick building. The chain link fence surrounding the perimeter of the storage facility, along with debris from the brick building and vehicle parts, were scattered on the ground. Medics arrived on scene and attended the pregnant female driver (VC2278415) and male passenger (VC2249869) of the Volkswagen. The female victim was transported to Desert View Hospital for further observation.

The other vehicle involved in the accident was a red minivan driven by the defendant Peter Helfrich, who had fled the scene prior to the deputies' arrival, and occupants Maria Sanchez and Josue Flores. Flores stated that Helfrich was driving, and he rammed the other vehicle. Sanchez stated that they were being shot at but couldn't provide any further details other than the vehicle pulled off the road and they saw what they believed to be a firearm, and that Helfrich just rammed the vehicle.

Witnesses stated that the red minivan intentionally drove into the back of the Volkswagen causing it to go through the chain link fence and hit the brick building.

Peter Helfrich was located while on foot walking along Highway 372 with a canister of oleoresin capsicum in his hand. He declined medical attention and was transported to the Nye County Detention Center where he was booked without further incident.

The minivan was impounded, and the Volkswagen was towed at the owner's request and expense.

On October 30, 2020, the adult male victim (VC2249869) provided a recorded interview at the NCSO Pahrump station. He related that his father (VC2249868) called him in distress asking for him to call an ambulance. He responded to his father's residence and found that his father had been pepper sprayed by the defendant Peter Helfrich. He advised that his father owned the property and lived in a travel trailer in the back of the property but allowed people to live in his house as a charitable gesture to help them get back on their feet. At the time of the incident, Maria Sanchez was living in the house and dating Peter Helfrich. His father knew Sanchez but had never met Helfrich. While his father was being attended by medics, Helfrich returned to the property but stayed in the minivan screaming at him and his father. Helfrich then drove away. At that point, he and his girlfriend got in the Volkswagen and tried to get the license plate and call the police. He said the minivan kept brake checking them, so they decided to go around the vehicle. After they had passed the minivan, they decided to pull off to the right side of the road and that is when the minivan slammed into their car causing the car to go through the chain link fence and into the brick building. All the airbags deployed. Helfrich tried to flee in the minivan but there too much damage to the engine, so he fled on foot. He chased Helfrich for a bit but returned to his pregnant girlfriend when she called for help. He reported no serious injuries but was sore and experienced pain several days after the impact.

On October 30, 2020, male victim (VC2249868) was interviewed. He explained that Maria Sanchez was renting the main house while he lived in a travel trailer on the property but a clause in the contract stated he still has use of the kitchen and laundry facilities. It was also agreed that Ms. Sanchez would not have outsiders over to the house without his permission. Ms. Sanchez and Mr. Helfrich were in a dating relationship. Mr. Helfrich was unknown to the victim. While doing laundry, the victim tried speaking to Sanchez about Helfrich being in the home. Helfrich became hostile and sprayed the victim in the face with pepper spray making it difficult to see and breathe. He tried to stop Helfrich but was sprayed again at which time Helfrich left with Sanchez and her son. The victim called his son for help.

On November 9, 2020, the female victim was contacted for a statement. She added that while pulled over on the side of the road police were called and she saw the pending collision in her rearview mirror. She advised that her car was totaled with the damage estimated at \$7,000.00 and she incurred medical bills. Otherwise her statement was the same as reported by the other two male victims.

VI. DEFENDANT'S STATEMENT

☒ See Attached ☐ Defendant interviewed; no statement submitted ☐ Defendant not interviewed

Mr. Helfrich is currently in custody at the Nye County Detention Center and was interviewed by Specialist Thelaner on June 7, 2021. Verbally, the defendant admitted to using pepper spray because victim (VC2249868) was being physical with his girlfriend, Maria Sanchez. He further admitted that he rammed into the back of the Volkswagen but said he felt he had no other option because he heard gunshots being fired and felt that his life was in danger.

VII. VICTIM INFORMATION/STATEMENT

Attempts were made to contact the victims (VC2278415, VC2249868, and VC2249869) in order to obtain a Victim Impact Statement and restitution claim; to date no response has been received by the Division. If the requested information is received after this report has been submitted, it will be provided to the Court.

According to the police report, victim (VC2278415) suffered a vehicle loss of \$7,000.00 and an unknown amount of medical bills. If the information is received after this report has been submitted, it will be provided to the Court.

VIII. CUSTODY STATUS/CREDIT FOR TIME SERVED

Custody Status: In Custody (NCDC)
CTS: 2 DAYS: 05/27/2020-05/28/2020 (CR0145A)

10/20/2020-07/28/2021 (282 days, 20TR01961, 20CR03176 and 20CR01738)

IX. PLEA NEGOTIATIONS

In exchange for the defendant's plea of no contest pursuant to Alford, the State, the defense, and the defendant have agreed to recommend the following: The Defendant will plead no contest to Count I of Pahrump Justice Court case 20TR01961 (Assault, misdemeanor), the prosecution will not pursue any other charges related to this case. The State will dismiss the following charges: 20TR01961 Counts II-IV (Certain Unlawful Acts, Driving Without a License, Security for Payment of Tort Liabilities, Harassment, and Eluding a Peace Officer, all misdemeanors), 20CR01738 (Charged as Simulation of Legal Document, NRS 207.337, D felony and was to be amended to Harassment, a misdemeanor), and 20CR01739 (Harassment, a misdemeanor). The State will deny 20NY-3974 (referred for a charge of Simulation of Legal Document, NRS 207.337, D felony). Both parties agree that in 20TR01961, the Defendant will enter a no contest plea to Count I (Assault) and that the Defendant will be sentenced to a term of confinement in the Nye County Detention Center, that begins with the Defendant being remanded to the custody of the Sheriff, and ends with the Defendant entering his plea of no contest in District Court as part of this guilty plea agreement. The sentence for that offense is dependent on the timing of this case. Meaning that the credit for time served will all be applied to 20TR01961 and the time served in the instant case will not begin until the Defendant enters a plea of no contest in the District Court or when the Defendant has served 180 days, the maximum allowed on 20TR01961. Both parties retain the right to argue at sentencing. The Defendant agrees to forfeit any and all weapons seized or impounded in connection with the instant case or other case negotiated or resolved in this agreement.

The State will regain the right to argue for any lawful sentence and term of confinement if the Defendant: fails to interview with the Department of Parole and Probation; fails to appear at any subsequent hearings in this case; tests positive for a controlled substance at any subsequent hearing in this case without a valid prescription; or an independent magistrate, by declaration review confirms probable cause for new criminal charges at a preliminary hearing; or found guilty at trial for new criminal charges.

X. FEES AND NEVADA REVISED STATUTE REQUIREMENTS

Administrative Assessment: \$25.00

DNA Admin Assessment: \$3.00

Domestic Violence Fee: N/A

Mandatory Fine: N/A

Chemical/Drug Analysis: N/A

Attorney Fee: N/A

Extradition: N/A

Mandatory Prison/Probation:
N/A

DNA: \$150.00

Psychosexual Fee: N/A

☒ Pursuant to NRS 239B.030, the undersigned hereby affirms this document contains the social security number of a person as required by NRS 176.145.

Pursuant to NRS 176.156 (1)(b), the Division shall afford an opportunity to each party to object to factual errors in the presentence investigation report. Any perceived factual errors should be immediately reported, in writing, to defense counsel, the prosecuting attorney, and the Division of Parole and Probation. The Court may order the Division to correct the contents of the report following sentencing if, within 180 days after the date on which the judgement of conviction was entered, the prosecuting attorney and the defendant stipulate to correcting the contents of the report. This presentence investigation report may be considered during future proceedings, including those held by the Nevada Board of Parole Commissioners, in accordance with NRS 176.156 (2),(3), and (4).

The information used in the Presentence Investigation Report may be utilized reviewed by federal, state and/or local agencies for the purpose of prison classification, program eligibility and parole consideration.

Should the court consider granting probation pursuant to a program of intensive supervision pursuant to NRS 176A.440, the Division requests the court to consider the following factors in making that determination:

- Intensive supervision with electronic monitoring may only be utilized if the defendant is capable of paying the daily fee for the electronic monitoring.
 - The monitoring fee ranges from \$9.00 to \$18.50 per day depending on factors such as alcohol monitoring, GPS, or radio frequency versus cellular connectivity.
 - This fee is payable from the defendant directly to the electronic monitoring vendor.
- Placement of the defendant on a term of intensive supervision may conflict with the level of supervision established by the risk assessment required under NRS 213.1078, which states:
 - Section 7: *"Upon finding that a term or condition of probation ordered pursuant to subsection 1 of NRS 176A.400 or the level of supervision set pursuant to this section does not align with the results of a risk and needs assessment administered pursuant to section 1 or 2, the supervising officer shall seek a modification of the terms and conditions from the court pursuant to subsection 1 of NRS 176A.450".*

In accordance with current Interstate Commission for Adult Offender Supervision rules and requirements, all felony convictions and certain [gross] misdemeanants are offense eligible for compact consideration. Due to Interstate Compact standards, this conviction may or may not be offense eligible for courtesy supervision in the defendant's state of residence. If not offense eligible, the Division may still authorize the offender to relocate to their home state and report by mail until the term of probation is complete and/or the case has been completely resolved.

Respectfully Submitted,

Tom Lawson, Chief

Report prepared by: L. Thelaner
DPS Parole and Probation, Specialist III
sccourtservices@dps.state.nv.us

Approved by:



E. Lopez, DPS Parole and Probation Supervisor
Southern Command, Pahrump
sccourtservices@dps.state.nv.us

Case # 20-NY-1730

5th Judicial District Court of Nevada

CR 20-0145A

:peter-j. helfrich

v.
state of Nevada

complete Indigent File Stamped with Required
Affidavit of Judicial Notice = Illegal Alien Confirmed
Maria Sanchez Fled Pahrump After Pete helfrich
Alerted Immigration / ICE of Her Illegal Alien Status
& The Crimes She committed against Pete helfrich =
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

FILED

FIFTH JUDICIAL DISTRICT

JAN 20 2021

Nye County Clerk,

Deputy

YOU WILL PLEASE TAKE JUDICIAL NOTICE THAT: Upon serving a
15 Day Demand For Payment Letter Via 3rd Party to Maria
Sanchez's Employer; Joy Divine Church's Pastor Vivian Chess
21161 S. Loop Road, Pahrump, Nevada 89048

this Affiant was contacted via mail by Pastor Chess (see Attached).
Upon information & belief, Maria Sanchez has fled Pahrump after
being notified THAT: (see Attached Letter from Vivian Chess)

1. She was subpoenaed to testify at the Preliminary Hearing in
this instant case, on or around November 30, 2020, yet she
fled her 921 1st Street, Space #1 residence to avoid service of
subpoena; due in part to her fear of:
 - A. Being deported by ICE because she is an Illegal Alien;
 - B. Her fear of Civil &/or possible Criminal Complaints being filed
relating to the \$ money, property (etc.) she stole, sold, etc.
that belonged to this Affiant, in RETALIATION for me DIVORCING
her. The Social Security Fraud (\$1,295.95) alone is merit
for ICE Deportation; See: Letter to David Neely, Esq.
- C. She is aware of the Plethora of Child Porn on her

Current husband, Martin's Computers. Martin is a
Convicted & Registered Sex offender who previously molested
a 12 Year old girl. Josue Flores (her son) accidentally (viewed)
Found hard core child porn on Martin's computer, and
alerted both Maria Sanchez & this Affiant of
the videos of 6 to 12 Year old girls being gang raped by
40 to 60 year old men. It appears that Maria & Martin fled
Pahrump to avoid (a) Potential Criminal Investigation(s)
related to the Child Porn on Martin's computer(s) & Maria's
Illegal Alien Status, theft/fraud, etc. It appears that Martin
fled with Maria to Vegas & it's doubtful that he has updated
his new address with the Sex offender Registry Address List.
Martin's full name can be found in the Nye County Clerk's
Office when he divorced Maria Sanchez between May 2020
& June 2020, & he re-married her between October - November
2020. It is easy to investigate the above aforementioned
allegations by checking up on Martin at his last known
address & having his computers examined for child porn by
an expert. 28 USC 1746(1); W/o USA; Public Law 116 Congress

By: Peter J. Helfrich Sess. 92

UCC 1-207/1-308/3-402(4)

Failure to Report/Prosecute (child Porn) is a crime

Certificate of Service
I, Peter-Jason Helfrich, declare under penalty of
Perjury that on June, 2021
I mailed the foregoing Affidavit of
Judicial Notice & Letter from
Pastor Vivian Chess to:

Nye County Clerk
1520 E. Basin Road
Pahrump, Nevada 89060

And I REQUESTED a complete
indigent file stamped copy of
all documents.

By: Peter-J. Helfrich, UCC
3-402(b)

Dear Clerk: Please provide
David Neely, Esq. copy of this
entire Affidavit.

David Neely
3520 E. Tropicana, D-1
LV/NV 89121
(702) 565-0716

05/09/21

Dear Pete, I pray this letter
finds you in good health &
spirit. Maria moved her
membership over 3 mths ago.
I believe she is attending
in Vegas where Josue lives.

Please don't waste your postage.
She has changed her number and
all communication is Joy Divine.

I pray your things are
being stored in a safe place
and will be returned to you
upon your release.

Much Love

She has my Pastor's
and maybe Pastor Vinton
one day she
will call me, I did nothing for
her to leave.

complete double sided (Page 1 & 2) Indigent copy Required

pete helfrich
P.O. Box 831
Tonopah, NV. 89049
Telephone No.: () None
Incarcerated

**AFFIDAVIT OF
DEMAND FOR PAYMENT**

Date: May 10, 2021

Illegal Alien
Maria Sanchez (Evangelist)

Work Address (She is avoiding service = No other address known)

Joy Divine Church

1161 S. Loop Road

Available to be served = Fridays 9:30 am - Noon
& Sundays 10 - 11 am

Pahrump, Nevada 89060

CC: ICE

Cell Phone #:

(702) 542-4244

Dear Maria Sanchez:

This letter is a demand for payment in the amount of \$ 10,000.00

I believe I am owed this amount as a result of the following facts and circumstances:

Breach of
Oral Contract on recorded phone line (Nye Jail)

on or between October 20, 2020 - November 30, 2020

regarding 4x8 Teardrop Camper previously located at

921 1st Street, ^{space #1} Pahrump, NV, that you sold in retaliation

for me dumping you Oct. 21, 2020. 28 USC 1746(1); W/o USA

You are hereby informed that you have fifteen (15) days from the date of this letter to pay the demanded amount or to make a satisfactory arrangement with me to fully resolve this matter. My contact information is listed above. In the event this matter is not resolved to my satisfaction, then it is my intent to file an action in Small Claims Court where I will also request that you pay the costs of suit associated with having the matter heard by the court. Please guide yourself accordingly. Under penalty of perjury pursuant to
28 USC 1746(1); W/o USA

Sincerely,

Signed: Pete J. Helfrich

Printed: peter-j. helfrich

Affidavit of Service on other side of document

Affidavit of Service / Personal Service
Pursuant to 28 USC 1746(1)

* I, Print Name declare pursuant to 28 USC 1746(1)
that I hand served / personally served (Illegal Alien /
Con-Artist) Maria Sanchez the foregoing
DEMAND FOR PAYMENT ON _____

_____ Date
Time a.m./p.m. at Joy Divine Church
(Circle one) 1161 S. Loop Road
Pahrump, Nevada

* Please Mail a complete double sided copy of this
Legal Document to: Nye County Clerk
1520 E. Basin Road, Pahrump, NV 89060

* Peter-J. Helfrich #22870 / #1111875
c/o: Tonopah Jail
P.O. Box 831, Tonopah, NV 89049

Maria Sanchez is
available to be served
at Joy Divine Church
Fridays 10am-Noon
Sundays 10am-11am

My Address is: c/o:
Fleet # 21-05-03 Anthony Greco

c/o: 5980 Pahrump Valley Blvd.
Pahrump, Nevada 89060
(775) 400-5924

28 USC 1746(1); w/o USA

Signed: *

*
Print Name: _____

** Please Photocopy both sides of this document &
mail said copy to #22870 Pete Helfrich
Tonopah Jail → P.O. Box 831
Pahrump, NV 89049

Dear David Neely, i have been unable to contact you by phone upon numerous attempts.

i previously mailed out to Nye County Clerk a Judicial Notice to Revoke/Rescind the Plea Agreement in case # CR20-0145A due to me being under the influence of Rimron, & IAC. Daniel Martinez claimed the State filed 3 more Felony cases to which i later found out to be false.

Said Cases were bogus & aimed at forcing a LOUSY DEAL = 2 to 10 & 1 misd. eating my County time. Pitaro & Fumo = useless.

i require you to file a motion to Withdraw Said Plea Deal based upon IAC & the fact that i was on PSY meds when i signed the Plea Deal (Lets take it to trial) & IAC.

i am filing this letter in a Judicial Notice & i am mailing you a TRUE HAND COPY.

Dated: June 21st, 2021

ORIGINAL
COPY

By: Pete J. Neely

UCC1-207/1-306/3-402(b)

Let's waste millions of Tax Payer \$'s
Over 2 gang bangers trying to kill me.

911 Call = "5 shots fired."

i need a copy of the Preliminary Hearing Transcripts.

Please review Said Transcripts.

i was being tailgated, shot at & chased.

i need a complete copy of the Judicial Notice that contained my Pre-sentence Investigation Questionnaire.

i need to meet you in person ASAP.

Page **5**

20CR01449

Case No.

Dated: 12/8/2020

Police Cam Recorded

FILED
FIFTH JUDICIAL DISTRICT

CR 20-0145

5th Judicial District Court of Nye County, Nevada

FILED
12/29/2021

State of Nevada

Affidavit of Judicial Notice

Nye County Clerk
Deputy

v.

Invoking The Right to Speedy Trial

PETER HELFRICH

Pursuant to the 6th Amendment

peter-jason.helfrich

& 28 U.S.C. 1746(1); W/o U.S.A. &

Private Attorney General

Request For Submission & Hearing &

Indigent File Stamped Copy REQUIRED

YOU WILL PLEASE TAKE JUDICIAL NOTICE THAT:

I hereby INVOKE THE RIGHT TO A 60 DAY
SPEEDY TRIAL PURSUANT TO

U.S.C.A. 6, etc. Nunc Pro Tunc May 28, 2020

SECOND ATTEMPT TO FILE SINCE 12/8/2020

28 U.S.C. 1746(1); W/o U.S.A.

SEE ATTACHED

By: peter-jason.helfrich

"Affidavit of Truth"

UCC1-207/1-308/3-402(b)

CERTIFICATE OF SERVICE

I, peter-jason.helfrich, declare under penalty of
Perjury that I mailed a true copy of the above
Affidavit to: Clerk of Court on 12/8/2020

Nye County Court
1520 E. Basin Road

Pahrump, Nevada 89060

28 U.S.C. 1746(1); W/o U.S.A.

CC: D.O.J., FBI

By: peter-jason.helfrich

SECOND ATTEMPT TO FILE

REFUSAL TO FILE THIS = FELONY = NO MORE
Clown Games!

CLERK MUST FILE, OR = Felony!!!

Federal Crime FOR FAILURE TO FILE

EXHIBIT “D”

**Petition for Writ of Mandamus,
Filed October 14, 2022**

NO. 85505

FILED

OCT 11 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY [Signature]
DEPUTY CLERK

IN THE SUPREME COURT OF THE STATE OF NEVADA

5th District Court Case#: CR20-0145

53
6/1/22
:-peter-jason:helfrich
Affiant
Petitioner/Plaintiff,

v.

The 5th Judicial District
Court of the State Of Nevada, In and
For the County of Nye

Case No. _____

Dept. No. _____

Docket No. _____

Filing Fees Waived: Criminal

Respondent/Defendant.

PETITION FOR WRIT OF MANDAMUS

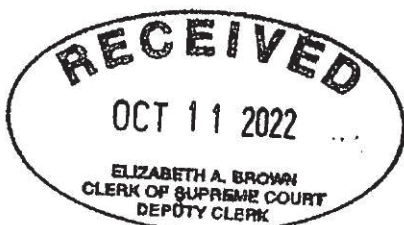
Affiant

COMES NOW, Petitioner/Plaintiff, :-peter-jason:helfrich, ~~and~~

and respectfully moves this Honorable Court to issue a Petition for Writ of Mandamus, being filed contemporaneously herewith, directing Judge David Gamble, to reverse and vacate his order, and/or actions in denying Petitioner/Plaintiff due process & timely Order /
ruling regarding Habeas Corpus Filed on 9/10/2021

This motion is made and based pursuant to the supporting Points and Authorities attached hereto, N.R.S. 34.150 through N.R.S. 34.310, N.R.A.P., Rule 21, as well as all papers, pleadings, and documents on file herein, in CR20-0145, & 28 USC 1746, (1); w/o USA

:-peter-j.:helfrich



22-32384
AG117

POINTS AND AUTHORITIES

Statement of Facts

AFFIDAVIT OF INDIGENT PETITION FOR WRIT OF HABEAS CORPUS

SEEKING AN ORDER TO CORRECT & AMEND FACTUAL ERRORS

CONTAINED IN PSI REPORT (see Attached: Page 4 Case Summary)

FILED 9/10/2021. i need the PSI corrected before my Parole Hearing,

4/16/2023; or the factual errors contained in the PSI Report shall

prejudice me at the Parole Hearing. If these issues are not corrected

in a timely manner & i am denied parole due to the factual errors

Contained in the PSI Report, i shall be prejudiced & injured.

Nye County Court's lollygagging makes a mockery of due process

of law. It's been over one year & the Habeas is collecting dust on

Judge Gamble's desk.

i am seeking this Supreme Court's intervention via an

Order directing Judge Gamble to rule on my Habeas Corpus ASAP.

II. LEGAL ARGUMENT

Petitions for Extraordinary Writs are addressed to the sound discretion of the Supreme Court of Nevada and may issue when there is no plain, speedy, and adequate remedy at law. See, State v. Second Judicial District Court ex. rel. County of Washoe, 11 P.3d 1209, ___ Nev. ___ (2000).

A writ of mandamus is issued to compel performance of an act which the law especially enjoins as a duty resulting from an office, trust or station. See, Lewis v. Stewart, 619 P.2d 1212, 96 Nev. 846 (1980).

A writ of mandamus may issue to control arbitrary or capricious exercise of discretion. See, Barnes v. Eighth Judicial District Court of the State of Nevada, in and for Clark County, 748 P.2d 483, 103 Nev. 679 (1987).

This Court has also held that the action being sought to be compelled must be one already required by law. See, Mineral County v. State, Department of conservation and Natural Resources, 20 P.3d 800, ___ Nev. ___ (2001).

Mandamus is the appropriate vehicle for challenging contested orders entered by the District Court. See, Angell v. Eighth Judicial District court in and for the county of Clark, 839 P.2d 1329, 108 Nev. 923 (1992).

It has also been held that a writ of mandamus is proper when the petitioner raises urgent and important issue[s] of law requiring clarification by the Supreme Court. See, Falcke v. Douglas County, 3 P.3d 661, ___ Nev. ___ (2000).

Run: 11/18/2021
13:27:34

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

Fifth Judicial District Court - Nye County

Run: 11/18/2021
13:27:30

Case Summary

Page 1

Case #: CR20-0145

Judge: WANKER, KIMBERLY

Date Filed: 12/09/2020

Department:

Case Type: Crimes Against Persons (Felony)

Plaintiff

STATE OF NEVADA

Defendant

HELFRICH, PETER JASON

Attorney(s)

DISTRICT ATTORNEY'S OFFICE

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
Prosecui (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 JUDICAL 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 RECOGIZANCE RELEASE, ORDER TO CONTINUE, SECOND AMENDED CRIMINAL COMPLAINT
12/09/2020	BINDOVER ORDER

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13:27:34

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

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13:27:34

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 JUDICIAL 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 BE 102 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 INCIDENT. 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)

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

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

09/10/2021 APPLICATION TO WAIVE FEES

CONCLUSION

WHEREFORE, all of the above stated reasons, Petitioner/Plaintiff respectfully requests this Honorable Court to Order Judge Cramble to rule on said Habeas ASAP.

to

within a reasonable amount of time as required by N.R.S. 34.830.

DATED this 4 day of October, 2022.
28 USC 1746, (1); w/o USA

Respectfully submitted,

Peter Helfrich

Petitioner/Plaintiff

CERTIFICATE OF SERVICE

I hereby certify pursuant to N.R.C.P. 5(b) that I am the Petitioner/Plaintiff in the foregoing Petition for Writ of Mandamus, and that on this 4 day of October, 2022 I did serve a true and correct copy of the above mentioned document, by giving it to a prison official at the ~~City State~~

Prison to deposit in the U.S. Mail, sealed in an envelope, postage pre-paid, and addressed as follows:

5th District Court of Nye County
1520 E. Basin Ave., #105
Pahrump, NV 89060.

Supreme Court of Nevada

201 S. Carson St., Suite 201
Carson City, NV 89701

DATED this 4 day of October, 2022

Peter Helfrich
Petitioner/Plaintiff

EXHIBIT “E”

**Order Granting Petition for Writ
of Mandamus, Filed June 8, 2023**

IN THE SUPREME COURT OF THE STATE OF NEVADA

PETER JASON HELFRICH,
Petitioner,


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,
Respondents.

No. 85505

FILED

JUN 08 2023

ENZABETHA BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER GRANTING PETITION FOR WRIT OF MANDAMUS

This is an original pro se petition for a writ of mandamus asking this court to compel the district court to rule on petitioner's pending petition for a writ of habeas corpus. Petitioner also supplemented his mandamus petition with a related request that this court direct the Nye County Clerk's Office to file his "Declaration in Support of Affiant's Emergency Motion for a Temporary Restraining Order & Preliminary Injunction," in which he seeks the return of documents he claims are needed to support his habeas petition.

Because it is alleged that petitioner's habeas petition, filed in the district court on September 10, 2021, is still pending, we determined that an answer would assist the court in resolving the matter and directed respondents to file and serve an answer. The Nye County District Attorney's Office submitted an answer on behalf of the Clerk of the Fifth Judicial District Court. The Attorney General's Office submitted an answer

on behalf of the Fifth Judicial District Court and the Honorable David R. Gamble, Senior Judge.

This court has original jurisdiction to issue writs of mandamus, and the issuance of such extraordinary relief is within this court's sole discretion. *See Nev. Const. art. 6, § 4; D.R. Horton, Inc. v. Eighth Judicial Dist. Court*, 123 Nev. 468, 474-75, 168 P.3d 731, 736-37 (2007). Petitioner bears the burden to show that extraordinary relief is warranted, and such relief is proper only when there is no plain, speedy, and adequate remedy at law. *See Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 224, 228, 88 P.3d 840, 841, 844 (2004).

In their respective answers, respondents failed to identify and/or provide this court with any order of the district court resolving petitioner's habeas petition. Respondents also failed to contest the fact that petitioner's habeas petition is still pending. Additionally, we perceive no obstacle preventing the district court clerk from filing petitioner's "Declaration." *Sullivan v. Eighth Judicial Dist. Court*, 111 Nev. 1367, 1369-72, 904 P.2d 1039, 1040-42 (1995) (addressing the district court clerk's "absolute obligation" to receive and file documents submitted to them, and collecting cases). Accordingly, we conclude that petitioner has satisfied his burden of showing that our intervention by way of providing extraordinary relief is warranted, and we

ORDER the petition GRANTED AND DIRECT THE CLERK OF THIS COURT TO ISSUE A WRIT OF MANDAMUS instructing the

district court to enter an order resolving petitioner's habeas petition and instructing the Nye County Clerk to file petitioner's "Declaration."¹

Stiglich, C.J.
Stiglich

Cadish, J.
Cadish

Herndon, J.
Herndon

cc: Chief Judge, The Fifth Judicial District Court
Hon. David R. Gamble, Senior Judge
Peter Jason Helfrich
Attorney General/Carson City
Nye County District Attorney
Attorney General/Las Vegas
Nye County Clerk

¹At the time of issuing the writ, the clerk of this court shall serve on the Nye County Clerk a copy of petitioner's Declaration, which begins on page 3 of petitioner's October 26, 2022, petition for writ of mandamus.