

*Steven D. Grierson*

1 Barry Harris #95363

2 H.D.S.P

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DISTRICT COURT  
CLARK COUNTY, NEVADA

Electronically Filed  
Oct 09 2023 08:53 AM  
Elizabeth A. Brown  
Clerk of Supreme Court

BARRY HARRIS

PETITIONER

CASE NO. A-23-872052-W

VS.

STATE OF NEVADA

RESPONDENT

DEPT 32.

"MOTION FOR A NOTICE OF APPEAL"

COMES NOW, PETITIONER Barry Harris,  
IN PRO-SE MOVES THIS HONORABLE COURT  
TO FILE A NOTICE OF AN APPEAL  
IN CASE NO. "A-23-872052-W" OF THE  
ORDER ENTERED ON SEPTEMBER 20, 2023

DATED ON 26, DAY OF SEPTEMBER 26, 2023

BY Barry Harris #95363  
P.O. BOX 650  
INDIAN SPRINGS, NV 89070

RECEIVED  
OCT 10 2 2023  
CLERK OF THE COURT

Barry Harris #95363  
P.O. Box 650

Indications, NV, 891070  
RECEIVED

OCT 02 2023

CLERK OF THE COURT

Legal  
MAIL

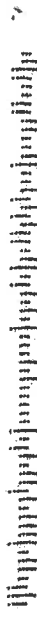
LAS VEGAS, NV 890

28 SEP 2023 PM 4 L



STEVEN D. GRIERSON  
200 LEWIS AVENUE, 3RD FLOOR  
LAS VEGAS, NEVADA 89155

95101-550000





ASTA

**IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE  
STATE OF NEVADA IN AND FOR  
THE COUNTY OF CLARK**

BARRY HARRIS,

Plaintiff(s),

vs.

STATE OF NEVADA,

Defendant(s),

Case No: A-23-872052-W

Dept No: XXXII

**CASE APPEAL STATEMENT**

1. Appellant(s): Barry Harris

2. Judge: Christy Craig

3. Appellant(s): Barry Harris

Counsel:

Barry Harris #95363  
P.O. Box 650  
Indian Springs, NV 89070

4. Respondent (s): State of Nevada

Counsel:

Aaron D. Ford, Attorney General  
555 E. Washington Ave., Ste. 3900  
Las Vegas, NV 89101-1068

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

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

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

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

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

9. Date Commenced in District Court: June 8, 2023

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

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

11. Previous Appeal: No

Supreme Court Docket Number(s): N/A

12. Child Custody or Visitation: N/A

13. Possibility of Settlement: Unknown

Dated This 5 day of October 2023.

Steven D. Grierson, Clerk of the Court

/s/ Cierra Borum

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

cc: Barry Harris

# CASE SUMMARY

## CASE NO. A-23-872052-W

Barry Harris, Plaintiff(s)  
vs.  
State of Nevada, Defendant(s)

§  
§  
§  
§  
§  
§

Location: **Department 32**  
Judicial Officer: **Craig, Christy**  
Filed on: **06/08/2023**  
Cross-Reference Case Number: **A872052**  
Defendant's Scope ID #: **1946231**

### CASE INFORMATION

**Related Cases**  
C-22-365580-1 (Writ Related Case)

Case Type: **Writ of Habeas Corpus**

**Statistical Closures**  
09/19/2023 Involuntary Dismissal

Case Status: **09/19/2023 Dismissed**

### DATE

### CASE ASSIGNMENT

#### Current Case Assignment

Case Number A-23-872052-W  
Court Department 32  
Date Assigned 06/08/2023  
Judicial Officer Craig, Christy

### PARTY INFORMATION

**Plaintiff** **Harris, Barry**

*Lead Attorneys*

**Pro Se**

**Defendant** **State of Nevada**







**Gold, Erica**  
*Retained*  
7023839901(W)

### DATE











### EVENTS & ORDERS OF THE COURT

### INDEX



#### EVENTS

06/08/2023	 Inmate Filed - Petition for Writ of Habeas Corpus Party: Plaintiff Harris, Barry [1] Post Conviction
06/08/2023	 Application to Proceed in Forma Pauperis Filed By: Plaintiff Harris, Barry [2] Application to Proceed in Forma Pauperis
06/09/2023	 Order for Petition for Writ of Habeas Corpus [3] Order for Petition for Writ of Habeas Corpus
06/28/2023	 Order for Production of Inmate [4] Transport Order
07/13/2023	 Order for Production of Inmate [5] Order For Transportation Of Inmate For Court Appearance Or, In The ALternative, For Appearance By Telephone Or Video Conference
07/20/2023	 Motion to Dismiss Filed By: Defendant State of Nevada

**CASE SUMMARY**  
**CASE NO. A-23-872052-W**

	<i>[6] Motion to Dismiss Petition for Writ of Habeas Corpus</i>
07/24/2023	 Clerk's Notice of Hearing <i>[7] Notice of Hearing</i>
08/09/2023	 Opposition <i>[8] Petitioner Opposition to Respondent Motion to Dismiss Petition for Writ of Habeas Corpus</i>
09/15/2023	 Court Recorders Invoice for Transcript <i>[9] Hearings Held on 07/15/2022 and 08/22/2023 in Cases C365580 and A875052</i>
09/19/2023	 Order Denying Filed By: Defendant State of Nevada <i>[10] Order Denying Petition for Writ of Habeas Corpus</i>
09/20/2023	 Notice of Entry of Order <i>[11] Notice of Entry of Order</i>
09/21/2023	 Recorders Transcript of Hearing <i>[12] Recorders Transcript of Hearing Re: Petition for Writ of Habeas Corpus; Defendant's Motion to Dismiss Petition for Writ of Habeas Corpus, August 22, 2023</i>
10/03/2023	 Notice of Appeal <i>[13] Motion for Notice of Appeal</i>
10/03/2023	 Notice of Appeal <i>[14] Motion for a Notice of Appeal</i>
10/05/2023	 Case Appeal Statement <i>Case Appeal Statement</i>
10/05/2023	 Case Appeal Statement <i>Case Appeal Statement</i>

**HEARINGS**

06/20/2023	 <b>Minute Order (3:00 AM)</b> (Judicial Officer: Craig, Christy) Minute Order - No Hearing Held; Journal Entry Details: <i>COURT ORDERED, the Petition for Writ of Habeas Corpus hearing VACATED and RESET to be heard 8/22/23 at 8:30 AM. 8/22/23 - 8:30 AM - PETITION FOR WRIT OF HABEAS CORPUS CLERK'S NOTE: The foregoing minutes were distributed via general mail to the following party: Barry Harris #95363 HDSP P.O. Box 650 Indian Springs, NV, 89070 (6/20/23 amn). ;</i>
08/22/2023	<b>Petition for Writ of Habeas Corpus (8:30 AM)</b> (Judicial Officer: Craig, Christy) Denied;
08/22/2023	<b>Motion to Dismiss (8:30 AM)</b> (Judicial Officer: Craig, Christy) Events: 07/20/2023 Motion to Dismiss <i>Defendant's Motion to Dismiss Petition for Writ of Habeas Corpus</i> Granted;
08/22/2023	 <b>All Pending Motions (8:30 AM)</b> (Judicial Officer: Craig, Christy) Matter Heard;

EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY**

**CASE NO. A-23-872052-W**

Journal Entry Details:

*MATTER TRAILED. MATTER RECALLED. Arguments by Mr. Harris. Arguments by Ms. Gold. COURT ORDERED, Petition, DENIED, as it is premature. COURT FURTHER ORDERED, Defendant's Motion to Dismiss, GRANTED. ;*

DATE

FINANCIAL INFORMATION

**Attorney** Gold, Erica

Total Charges

95.00

Total Payments and Credits

95.00

**Balance Due as of 10/5/2023**

**0.00**

**Plaintiff** Harris, Barry

Total Charges

24.00

Total Payments and Credits

24.00

**Balance Due as of 10/5/2023**

**0.00**

## DISTRICT COURT CIVIL COVER SHEET

A-23-872052-W  
Dept. 32

County, Nevada

Case No. \_\_\_\_\_

(Assigned by Clerk's Office)

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

Plaintiff(s) (name/address/phone): Berry Harris	Defendant(s) (name/address/phone): State of Nevada
Attorney (name/address/phone):	Attorney (name/address/phone):

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

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

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

June 8, 2023

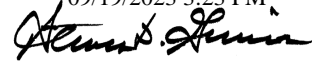
Date

PREPARED BY CLERK

Signature of initiating party or representative

See other side for family-related case filings.



  
CLERK OF THE COURT

**ORDR**  
AARON D. FORD  
Attorney General  
Erica M. Gold Bar No. 8574  
Senior Deputy Attorney General  
State of Nevada  
Office of the Attorney General  
555 E. Washington Ave., Ste. 3900  
Las Vegas, Nevada 89101-1068  
P: (702) 486-5889  
F: (702) 486-0660  
Egold@ag.nv.gov  
*Attorneys for the State of Nevada*

**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

BARRY HARRIS,

Petitioner,

v.

STATE OF NEVADA,

Respondent.

Case No.: A-23-872052-W

Dept. No.: XXXII

**ORDER DENYING PETITION FOR WRIT OF HABEAS CORPUS**

Petitioner, BARRY HARRIS, filed a Petition for Writ of Habeas Corpus on June 8, 2023. On June 9, 2023, this Court ordered a response from the State. The State responded by way of a Motion to Dismiss on July 20, 2023. The Court held a hearing on the Writ on August 22, 2023, and after reviewing the pleadings and considering argument from the parties, the Court found that:

- A court clerk's clerical error in making a minute entry that the Defendant's case was closed did not provide a basis for granting Defendant's Writ;
- From subsequent minutes and case proceedings, it is clear that the Defendant's case was not closed or dismissed by the Las Vegas Justice Court;
- The Defendant failed to show prejudice; and
- The issue is moot as the case set for preliminary hearing in the Las Vegas Justice Court is being dismissed since the Defendant was indicted.

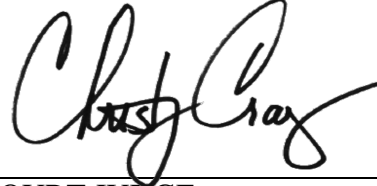
1 IT IS HEREBY ORDERED that Petitioner's Petition for Writ of Habeas Corpus is denied.

2 IT IS FURTHER ORDERED that the State's Motion to Dismiss Petition for Writ of Habeas  
3 Corpus is granted.

4 IT IS SO ORDERED.

Dated this 19th day of September, 2023

5 DATED this \_\_\_\_ day of September, 2023.



7 \_\_\_\_\_  
DISTRICT COURT JUDGE

8 SUBMITTED BY:

9 AARON D. FORD  
10 Attorney General

D82 506 756E 9741  
Christy Craig  
District Court Judge

11 By: /s/ Erica M. Gold  
12 Erica M. Gold (Bar No. 8574)

1 **CSERV**

2  
3 DISTRICT COURT  
CLARK COUNTY, NEVADA

4  
5  
6 Barry Harris, Plaintiff(s)

CASE NO: A-23-872052-W

7 vs.

DEPT. NO. Department 32

8 State of Nevada, Defendant(s)  
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District  
12 Court. The foregoing Order Denying was served via the court's electronic eFile system to all  
13 recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 9/19/2023

15 Ronda Holm

rholm@ag.nv.gov

16 Courtney Ross

CRoss@ag.nv.gov

17 Marcie Burris

mburris@ag.nv.gov

18 Erica Gold

egold@ag.nv.gov

19 Tiffany DiBari

tdibari@ag.nv.gov

20 Halie Tew

htew@ag.nv.gov  
21  
22  
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NEOJ

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

BARRY HARRIS,

Petitioner,

Case No: A-23-872052-W

Dept. No: XXXII

vs.

STATE OF NEVADA,

Respondent,

**NOTICE OF ENTRY OF ORDER**

**PLEASE TAKE NOTICE** that on September 19, 2023, the court entered a decision or order in this matter, a true and correct copy of which is attached to this notice.

You may appeal to the Supreme Court from the decision or order of this court. If you wish to appeal, you must file a notice of appeal with the clerk of this court within thirty-three (33) days after the date this notice is mailed to you. This notice was mailed on September 20, 2023.

STEVEN D. GRIERSON, CLERK OF THE COURT

/s/ Cierra Borum

Cierra Borum, Deputy Clerk

**CERTIFICATE OF E-SERVICE / MAILING**

I hereby certify that on this 20 day of September 2023, I served a copy of this Notice of Entry on the following:

☒ By e-mail:

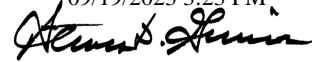
Clark County District Attorney's Office  
Attorney General's Office – Appellate Division-

☒ The United States mail addressed as follows:

Barry Harris # 85363  
P.O. Box 650  
Indian Springs, NV 89070

/s/ Cierra Borum

Cierra Borum, Deputy Clerk

  
CLERK OF THE COURT

**ORDR**  
AARON D. FORD  
Attorney General  
Erica M. Gold Bar No. 8574  
Senior Deputy Attorney General  
State of Nevada  
Office of the Attorney General  
555 E. Washington Ave., Ste. 3900  
Las Vegas, Nevada 89101-1068  
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Egold@ag.nv.gov  
*Attorneys for the State of Nevada*

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**CLARK COUNTY, NEVADA**

BARRY HARRIS,

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v.

STATE OF NEVADA,

Respondent.

Case No.: A-23-872052-W

Dept. No.: XXXII

**ORDER DENYING PETITION FOR WRIT OF HABEAS CORPUS**

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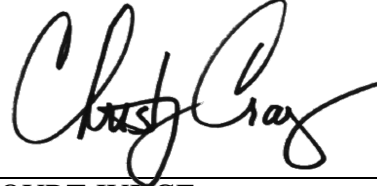
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2 IT IS FURTHER ORDERED that the State's Motion to Dismiss Petition for Writ of Habeas  
3 Corpus is granted.

4 IT IS SO ORDERED.

Dated this 19th day of September, 2023

5 DATED this \_\_\_\_\_ day of September, 2023.



7 \_\_\_\_\_  
DISTRICT COURT JUDGE

8 SUBMITTED BY:

9 AARON D. FORD  
10 Attorney General

D82 506 756E 9741  
Christy Craig  
District Court Judge

11 By: /s/ Erica M. Gold  
12 Erica M. Gold (Bar No. 8574)

1 **CSERV**

2  
3 DISTRICT COURT  
CLARK COUNTY, NEVADA

4  
5  
6 Barry Harris, Plaintiff(s)

CASE NO: A-23-872052-W

7 vs.

DEPT. NO. Department 32

8 State of Nevada, Defendant(s)

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Writ of Habeas Corpus**

**COURT MINUTES**

**June 20, 2023**

---

A-23-872052-W      Barry Harris, Plaintiff(s)  
vs.  
State of Nevada, Defendant(s)

---

**June 20, 2023      3:00 AM      Minute Order**

**HEARD BY:** Craig, Christy      **COURTROOM:** Chambers

**COURT CLERK:** Andrea Natali

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- COURT ORDERED, the Petition for Writ of Habeas Corpus hearing VACATED and RESET to be heard 8/22/23 at 8:30 AM.

8/22/23 - 8:30 AM - PETITION FOR WRIT OF HABEAS CORPUS

CLERK'S NOTE: The foregoing minutes were distributed via general mail to the following party:  
Barry Harris #95363  
HDSP  
P.O. Box 650  
Indian Springs, NV, 89070  
(6/20/23 amn).



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Writ of Habeas Corpus**

**COURT MINUTES**

**August 22, 2023**

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A-23-872052-W      Barry Harris, Plaintiff(s)  
vs.  
State of Nevada, Defendant(s)

---

**August 22, 2023      8:30 AM      All Pending Motions**

**HEARD BY:** Craig, Christy      **COURTROOM:** RJC Courtroom 05D

**COURT CLERK:** Nancy Maldonado

**RECORDER:** Kaihla Berndt

**REPORTER:**

**PARTIES**

**PRESENT:**      Gold, Erica      Attorney  
Harris, Barry      Plaintiff

**JOURNAL ENTRIES**

- MATTER TRAILED.

MATTER RECALLED. Arguments by Mr. Harris. Arguments by Ms. Gold. COURT ORDERED, Petition, DENIED, as it is premature. COURT FURTHER ORDERED, Defendant's Motion to Dismiss, GRANTED.

# Certification of Copy

State of Nevada }  
County of Clark } SS:

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

“MOTION FOR A NOTICE OF APPEAL”; CASE APPEAL STATEMENT;  
DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER DENYING PETITION FOR  
WRIT OF HABEAS CORPUS; NOTICE OF ENTRY OF ORDER; DISTRICT COURT MINUTES  
BARRY HARRIS,

Plaintiff(s),

vs.

STATE OF NEVADA,

Defendant(s),

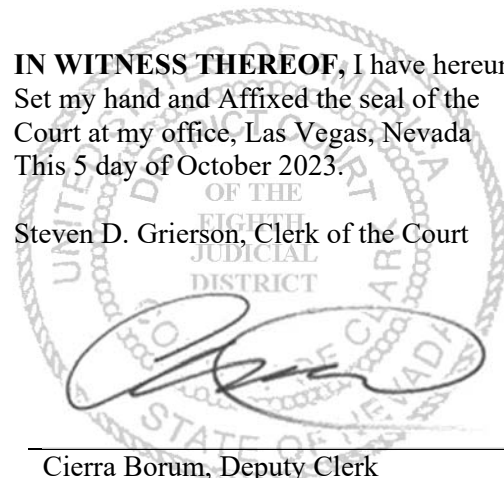
Case No: A-23-872052-W

Dept No: XXXII

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto  
Set my hand and Affixed the seal of the  
Court at my office, Las Vegas, Nevada  
This 5 day of October 2023.

Steven D. Grierson, Clerk of the Court



Cierra Borum, Deputy Clerk