

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

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Elizabeth A. Brown
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RODERICK STEPHEN SKINNER,

Petitioner,

vs.

Sup. Ct. Case No. 88296

Case No. CR14-0644

Dept. 8

**WARDEN OLSEN, NNCC, NEVADA
ATTORNEY GENERAL, ET AL,**

Respondents.

_____ /

RECORD ON APPEAL

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APPELLANT

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1 EDWARD T. REED, ESQ.
2 EDWARD T. REED, PLLC
3 Nevada State Bar No. 1416
4 P.O. Box 34763
5 Reno, NV 89533-4763
6 (775) 996-0687

7 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
8 **IN AND FOR THE COUNTY OF WASHOE**

9 RODERICK SKINNER,

10 Petitioner,

Case No. CR14-0644

11 vs.

Dept. No. 8

12
13 W. OLSEN, Warden NNCC,
14 STATE OF NEVADA, et al.,

15 Respondent.
16 _____/

17 **MOTION TO WITHDRAW AS COUNSEL OF RECORD**

18 COMES NOW EDWARD T. REED, ESQ., the court appointed counsel for the
19 Petitioner Roderick Skinner (Mr. Skinner) and moves this Honorable Court for an order
20 allowing him to withdraw as counsel of record for Mr. Skinner. This motion is based on
21 the attached memorandum of points and authorities and the declaration of Edward T.
22 Reed.

23 **MEMORANDUM OF POINTS AND AUTHORITIES**

24 This motion is made pursuant to W.D.C.R. 3(6) and W.D.C.R. 23(2)(b).
25 Because of some conflicts that have come to light between the undersigned counsel and
26 Mr. Skinner, the undersigned counsel Edward T. Reed hereby makes this motion to
27
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1 withdraw as counsel of record. After Mr. Skinner's first petition for writ of habeas
2 corpus was denied by this Court and his appeal was also denied by the Nevada Court of
3 Appeals, he filed a federal habeas corpus petition in the United States District Court on
4 August 23, 2021 in case number 3:21-CV-00318-MMD-CLB. He also recently filed a
5 second petition for writ of habeas corpus in this court on March 29, 2022. The
6 undersigned counsel had represented Mr. Skinner in his initial habeas corpus petition in
7 this court and was re-appointed to represent Mr. Skinner for this new habeas corpus
8 petition on June 28, 2022.

10 Mr. Skinner also filed, on May 10, 2022, a motion in the federal court action for
11 leave to supplement petition, with an attached proposed supplemental petition for writ of
12 habeas corpus, which included a claim against the undersigned counsel alleging
13 ineffective assistance of counsel. This motion and proposed supplemental petition is
14 attached hereto as **Exhibit 1**. This motion was denied by the federal court on June 6,
15 2022.

17 The filing of this motion to supplement his federal habeas corpus petition
18 demonstrates an irreconcilable conflict of interest between Mr. Skinner and the
19 undersigned counsel which makes it impossible for the undersigned counsel to continue
20 representing Mr. Skinner. For all the foregoing reasons, it is respectfully requested that
21 this Court enter an order allowing for the withdrawal by the undersigned counsel as
22 counsel of record.

24 **Pursuant to NRS 239B.030**, the undersigned does hereby affirm that the
25 preceding document does not contain the social security number of any person.

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Respectfully submitted this 16th day of August, 2022.

/s/ EDWARD T. REED, ESQ.
EDWARD T. REED, PLLC
Nevada State Bar No. 1416
P.O. Box 34763
Reno, NV 89533-4763
(775) 996-0687
ATTORNEY FOR PETITIONER

DECLARATION OF EDWARD T. REED

I, Edward T. Reed (declarant), do hereby swear under penalty of perjury as follows:

1. Declarant was appointed to represent the Petitioner in this case, Roderick Skinner.
2. Declarant has read the foregoing motion, is familiar with its contents, and swears under penalty of perjury that the factual assertions stated therein are true upon personal knowledge.
3. If this motion is granted and until another counsel is appointed to represent Mr. Skinner, all further communications and pleadings in this case should be served on Mr. Skinner at the following address:

Roderick Skinner #1126964
P.O. Box 7000
Carson City, NV 89702

Further, declarant saith naught.

I declare under penalty of perjury that the foregoing declaration is true to the best of my knowledge, information and belief.

DATED this 16th day of August, 2022.

/s/ EDWARD T. REED

CERTIFICATE OF SERVICE

I hereby certify that I represent the Petitioner in this matter and that on this date I electronically filed the foregoing with the Clerk of the Second Judicial District Court by using the Eflex system which will send a notice of electronic filing to the following:

Jennifer Noble, Chief Appellate Deputy
Washoe County District Attorney's Office

A copy of this motion has also been served via United States Postal Service on Mr. Skinner at the following address:

Roderick Skinner #1126964
P.O. Box 7000
Carson City, NV 89702

DATED this 16th day of August, 2022.

/s/ Edward T. Reed
EDWARD T. REED

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LIST OF EXHIBITS

Exhibit number

Number of pages

1. Motion for Leave to Supplement Petition

13

on file herein, as well as the follo

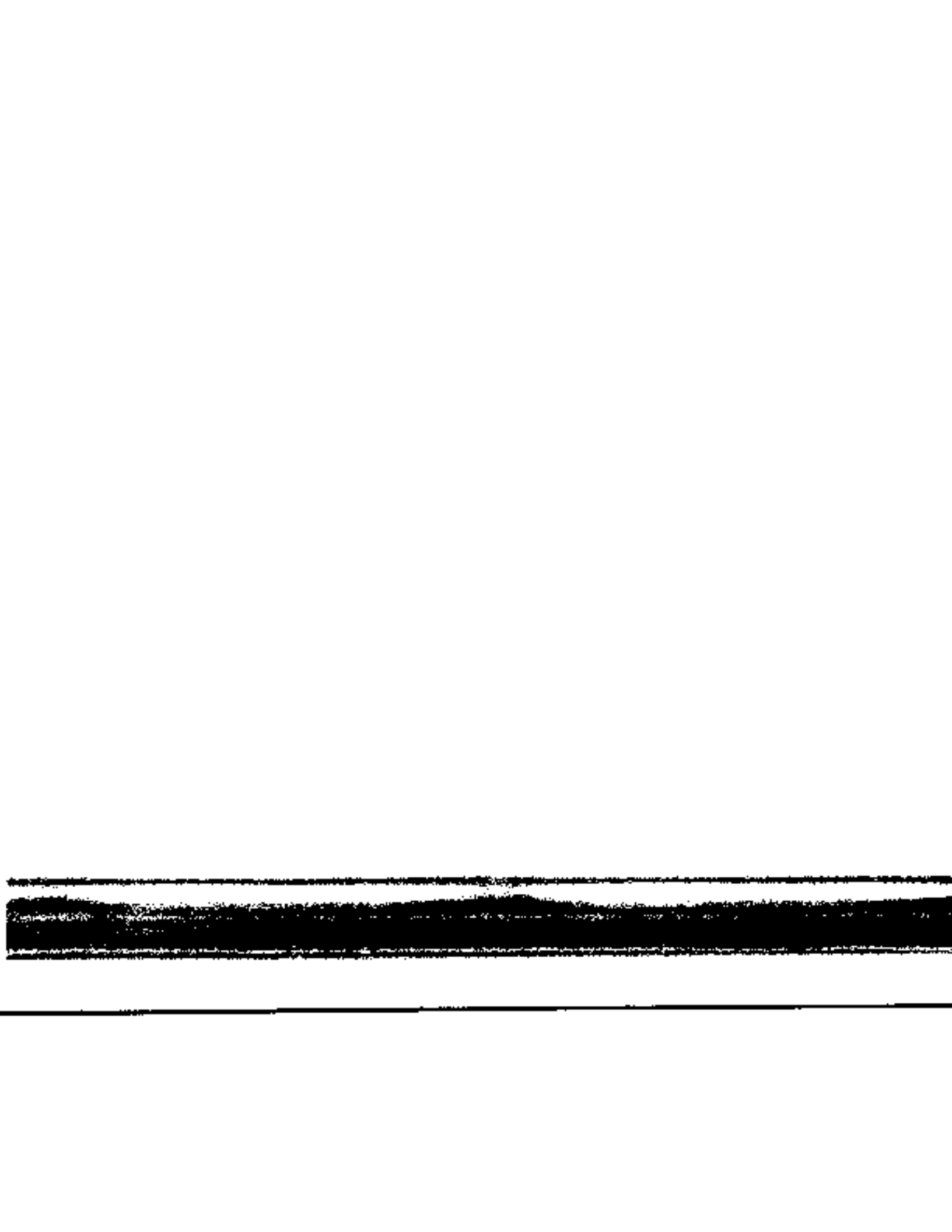
Respectfully submitted this 9

RECEIVED
JAN 10 1962
U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C.

11
ASSISTANCE OF COUNSEL
STATE COURT AND INAD
REQUIRED IN ORDER TO

1. See DOCUMENT #22.

Dated this 9 day of May



post-conviction relief or petition
was decided: 6 / 25 / 2021. Has
state supreme court? Yes ✓

5. Date you are mailing (or handing to
Attach to this petition a copy of

sentencing CHRIS

direct appeal JOHN

1st post-conviction petition

appeal from post conviction

2nd post-conviction petition

appeal from 2nd post-conviction



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WAS SUBMITTED. THE

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THE RECORD AT MY STA

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4. REED ESQ. PUT FOR

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GROUND AS BEING "A MATT

► **Other Proceedings:**

Have you pursued any other procedure/
sentence overturned based on this issue
explain: _____

State concisely every ground for which



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Have you pursued any other procedure
sentence overturned based on this issue
explain: _____

**State concisely every ground for which
unconstitutional. Summarize briefly**





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JENNIFER NOBLE, ESQ. - Notification received on 2022-08-16 14:12:56.377.
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A filing has been submitted to the court RE: CR14-0644

Judge:

HONORABLE BARRY L. BRESLOW

Official File Stamp:

08-16-2022:14:12:10

Clerk Accepted:

08-16-2022:14:12:23

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. RODERICK STEPHEN SKINNER
(D8)

Document(s) Submitted:

Mtn to Relieve Counsel
- **Continuation

Filed By:

Edward Torrance Reed

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STEPHEN SKINNER

CHRISTOPHER FREY, ESQ. for RODERICK
STEPHEN SKINNER

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STEPHEN SKINNER

EDWARD TORRANCE REED, ESQ. for
RODERICK STEPHEN SKINNER

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CODE No. 2501
CHRISTOPHER J. HICKS
#7747
One South Sierra Street
Reno, Nevada 89501
(775) 328-3200
districtattorney@da.washoecounty.gov
Attorney for Respondent

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,

IN AND FOR THE COUNTY OF WASHOE

* * *

RODERICK SKINNER,

Petitioner,

Case No. CR14-0644

v.

Dept. No. 8

THE STATE OF NEVADA,

Respondent.

_____ /

NON-OPPOSITION TO MOTION TO WITHDRAW AS COUNSEL OF RECORD

COMES NOW, the State of Nevada, by and through Jennifer P. Noble, Chief Appellate Deputy, and notifies this Court that it has no objection to Edward T. Reed's Motion to Withdraw as Counsel of Record filed on August 16, 2022.

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AFFIRMATION PURSUANT TO NRS 239B.030

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

DATED: August 19, 2022.

CHRISTOPHER J. HICKS
District Attorney

By /s/ JENNIFER P. NOBLE
JENNIFER P. NOBLE
Nevada Bar #9446
Chief Appellate Deputy

CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Second Judicial District Court on August 19, 2022. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

Edward T. Reed, Esq.

/s/ Tatyana Ducummon
TATYANA DUCUMMON

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08-19-2022:08:02:42

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Court:

Second Judicial District Court - State of Nevada

Criminal

Case Title:

STATE VS. RODERICK STEPHEN SKINNER
(D8)

Document(s) Submitted:

Non-Opposition

Filed By:

Jennifer Patricia Noble

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STEPHEN SKINNER

CHRISTOPHER FREY, ESQ. for RODERICK
STEPHEN SKINNER

JOHN REESE PETTY, ESQ. for RODERICK
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Judge:

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08-23-2022:15:32:08

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Court:

Second Judicial District Court - State of Nevada

Criminal

Case Title:

STATE VS. RODERICK STEPHEN SKINNER
(D8)

Document(s) Submitted:

Request for Submission

Filed By:

Edward Torrance Reed

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STEPHEN SKINNER

CHRISTOPHER FREY, ESQ. for RODERICK
STEPHEN SKINNER

JOHN REESE PETTY, ESQ. for RODERICK
STEPHEN SKINNER

EDWARD TORRANCE REED, ESQ. for
RODERICK STEPHEN SKINNER

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

1 **Code: 2589**

2

3

4

5 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**

6 **IN AND FOR THE COUNTY OF WASHOE**

7 **RODERICK SKINNER,**

8 **Petitioner,**

Case No. CR14-0644

Dept. No. 8

9 **vs.**

10 **W. OLSEN, WARDEN NNCC ETAL,**

11 **Respondents.**

12 _____ /

13 **NOTICE OF STRICKEN DOCUMENT**

14

15 The Clerk of the Court hereby strikes the REQUEST FOR SUBMISSION OF

16 MOTION TO WITHDRAW AS COUNSEL OF RECORD filed by Edward Reed Esq. on

17 August 23, 2022 (Transaction No. 9221965) from the case for the following reason(s):

18 ☒ Document does not have an Affirmation

19 The Clerk of the Court does hereby place the stricken document at a security level of public ☒ or

20 sealed ☐. ***The Court cannot consider the stricken document. If the filing party wants the***

21 ***document to be considered, it may be re-filed with the noted corrections and resubmitted.***

22 Dated: August 23, 2022

23 ALICIA L. LERUD

24 Clerk of the Court

25 By: /s/Y.Viloria

26 Deputy Clerk

27

28

Return Of NEF**Recipients**

JENNIFER NOBLE, ESQ. - Notification received on 2022-08-23 15:39:41.014.
KEVIN NAUGHTON, ESQ. - Notification received on 2022-08-23 15:39:40.155.
JOHN PETTY, ESQ. - Notification received on 2022-08-23 15:39:39.702.
DIV. OF PAROLE & PROBATION - Notification received on 2022-08-23 15:39:39.311.
CHRISTOPHER FREY, ESQ. - Notification received on 2022-08-23 15:39:38.733.
CHRISTINE BRADY, ESQ. - Notification received on 2022-08-23 15:39:41.421.
EDWARD REED, ESQ. - Notification received on 2022-08-23 15:39:40.577.

******* IMPORTANT NOTICE - READ THIS INFORMATION *******

PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR14-0644

Judge:

HONORABLE BARRY L. BRESLOW

Official File Stamp:

08-23-2022:15:39:00

Clerk Accepted:

08-23-2022:15:39:11

Court:

Second Judicial District Court - State of Nevada

Criminal

Case Title:

STATE VS. RODERICK STEPHEN SKINNER
(D8)

Document(s) Submitted:

Notice of Stricken Document

Filed By:

Deputy Clerk YViloria

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

The following people were served electronically:

JENNIFER P. NOBLE, ESQ. for STATE OF
NEVADA

DIV. OF PAROLE & PROBATION

KEVIN P. NAUGHTON, ESQ. for STATE OF
NEVADA

CHRISTINE BRADY, ESQ. for RODERICK
STEPHEN SKINNER

CHRISTOPHER FREY, ESQ. for RODERICK
STEPHEN SKINNER

JOHN REESE PETTY, ESQ. for RODERICK
STEPHEN SKINNER

EDWARD TORRANCE REED, ESQ. for
RODERICK STEPHEN SKINNER

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

1 EDWARD T. REED, ESQ.
2 EDWARD T. REED, PLLC
3 Nevada State Bar No. 1416
4 P.O. Box 34763
5 Reno, NV 89533-4763
6 (775) 996-0687

7
8 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
9 **IN AND FOR THE COUNTY OF WASHOE**

10 RODERICK SKINNER,

11 Petitioner,

Case No. CR14-0644

12 vs.

Dept. No. 8

13 W. OLSEN, Warden NNCC,
14 STATE OF NEVADA, et al.,

Respondent.

15
16 **REQUEST FOR SUBMISSION OF MOTION TO WITHDRAW AS COUNSEL**
17 **OF RECORD**

18 COMES NOW EDWARD T. REED. ESQ., the court appointed counsel for the
19 Petitioner Roderick Skinner (Mr. Skinner) and requests that the Motion to Withdraw as
20 Counsel of Record, filed on August 16, 2022, be submitted to the Court for decision.

21 The Respondent State of Nevada filed a non-opposition to the motion.

22 Pursuant to NRS 239B.030, the undersigned does hereby affirm that the
23 preceding document does not contain the social security number of any person.

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Respectfully submitted this 23rd day of August, 2022.

/s/ EDWARD T. REED, ESQ.
EDWARD T. REED, PLLC
P.O. Box 34763
Reno, NV 89533-4763
(775) 996-0687
ATTORNEY FOR PETITIONER

CERTIFICATE OF SERVICE

I hereby certify that I represent the Petitioner in this matter and that on this date I electronically filed the foregoing with the Clerk of the Second Judicial District Court by using the Eflex system which will send a notice of electronic filing to the following:

Jennifer Noble, Chief Appellate Deputy
Washoe County District Attorney's Office

DATED this 23rd day of August, 2022.

/s/ Edward T. Reed
EDWARD T. REED

Return Of NEF**Recipients**

JENNIFER NOBLE, ESQ. - Notification received on 2022-08-23 15:50:30.627.
KEVIN NAUGHTON, ESQ. - Notification received on 2022-08-23 15:50:30.143.
JOHN PETTY, ESQ. - Notification received on 2022-08-23 15:50:29.893.
DIV. OF PAROLE & PROBATION - Notification received on 2022-08-23 15:50:29.393.
CHRISTOPHER FREY, ESQ. - Notification received on 2022-08-23 15:50:29.096.
CHRISTINE BRADY, ESQ. - Notification received on 2022-08-23 15:50:30.877.
EDWARD REED, ESQ. - Notification received on 2022-08-23 15:50:30.393.

******* IMPORTANT NOTICE - READ THIS INFORMATION *******

PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR14-0644

Judge:

HONORABLE BARRY L. BRESLOW

Official File Stamp:

08-23-2022:15:49:53

Clerk Accepted:

08-23-2022:15:50:11

Court:

Second Judicial District Court - State of Nevada

Criminal

Case Title:

STATE VS. RODERICK STEPHEN SKINNER
(D8)

Document(s) Submitted:

Request for Submission

Filed By:

Edward Torrance Reed

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

The following people were served electronically:

JENNIFER P. NOBLE, ESQ. for STATE OF
NEVADA

DIV. OF PAROLE & PROBATION

KEVIN P. NAUGHTON, ESQ. for STATE OF
NEVADA

CHRISTINE BRADY, ESQ. for RODERICK
STEPHEN SKINNER

CHRISTOPHER FREY, ESQ. for RODERICK
STEPHEN SKINNER

JOHN REESE PETTY, ESQ. for RODERICK
STEPHEN SKINNER

EDWARD TORRANCE REED, ESQ. for
RODERICK STEPHEN SKINNER

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

IN THE SUPREME COURT OF THE STATE OF NEVADA

RODERICK STEPHEN SKINNER,
Petitioner,
vs.
THE SECOND JUDICIAL DISTRICT COURT
OF THE STATE OF NEVADA, IN AND FOR
THE COUNTY OF WASHOE,
Respondent.

Supreme Court No. 84894
District Court Case No. CR140644

NOTICE IN LIEU OF REMITTITUR

TO THE ABOVE-NAMED PARTIES:

The decision and Order of the court in this matter having been entered on July 29th, 2022, and the period for the filing of a petition for rehearing having expired and no petition having been filed, notice is hereby given that the Order and decision entered herein has, pursuant to the rules of this court, become effective.

DATE: August 23, 2022

Elizabeth A. Brown, Clerk of Court

By: Collette Martin
Administrative Assistant

cc: Washoe County District Attorney \ Jennifer P. Noble
Alicia L. Lerud, Washoe District Court Clerk
Roderick Stephen Skinner

Return Of NEF**Recipients**

JENNIFER NOBLE, ESQ. - Notification received on 2022-08-25 13:44:25.03.
KEVIN NAUGHTON, ESQ. - Notification received on 2022-08-25 13:44:24.28.
JOHN PETTY, ESQ. - Notification received on 2022-08-25 13:44:23.998.
DIV. OF PAROLE & PROBATION - Notification received on 2022-08-25 13:44:23.762.
CHRISTOPHER FREY, ESQ. - Notification received on 2022-08-25 13:44:23.403.
CHRISTINE BRADY, ESQ. - Notification received on 2022-08-25 13:44:25.452.
EDWARD REED, ESQ. - Notification received on 2022-08-25 13:44:24.623.

******* IMPORTANT NOTICE - READ THIS INFORMATION *******

PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR14-0644

Judge:

HONORABLE BARRY L. BRESLOW

Official File Stamp:

08-25-2022:13:43:51

Clerk Accepted:

08-25-2022:13:44:01

Court:

Second Judicial District Court - State of Nevada

Criminal

Case Title:

STATE VS. RODERICK STEPHEN SKINNER
(D8)

Document(s) Submitted:

Supreme Ct Not/Lieu/Remittitur

Filed By:

Deputy Clerk YViloria

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

The following people were served electronically:

EDWARD TORRANCE REED, ESQ. for
RODERICK STEPHEN SKINNER

DIV. OF PAROLE & PROBATION

KEVIN P. NAUGHTON, ESQ. for STATE OF
NEVADA

CHRISTOPHER FREY, ESQ. for RODERICK
STEPHEN SKINNER

JOHN REESE PETTY, ESQ. for RODERICK
STEPHEN SKINNER

CHRISTINE BRADY, ESQ. for RODERICK
STEPHEN SKINNER

JENNIFER P. NOBLE, ESQ. for STATE OF
NEVADA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

CODE 3242

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

RODERICK SKINNER,

Petitioner,

Case No. CR14-0644

vs.

Dept. No. 8

W. OLSEN, Warden NNCC, STATE OF
NEVADA, et al.,

Respondent.

ORDER SETTING HEARING ON MOTION
TO WITHDRAW AS COUNSEL OF RECORD

The Court is in receipt of Edward T. Reed, Esq.'s *Motion to Withdraw as Counsel of Record*, filed August 16, 2022, and the State of Nevada's *Non-Opposition to Motion to Withdraw as Counsel of Record*, filed August 19, 2022. The Court has reviewed the file and finds it appropriate to set a hearing regarding Mr. Reed's *Motion*. Therefore, with good cause appearing and in the interest of justice, IT IS HEREBY ORDERED that a hearing via Zoom will take place on **October 25, 2022 at 2:30 p.m.**¹

IT IS SO ORDERED.

DATE this 26th day of August 2022.BARRY L. BRESLOW
District Judge

¹ Zoom information will be available on the Second Judicial District Court website at www.washoecourts.com, listed under "online hearings and public access to proceedings."

CERTIFICATE OF SERVICE


Pursuant to NRCP 5(b), I certify that I am an employee of the Second Judicial District Court of the State of Nevada, County of Washoe; that on this 26th day of August 2022, I deposited in the County mailing system for postage and mailing with the United States Postal Service in Reno, Nevada, a true copy of the attached document addressed to:

Roderick Skinner # 1126964
Northern Nevada Correctional Center
P.O. Box 7000
Carson City, NV 89702

Further, I certify that on this 26th day of August 2022, I electronically filed the foregoing with the Clerk of the Court electronic filing system, which will send notice of electronic filing to the following:

EDWARD T. REED, ESQ.

JENNIFER P. NOBLE. - DDA



Judicial Assistant

Return Of NEF**Recipients**

JENNIFER NOBLE, ESQ. - Notification received on 2022-08-26 14:38:51.688.
KEVIN NAUGHTON, ESQ. - Notification received on 2022-08-26 14:38:51.25.
JOHN PETTY, ESQ. - Notification received on 2022-08-26 14:38:51.0.
DIV. OF PAROLE & PROBATION - Notification received on 2022-08-26 14:38:50.766.
CHRISTOPHER FREY, ESQ. - Notification received on 2022-08-26 14:38:50.359.
CHRISTINE BRADY, ESQ. - Notification received on 2022-08-26 14:38:51.922.
EDWARD REED, ESQ. - Notification received on 2022-08-26 14:38:51.469.

******* IMPORTANT NOTICE - READ THIS INFORMATION *******

PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR14-0644

Judge:

HONORABLE BARRY L. BRESLOW

Official File Stamp:

08-26-2022:14:38:10

Clerk Accepted:

08-26-2022:14:38:29

Court:

Second Judicial District Court - State of Nevada

Criminal

Case Title:

STATE VS. RODERICK STEPHEN SKINNER
(D8)

Document(s) Submitted:

Ord Setting Hearing

Filed By:

Judicial Asst. JBarrett

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

The following people were served electronically:

EDWARD TORRANCE REED, ESQ. for
RODERICK STEPHEN SKINNER

DIV. OF PAROLE & PROBATION

KEVIN P. NAUGHTON, ESQ. for STATE OF
NEVADA

CHRISTOPHER FREY, ESQ. for RODERICK
STEPHEN SKINNER

JOHN REESE PETTY, ESQ. for RODERICK
STEPHEN SKINNER

CHRISTINE BRADY, ESQ. for RODERICK
STEPHEN SKINNER

JENNIFER P. NOBLE, ESQ. for STATE OF
NEVADA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

1 CODE #1260
CHRISTOPHER J. HICKS
2 #7747
One South Sierra Street
3 Reno, Nevada 89501
(775) 328-3200
4 districtattorney@da.washoecounty.gov
Attorney for Plaintiff
5

6 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,

7 IN AND FOR THE COUNTY OF WASHOE

8 * * *

9 THE STATE OF NEVADA,

10 Plaintiff,

Case No. CR14-0644

11 v.

Dept. No. 8

12 RODERICK STEPHEN SKINNER,

13 Defendant.
14 _____/

15 APPLICATION FOR ORDER TO PRODUCE PRISONER

16 COMES NOW, the State of Nevada, by and through CHRISTOPHER J. HICKS,
17 District Attorney of Washoe County, by JENNIFER P. NOBLE, Chief Appellate Deputy,
18 and alleges as follows:

19 1. That the Defendant, RODERICK STEPHEN SKINNER #1126964, is presently
20 incarcerated at the Northern Nevada Correctional Center in Carson City, Nevada.

21 2. That the above RODERICK STEPHEN SKINNER #1126964 is scheduled for a
22 post-conviction motion hearing before the Second Judicial District Court on October 25,
23 2022 at 2:30 pm.

24 3. Zoom Meeting Information: <https://www.washoecourts.com/OnlineHearings>

1 WHEREFORE, Applicant prays that an Order be made ordering the
2 audio/visual appearance of the said RODERICK STEPHEN SKINNER #1126964 before
3 the Second Judicial District Court, and from time to time thereafter at such times and
4 places as may be ordered and directed by the Court for such proceedings as thereafter
5 may be necessary and proper in the premises and directing the execution of said Order
6 by the Warden of the Northern Nevada Correctional Center, Carson City, Nevada.

7 AFFIRMATION

8 The undersigned does hereby affirm that the preceding document does not
9 contain the social security number of any person.

10 DATED: September 1, 2022.

11 CHRISTOPHER J. HICKS
12 District Attorney

13
14 By /s/Jennifer P. Noble
JENNIFER P. NOBLE
15 Chief Appellate Deputy
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CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Second Judicial District Court on September 1, 2022. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

Edward T. Reed, Esq.

/s/ Cecilia Sixta
CECILIA SIXTA

Return Of NEF**Recipients**

JENNIFER NOBLE, ESQ. - Notification received on 2022-09-01 10:30:53.006.
KEVIN NAUGHTON, ESQ. - Notification received on 2022-09-01 10:30:52.646.
JOHN PETTY, ESQ. - Notification received on 2022-09-01 10:30:52.287.
DIV. OF PAROLE & PROBATION - Notification received on 2022-09-01 10:30:51.959.
CHRISTINE BRADY, ESQ. - Notification received on 2022-09-01 10:30:53.35.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR14-0644

Judge:

HONORABLE BARRY L. BRESLOW

Official File Stamp:

09-01-2022:10:30:10

Clerk Accepted:

09-01-2022:10:30:24

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. RODERICK STEPHEN SKINNER
(D8)

Document(s) Submitted:

Application Produce Prisoner

Filed By:

Jennifer Patricia Noble

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

The following people were served electronically:

JENNIFER P. NOBLE, ESQ. for STATE OF
NEVADA

KEVIN P. NAUGHTON, ESQ. for STATE OF
NEVADA

CHRISTINE BRADY, ESQ. for RODERICK
STEPHEN SKINNER

JOHN REESE PETTY, ESQ. for RODERICK
STEPHEN SKINNER

DIV. OF PAROLE & PROBATION

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

EDWARD TORRANCE REED, ESQ. for
RODERICK STEPHEN SKINNER

Address: EDWARD TORRANCE
REED, ESQ.
P.O. BOX 34763
RENO, NV 89533

CHRISTOPHER FREY, ESQ. for RODERICK
STEPHEN SKINNER

Address: CHRISTOPHER FREY,
ESQ.
Washoe County Public
Defender
P. O. 30083
Reno, NV 89520

1 CODE #3340
CHRISTOPHER J. HICKS
2 #7747
One South Sierra Street
3 Reno, Nevada 89501
(775) 328-3200
4 districtattorney@da.washoecounty.gov
Attorney for Respondent
5

6 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,
7
8 IN AND FOR THE COUNTY OF WASHOE

8 * * *

9 RODERICK STEPHEN SKINNER,

10 Petitioner,

Case No. CR14-0644

11 v.

Dept. No. 8

12 THE STATE OF NEVADA,

13 Respondent.
14 _____/

15 ORDER TO PRODUCE PRISONER VIA SIMULTANEOUS AUDIO/VISUAL TRANSMISSION

16 IT APPEARING to the satisfaction of the above-entitled Court that it is necessary
17 that the Petitioner above named, RODERICK STEPHEN SKINNER #1126964, presently
18 incarcerated in the Northern Nevada Correctional Center in Carson City, Nevada, be
19 brought before the Second Judicial District Court for a post-conviction hearing in the
20 above-entitled action.

21 NOW, THEREFORE, IT IS HEREBY ORDERED that the Warden of the Northern
22 Nevada Correctional Center in Carson City, Nevada, with cooperative assistance from
23 the Nevada System of Higher Education bring the said RODERICK STEPHEN
24 SKINNER #1126964 before the Second Judicial District Court via simultaneous

1 audio/visual transmission means on October 25, 2022, at 2:30 p.m. for a post-
2 conviction hearing in the above-entitled action.

3 IT IS FURTHER ORDERED that it is not necessary for said RODERICK
4 STEPHEN SKINNER #1126964 to be physically located in Washoe County, Nevada,
5 during the post-conviction hearing.

6 IT IS FURTHER ORDERED that the Warden of the Northern Nevada
7 Correctional Center in Carson City, Nevada, shall provide and make available a
8 telephone for the duration of the post-conviction hearing to RODERICK STEPHEN
9 SKINNER #1126964, and his defense counsel EDWARD T. REED, ESQ., for the ability
10 to speak privately during the hearing.

11 DATED this 16th day of September, 2022.

12
13 
14 _____
DISTRICT JUDGE

Return Of NEF**Recipients**

JENNIFER NOBLE, ESQ. - Notification received on 2022-09-16 11:18:45.531.
KEVIN NAUGHTON, ESQ. - Notification received on 2022-09-16 11:18:46.156.
DIV. OF PAROLE & PROBATION - Notification received on 2022-09-16 11:18:45.265.
JOHN PETTY, ESQ. - Notification received on 2022-09-16 11:18:44.656.
EDWARD REED, ESQ. - Notification received on 2022-09-16 11:18:46.5.
CHRISTINE BRADY, ESQ. - Notification received on 2022-09-16 11:18:45.843.

******* IMPORTANT NOTICE - READ THIS INFORMATION *******

PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR14-0644

Judge:

HONORABLE BARRY L. BRESLOW

Official File Stamp:

09-16-2022:11:18:08

Clerk Accepted:

09-16-2022:11:18:23

Court:

Second Judicial District Court - State of Nevada

Criminal

Case Title:

STATE VS. RODERICK STEPHEN SKINNER
(D8)

Document(s) Submitted:

Ord to Produce Prisoner

Filed By:

Court Clerk ADeGayne

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

The following people were served electronically:

EDWARD TORRANCE REED, ESQ. for
RODERICK STEPHEN SKINNER

JENNIFER P. NOBLE, ESQ. for STATE OF
NEVADA

KEVIN P. NAUGHTON, ESQ. for STATE OF
NEVADA

CHRISTINE BRADY, ESQ. for RODERICK
STEPHEN SKINNER

JOHN REESE PETTY, ESQ. for RODERICK
STEPHEN SKINNER

DIV. OF PAROLE & PROBATION

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

CHRISTOPHER FREY, ESQ. for RODERICK
STEPHEN SKINNER

Address: CHRISTOPHER FREY,
ESQ.
Washoe County Public
Defender
P. O. 30083
Reno, NV 89520

Return Of NEF**Recipients**

JENNIFER NOBLE, ESQ. - Notification received on 2022-09-21 14:32:51.269.
KEVIN NAUGHTON, ESQ. - Notification received on 2022-09-21 14:32:52.269.
DIV. OF PAROLE & PROBATION - Notification received on 2022-09-21 14:32:50.785.
JOHN PETTY, ESQ. - Notification received on 2022-09-21 14:32:50.066.
EDWARD REED, ESQ. - Notification received on 2022-09-21 14:32:53.113.
CHRISTINE BRADY, ESQ. - Notification received on 2022-09-21 14:32:51.863.

******* IMPORTANT NOTICE - READ THIS INFORMATION *******
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR14-0644

Judge:

HONORABLE BARRY L. BRESLOW

Official File Stamp:

09-21-2022:14:29:55

Clerk Accepted:

09-21-2022:14:32:17

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. RODERICK STEPHEN SKINNER
(D8)

Document(s) Submitted:

Supplemental ...

- **Continuation

Filed By:

Edward Torrance Reed

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

The following people were served electronically:

EDWARD TORRANCE REED, ESQ. for
RODERICK STEPHEN SKINNER

JENNIFER P. NOBLE, ESQ. for STATE OF
NEVADA

KEVIN P. NAUGHTON, ESQ. for STATE OF
NEVADA

CHRISTINE BRADY, ESQ. for RODERICK
STEPHEN SKINNER

JOHN REESE PETTY, ESQ. for RODERICK
STEPHEN SKINNER

DIV. OF PAROLE & PROBATION

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

CHRISTOPHER FREY, ESQ. for RODERICK
STEPHEN SKINNER

Address:

CHRISTOPHER FREY,
ESQ.

Washoe County Public
Defender

P. O. 30083

Reno, NV 89520

1 **Code: 2589**
2
3
45 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
6 **IN AND FOR THE COUNTY OF WASHOE**7 **RODERICK SKINNER,**8 **Petitioner,**9 **Case No. CR14-0644**10 **Dept. No. 8**11 **vs.**12 **W. OLSEN, WARDEN NNCC,**13 **STATE OF NEVADA, ET AL,**14 **Respondent.**
15 _____/16 **NOTICE OF STRICKEN DOCUMENT**
1718 The Clerk of the Court hereby strikes the SUPPLEMENT TO MOTION TO
19 WITHDRAW AS COUNSEL OF RECORD filed by Edward Reed Esq/ on September 21,
20 2022 (Transaction No. 9272323) from the case for the following reason(s):21 ☒ Document does not have an Affirmation22 The Clerk of the Court does hereby place the stricken document at a security level of public ☒ or
23 sealed ☐. ***The Court cannot consider the stricken document. If the filing party wants the***
24 ***document to be considered, it may be re-filed with the noted corrections and resubmitted.***

25 Dated: September 21, 2022

26 ALICIA L. LERUD

27 Clerk of the Court

28 By: /s/Y.Viloria

Deputy Clerk

Return Of NEF**Recipients**

JENNIFER NOBLE, ESQ. - Notification received on 2022-09-21 14:49:22.819.
KEVIN NAUGHTON, ESQ. - Notification received on 2022-09-21 14:49:23.616.
DIV. OF PAROLE & PROBATION - Notification received on 2022-09-21 14:49:22.493.
JOHN PETTY, ESQ. - Notification received on 2022-09-21 14:49:21.475.
EDWARD REED, ESQ. - Notification received on 2022-09-21 14:49:23.882.
CHRISTINE BRADY, ESQ. - Notification received on 2022-09-21 14:49:23.178.

******* IMPORTANT NOTICE - READ THIS INFORMATION *******

PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR14-0644

Judge:

HONORABLE BARRY L. BRESLOW

Official File Stamp:

09-21-2022:14:48:26

Clerk Accepted:

09-21-2022:14:49:00

Court:

Second Judicial District Court - State of Nevada

Criminal

Case Title:

STATE VS. RODERICK STEPHEN SKINNER
(D8)

Document(s) Submitted:

Notice of Stricken Document

Filed By:

Deputy Clerk YViloria

You may review this filing by clicking on the following link to take you to your cases.

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EDWARD TORRANCE REED, ESQ. for
RODERICK STEPHEN SKINNER

JENNIFER P. NOBLE, ESQ. for STATE OF
NEVADA

KEVIN P. NAUGHTON, ESQ. for STATE OF
NEVADA

CHRISTINE BRADY, ESQ. for RODERICK
STEPHEN SKINNER

JOHN REESE PETTY, ESQ. for RODERICK
STEPHEN SKINNER

DIV. OF PAROLE & PROBATION

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

CHRISTOPHER FREY, ESQ. for RODERICK
STEPHEN SKINNER

Address:

CHRISTOPHER FREY,
ESQ.

Washoe County Public
Defender

P. O. 30083

Reno, NV 89520

1 EDWARD T. REED, ESQ.
2 EDWARD T. REED, PLLC
3 Nevada State Bar No. 1416
4 P.O. Box 34763
5 Reno, NV 89533-4763
6 (775) 996-0687

7 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
8 **IN AND FOR THE COUNTY OF WASHOE**

9 RODERICK SKINNER,

10 Petitioner,

Case No. CR14-0644

11 vs.

Dept. No. 8

12
13 W. OLSEN, Warden NNCC,
14 STATE OF NEVADA, et al.,

15 Respondent.
16 _____/

17 **SUPPLEMENT TO MOTION TO WITHDRAW AS COUNSEL OF RECORD**

18 COMES NOW EDWARD T. REED, ESQ., the court appointed counsel for the
19 Petitioner Roderick Skinner (Mr. Skinner) and files this supplement to the Motion to
20 Withdraw as Counsel, filed on August 16, 2022. This supplement consists of Exhibit 1,
21 which is a copy of a "Civil Rights Complaint By An Inmate" filed by Mr. Skinner in the
22 United States District Court on August 5, 2022, naming the undersigned counsel Edward
23 T. Reed as a defendant.

24 The existence of this complaint filed in the federal court makes it impossible for
25 the undersigned counsel to represent Mr. Skinner in his habeas corpus petition because of
26 the clear conflict of interest. Because of the animosity between the undersigned counsel
27
28

1 and Mr. Skinner, the undersigned counsel would not be able to adequately represent Mr.
2 Skinner. Mr. Skinner has also informed the undersigned counsel that he does not want
3 to be further represented by the undersigned counsel in this habeas corpus action. For
4 all the foregoing reasons it is respectfully requested that this Honorable Court grant the
5 undersigned counsel's motion to withdraw as counsel of record.
6

7 **Pursuant to NRS 239B.030**, the undersigned does hereby affirm that the
8 preceding document does not contain the social security number of any person.

9 Respectfully submitted this 21st day of September, 2022.
10

11 /s/ EDWARD T. REED, ESQ.
12 EDWARD T. REED, PLLC
13 Nevada State Bar No. 1416
14 P.O. Box 34763
15 Reno, NV 89533-4763
16 (775) 996-0687
17 *ATTORNEY FOR PETITIONER*
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CERTIFICATE OF SERVICE

I hereby certify that I represent the Petitioner in this matter and that on this date I electronically filed the foregoing with the Clerk of the Second Judicial District Court by using the Eflex system which will send a notice of electronic filing to the following:

Jennifer Noble, Chief Appellate Deputy
Washoe County District Attorney's Office

A copy of this supplement has also been served via United States Postal Service on Mr. Skinner at the following address:

Roderick Skinner #1126964
P.O. Box 7000
Carson City, NV 89702

DATED this 21st day of September, 2022.

/s/ Edward T. Reed
EDWARD T. REED

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LIST OF EXHIBITS

Exhibit number

Number of pages

1. Civil Rights Complaint By An Inmate

8



☒ 28 U.S.C. § 1343(a)

☐ 28 U.S.C. § 1331; A

☐ Other: _____

2) Institution/city where Plaintiff

3) Institution/city where violation

CLAIM 1

ACTUAL SUBPOENA OF

EDWARD T. REED HAS
PRIVILEGED INFORMATION
WHICH IS DAMAGING T

You must answer all questions. The complaint must not be more than 30 pages long. It is not an amended complaint. Rather, the complaint must state the claims without reference to exhibits or attachments. If the complaint is longer than 30 pages, you must file a motion seeking leave to file a complaint that supports the need to exceed 30 pages in length.

		<p>Order 2021-03. Att</p> <p>before a Magistrate</p> <p>filing your complain</p> <p>Consent or declinat</p> <p>event called Notice</p> <p>Appearances civil r</p>
08/29/2022	4	<p>CLERK'S NOTICE</p> <p>and Magistrate Jud</p> <p>(WJ) (Entered: 08/</p>
08/31/2022	<u>5</u>	<p>ORDER - Plaintiff</p> <p>certificate. Nor has</p> <p>instructions and ap</p> <p>distribution to P v</p>

Return Of NEF**Recipients**

JENNIFER NOBLE, ESQ. - Notification received on 2022-09-21 16:22:37.363.
KEVIN NAUGHTON, ESQ. - Notification received on 2022-09-21 16:22:38.332.
DIV. OF PAROLE & PROBATION - Notification received on 2022-09-21 16:22:36.973.
JOHN PETTY, ESQ. - Notification received on 2022-09-21 16:22:36.02.
EDWARD REED, ESQ. - Notification received on 2022-09-21 16:22:39.332.
CHRISTINE BRADY, ESQ. - Notification received on 2022-09-21 16:22:37.77.

******* IMPORTANT NOTICE - READ THIS INFORMATION *******
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR14-0644

Judge:

HONORABLE BARRY L. BRESLOW

Official File Stamp:

09-21-2022:16:20:57

Clerk Accepted:

09-21-2022:16:22:15

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. RODERICK STEPHEN SKINNER
(D8)

Document(s) Submitted:

Supplemental ...

- **Continuation

Filed By:

Edward Torrance Reed

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NEVADA

KEVIN P. NAUGHTON, ESQ. for STATE OF
NEVADA

CHRISTINE BRADY, ESQ. for RODERICK
STEPHEN SKINNER

JOHN REESE PETTY, ESQ. for RODERICK
STEPHEN SKINNER

DIV. OF PAROLE & PROBATION

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CHRISTOPHER FREY, ESQ. for RODERICK
STEPHEN SKINNER

Address: CHRISTOPHER FREY,
ESQ.

Washoe County Public
Defender

P. O. 30083

Reno, NV 89520

1 **CODE 3370**

2

3

4 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**

5 **IN AND FOR THE COUNTY OF WASHOE**

6

7 **THE STATE OF NEVADA,**

8 **Plaintiff,**

9 **vs.**

Case No. CR14-0644

10 **RODERICK STEPHEN SKINNER,**

Dept. No. 8

11 **Defendant.**

12 **/**

13 **ORDER APPOINTING CONFLICT COUNSEL**

14 A Hearing on Motion to Withdraw as Counsel of Record was held on October

15 25, 2022. Defense Counsel presented information demonstrating that there exists a

16 conflict,

17 IT IS HEREBY ORDERED that Edward Torrance Reed, Esq. is hereby

18 RELIEVED as counsel of record.

19 IT IS FURTHER ORDERED that pursuant to order of the Nevada Supreme

20 Court regarding representation of indigent defendants, ADKT 411 (2008), and the plan

21 developed for the Second Judicial District Court to meet the requirements set forth

22 therein, the matter of appointment of counsel is hereby referred to the Conflict

23 Counsel/Attorney Administrator.

24 **///**

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26 **///**

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IT IS FURTHER ORDERED that a Status Hearing is set for **November 22, 2022 at 2:00 p.m.** in Department 8.

DATED this 26th day of October, 2022 NUNC PRO TUNC to the 25th day of October, 2022.



BARRY L. BRESLOW
District Judge

Return Of NEF**Recipients**

JENNIFER NOBLE, ESQ. - Notification received on 2022-10-26 14:02:19.206.
KEVIN NAUGHTON, ESQ. - Notification received on 2022-10-26 14:02:19.863.
DIV. OF PAROLE & PROBATION - Notification received on 2022-10-26 14:02:18.753.
JOHN PETTY, ESQ. - Notification received on 2022-10-26 14:02:18.019.
CHRISTOPHER FREY, ESQ. - Notification received on 2022-10-26 14:02:17.722.
EDWARD REED, ESQ. - Notification received on 2022-10-26 14:02:20.193.
CHRISTINE BRADY, ESQ. - Notification received on 2022-10-26 14:02:19.519.

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A filing has been submitted to the court RE: CR14-0644

Judge:

HONORABLE BARRY L. BRESLOW

Official File Stamp:

10-26-2022:14:01:38

Clerk Accepted:

10-26-2022:14:01:57

Court:

Second Judicial District Court - State of Nevada

Criminal

Case Title:

STATE VS. RODERICK STEPHEN SKINNER
(D8)

Document(s) Submitted:

Ord Appointing Counsel

Filed By:

Court Clerk ADeGayne

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RODERICK STEPHEN SKINNER

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NEVADA

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NEVADA

CHRISTINE BRADY, ESQ. for RODERICK
STEPHEN SKINNER

JOHN REESE PETTY, ESQ. for RODERICK
STEPHEN SKINNER

DIV. OF PAROLE & PROBATION

CHRISTOPHER FREY, ESQ. for RODERICK
STEPHEN SKINNER

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

RODERICK SKINNER

(Name)

1126964

(I.D. No.)

Northern Nevada Correctional Center
Post Office Box 7000
Carson City, NV 89702

Petitioner, In Proper Person

FILED

NOV 01 2022

ALICIA LERUD, CLERK
By: [Signature]
DEPUTY CLERK

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

RODERICK SKINNER

Plaintiff/Petitioner

vs.

WARDEN FRANKLIN N.N.C.C. et al

STATE OF NEVADA Defendant/Respondent

Case No.: CR14-0644

MOTION FOR CORRECTION

OF SENTENCE

COMES NOW, RODERICK SKINNER, in proper person and herein
above respectfully moves this Honorable Court for a(n) RESENTENCING PROCEEDING

The instant motion is made and based upon all papers and pleadings on file herein as well
as the following Memorandum of Points and Authorities and attached exhibits (where
applicable).

MEMORANDUM OF POINTS AND AUTHORITIESSTANDARD OF REVIEW:

THE NEVADA SUPREME COURT HAS LONG RECOGNIZED THAT COURTS HAVE THE POWER AND JURISDICTION TO MODIFY A SENTENCE. *See, STALEY v STATE*, 787 P.2d 396, 106 Nev. 75 (1990) ("THAT IF A SENTENCING COURT PRONOUNCES SENTENCE WITHIN STATUTORY LIMITS, THE COURT WILL HAVE JURISDICTION TO MODIFY, SUSPEND OR OTHERWISE CORRECT THAT SENTENCE IF IT IS BASED UPON MATERIALLY UNTRUE ASSUMPTIONS OR MISTAKES WHICH WORK TO THE EXTREME DETRIMENT OF THE DEFENDANT").

PETITIONER SKINNER (HEREAFTER "PETITIONER" OR "MR SKINNER"), BELIEVES THAT THIS COURT HAS, BASED UPON STALEY, THE JURISDICTION TO MODIFY HIS SENTENCE, DUE TO THAT SENTENCE BEING PRONOUNCED BASED UPON A PRESENTENCE INVESTIGATION REPORT ("P.S.I.") WHICH DID HAVE SEVERAL MATERIAL FACTS IN ERROR, WHICH WILL BE DISCUSSED BELOW IN THE STATEMENT OF FACTS, OR THE COURT'S DISREGARD OF HIS P.S.I.

RESPONDENTS MAY ARGUE THAT LATCHES APPLY DUE TO THE FACT THAT 3-YEARS HAVE PASSED SINCE SENTENCE WAS PRONOUNCED. HOWEVER, THE NEVADA SUPREME COURT HELD THAT SUCH TIME REQUIREMENT DOES NOT APPLY TO A REQUEST FOR MODIFICATION OF SENTENCE. *See, PASSANISI v STATE*, 831 P.2d 1371, 108 Nev. 318 (1995) ("WE NOTE THAT THE TRIAL COURT HAS INHERENT AUTHORITY TO CORRECT A

MEMORANDUM OF POINTS AND AUTHORITIES

SENTENCE AT ANY TIME IF SUCH SENTENCE [WAS] BASED ON MISTAKE OF MATERIAL FACT THAT WORKED TO THE EXTREME DETRIMENT OF THE DEFENDANT (citations omitted). IF THE TRIAL COURT HAS INHERENT AUTHORITY TO CORRECT A SENTENCE, A FORTIORI (sic)¹, [IT] HAS THE POWER TO ENTERTAIN A MOTION REQUESTING IT TO EXERCISE THAT INHERENT AUTHORITY.... THUS THE TIME LIMITS AND OTHER RESTRICTIONS WITH RESPECT TO A POST-CONVICTION RELIEF DO NOT APPLY TO A MOTION TO MODIFY A SENTENCE BASED ON A CLAIM THAT THE SENTENCE WAS ILLEGAL OR WAS BASED ON AN UNTRUE ASSUMPTION OF THE FACTS THAT AMOUNTED TO DENIAL OF DUE PROCESS. Id. 831 P.2d at 1372 n1. See ALSO EDWARDS v STATE 918 P.2d 321, 324, 112 Nev. 704 (1996).

THE DISTRICT COURT'S INHERENT AUTHORITY TO CORRECT A JUDGEMENT OR SENTENCE FOUNDED ON MISTAKE IS IN ACCORD WITH THE CONSTITUTIONAL CONSIDERATIONS UNDERLYING THE SENTENCING PROCESS. THE UNITED STATES SUPREME COURT HAS EXPRESSLY HELD THAT WHERE A DEFENDANT IS SENTENCED ON THE BASIS OF MATERIALLY UNTRUE ASSUMPTIONS CONCERNING HIS CRIMINAL RECORD, "(THE) RESULT WHETHER CAUSED BY CARELESSNESS OR DESIGN, IS INCONSISTENT WITH DUE PROCESS OF LAW". TOWNSEND v BURKE, 736, 741, 68 Sct. 12552, 92 LEd 1690 (1948). FURTHER, THE CASES CLEARLY ESTABLISHED THAT CONSTITUTIONALLY VIOLATE "MATERIALLY UNTRUE ASSUMPTIONS" CONCERNING A CRIMINAL RECORD MAY ARISE EITHER AS A RESULT OF A SENTENCING JUDGES CORRECT PERCEPTION OR MISAPPREHENSION. Id. 677 P.2d at 1048 n.3.

1. "FORTIOR" (OF EVIDENCE) - INVOLVING A PRESUMPTION THAT, BECAUSE OF THE STRENGTH OF A PARTIES EVIDENCE, SHIFTS THE BURDEN OF PROOF TO THE OPPOSING PARTY.
BLACKS LAW DICTIONARY 7TH ED. p.664 - 3 -

MEMORANDUM OF POINTS AND AUTHORITIESARGUMENT:

MR SKINNER CLAIMS THAT THE DISTRICT COURT ABUSED ITS DISCRETION AT SENTENCING BY, AT THE VERY LEAST, FAILING TO RULE ON HIS CLEAR OBJECTIONS TO THE PRESENTENCE INVESTIGATION REPORT (P.S.I.); HE HAD TIMELY OBJECTED TO THE 'DIVISION OF PAROLE AND PROBATION'S' SCORES WHICH HE ASSERTED ACROSS 3-DAYS OF CONTINUED SENTENCING HEARINGS WERE NOT JUST WRONG, BUT DELIBERATELY SCORED LOW SO THAT HE WOULD NOT QUALIFY FOR PROBATION. THE DISTRICT COURT NEVER RESOLVED MR SKINNER'S OBJECTIONS CONCERNING THE PAROLE AND PROBATION SCORING IN HIS CASE. INSTEAD, JUDGE HARDY STATED INTER-ALIA THAT HE WAS SIMPLY DISREGARDING MR SKINNER'S OBJECTIONS TO THE P.S.I., (AND BY EXTENSION — HIS FUTURE PRISON CLASSIFICATION AND PAROLE ELIGIBILITY), BY NOT CONSIDERING THE P.S.I. FOR SENTENCING PURPOSES. "A DEFENDANT HAS THE RIGHT TO OBJECT TO FACTUAL OR METHODOLOGICAL ERRORS IN SENTENCING FORMS, SO LONG AS HE OR SHE OBJECTS BEFORE SENTENCING". BLANKENSHIP v STATE, 132 Nev. 500, 508, 375P.3d 407, 412 (2016).

THE NEVADA SUPREME COURT HAS EMPHASIZED THAT ANY OBJECTIONS MADE BY A DEFENDANT TO HIS P.S.I. MUST BE RESOLVED PRIOR TO SENTENCING. Id.; SASSER v STATE, 130 Nev. 387, 390, 324P.3d 1221, 1223 (2014); STOCKMEIER v STATE BD OF PAROLE COMMS, 127 Nev. 243, 250, 255P.3d 214 (2011). MR SKINNER PROPERLY OBJECTED TO HIS P.S.I. PRIOR TO SENTENCING,

MEMORANDUM OF POINTS AND AUTHORITIES

AND ARGUED THAT HIS SCORES SHOULD HAVE BEEN HIGHER IN SEVERAL CATEGORIES BUT WERE NOT, BECAUSE THE DIVISION IMPROPERLY SCORED HIM LOW TO PRECLUDE HIM FROM PROBATION CONSIDERATION; RELIED UPON SUBJECTIVE CRITERIA, IMPALPABLE OR HIGHLY SUSPECT EVIDENCE, OR MISREAD NAC 213.590 BY DISREGARDING PORTIONS OF THE CODE OR ALLOWING THE CODE TO BRING ABOUT ABSURD RESULTS. THE DISTRICT COURT DID NOT RESOLVE MR SKINNER'S OBJECTIONS.

"AN ABUSE OF DISCRETION OCCURS WHENEVER A COURT FAILS TO GIVE DUE CONSIDERATION TO THE ISSUES AT HAND".

PATTERSON v STATE, 129 Nev. 168, 176, 298 P.3d 433, 439 (2013).

"AN ABUSE OF DISCRETION OCCURS IF THE DISTRICT COURT'S DECISION IS ARBITRARY OR CAPRICIOUS OR IF IT EXCEEDS THE BOUNDS OF LAW OR REASON".

CRAWFORD v STATE, 121 Nev. 746, 748, 121 P.3d 582, 585 (2005).

IT IS CLEAR ON THE FACE OF THE RECORD THAT THE SENTENCING COURT IN MR SKINNER'S CASE DID NOT GIVE DUE CONSIDERATION TO HIS OBJECTIONS CONCERNING HIS P.S.I., SINCE IT MADE NO RULING AS TO THE VALIDITY OR INVALIDITY OF HIS CLAIMS, ULTIMATELY AVOIDING THE MATERIAL ISSUES ALTOGETHER BY DECLARING THAT THE COURT WOULD NOT BE TAKING THE P.S.I. INTO CONSIDERATION. ACCORDINGLY, A REMAND IS NECESSARY BECAUSE THE SENTENCING COURT FAILED

TO RESOLVE ALL OR ANY OF MR SKINNER'S OBJECTIONS, LEAVING THEM HANGING. THAT EXACT SITUATION WAS ADDRESSED BY THE NEVADA COURT OF APPEALS IN JOSHUA RAY VASQUEZ V NEVADA, 2020 Nev. App. UNPUB. LEXIS 657: 468 P.3d 886 No. 79409-COA, WHERE JUDGES GIBBONS CJ, BULLA J, AND TAO J, CONCURRING, ORDERED THAT VASQUEZ'S SENTENCE MUST BE VACATED AND HIS CASE REMANDED FOR RESENTENCING, "BECAUSE THE DISTRICT COURT FAILED TO RESOLVE ALL OF VASQUEZ'S OBJECTIONS, LEAVING SOME OF THEM HANGING." *Id.* at 93-94, 545 P.2d at 1161.

CONCLUSION

THE DISTRICT COURT IN MR SKINNER'S CASE CR14-0644 ABUSED IT'S DISCRETION BY SENTENCING HIM WITHOUT DUE CONSIDERATION TO HIS OBJECTIONS TO THE P.S.I, AND THEREFORE, HIS SENTENCE MUST BE VACATED AND HIS CASE REMANDED FOR RESENTENCING.

DATED THIS 26TH DAY OF OCTOBER 2022.

BY: Rod Skinner.

RODERICK SKINNER.

PETITIONER IN PRO-PER.

AFFIDAVIT

PAGE 1 of 2

State of Nevada)

: ss.

Carson City)

I, RODERICK SKINNER, the undersigned, do hereby swear under penalty of perjury that the following assertions are true and correct to the best of my knowledge:

1. I AM FACTUALLY INNOCENT OF THE N.R.S. 200.720 CHARGE
I HAVE BEEN CONVICTED OF BY THE STATE OF NEVADA IN CASE
NUMBER CR14-0644.

2. NEWLY DISCOVERED EVIDENCE EXISTS THAT I AM ABLE TO
SPECIFICALLY IDENTIFY; THIS NEWLY DISCOVERED EVIDENCE IS
CREDIBLE AND ESTABLISHES A BONA FIDE CLAIM OF FACTUAL
INNOCENCE IN ACCORD WITH N.R.S. 34.960(2)(a) AND 34.960(2)(b)
WHICH SET FORTH THE CRITERIA REGARDING NEWLY
DISCOVERED EVIDENCE, AND N.R.S. 34.930 WHICH DEFINES
NEWLY DISCOVERED EVIDENCE.

3 THE NEWLY DISCOVERED EVIDENCE WAS NOT KNOWN AND COULD
NOT HAVE BEEN DISCOVERED WITH THE EXERCISE OF REASONABLE
DILIGENCE AT THE TIME OF TRIAL, SENTENCING, OR PRIOR POST
CONVICTION PROCEEDINGS, AND THAT WHEN THE NEWLY DISCOVERED
EVIDENCE IS VIEWED WITH ALL THE OTHER EVIDENCE IN THE CASE,
MY PETITION TO THIS COURT PRESENTS A BONA FIDE ISSUE OF FACTUAL

Executed on this ____ day of OCTOBER, 2022, at Northern Nevada Correctional Center, Carson City, Nevada, under penalty of perjury, in accordance with Nevada Revised Statute 208.165. (Execution of instrument by a prisoner) and 28 USCS 1746.

Rod Skinner.

(Signature)

AFFIDAVIT
PAGE 2 of 2.

INNOCENCE.

4. THE NEWLY DISCOVERED EVIDENCE IS SUBSTANTIVE AND
EXCULPATORY, NOT MERELY IMPEACHMENT EVIDENCE.
FURTHER AFFIANT SAYETH NOT.

Dated this 26TH day of OCTOBER, 2022.

By: Rod Skinner.
N.N.C.C. #1126964
P.O. BOX 7000
CARSON CITY N.V. 89702

CERTIFICATE OF SERVICE

I, RODERICK SKINNER certify that on this date I did serve a true and correct copy of the foregoing Motion upon Respondent(s), via U.S. Mail, by placing same in the United States Postal Service (Prison Mail System), postage being fully prepaid, and addressed to:

CLERK OF THE COURT

SECOND JUDICIAL DISTRICT COURT

75 COURT ST RENO N.V. 89501

AND

JENNIFER NOBLE

WASHOE COUNTY DEPUTY D.A.

Dated this 26TH day of OCTOBER, 2022.

By: Rod Skinner.

Petitioner, In Proper Person

AFFIRMATION PURSUANT TO NRS 239B.030

** I certify that the foregoing document DOES NOT contain the social security number of any Persons.

26TH OCTOBER 2022
(Date)

Rod Skinner
(Signature)

RODERICK SKINNER

(Name)

1126964

(I.D. No.)

Northern Nevada Correctional Center
 Post Office Box 7000
 Carson City, NV 89702

In Proper Person

FILED

2012 NOV -3 AM 10:05

Alicia L. Lerud
 CLERK OF THE COURT
Alicia L. Lerud
 DEPUTY

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF
 NEVADA

IN AND FOR THE COUNTY OF WASHOERODERICK SKINNER

Plaintiff/Petitioner

vs.

N.N.C.C. WARDEN FRAZIER et al

STATE OF NEVADA Defendant/Respondent

Case No.: CR14-0644

PETITION FOR WRIT OF
FACTUAL INNOCENCE

COMES NOW, RODERICK SKINNER, in proper person and herein
 above respectfully moves this Honorable Court for a(n) ORDER GRANTING WRIT OF
FACTUAL INNOCENCE.

The instant motion is made and based upon all papers and pleadings on file herein as well
 as the following Memorandum of Points and Authorities and attached exhibits (where
 applicable).

MEMORANDUM OF POINTS AND AUTHORITIES

INTRODUCTION: PETITIONER SKINNER WAS CONVICTED BY GUILTY PLEA OF ONE COUNT UNDER NRS 200-720, A FELONY, AND SENTENCED TO LIFE IN PRISON WITH PAROLE ELIGIBILITY AFTER 5-YEARS. See, NEVADA CRIMINAL CASE NO. CR14-0644. HE ASSERTS IN THIS PETITION THAT HE IS FACTUALLY INNOCENT OF THAT CRIME, AND APPENDS HIS AFFIDAVIT TO THE PETITION ATTESTING SO. THE PETITION ASSERTS TWO PRIMARY GROUNDS FOR RELIEF BASED UPON NEWLY DISCOVERED EVIDENCE THAT HE CAN READILY AND SPECIFICALLY IDENTIFY; THIS NEWLY DISCOVERED EVIDENCE IS CREDIBLE, AND ESTABLISHES A BONA FIDE CLAIM OF FACTUAL INNOCENCE IN ACCORD WITH N.R.S. 34-960(2)(a) AND 34-960(2)(b) WHICH SET FORTH THE CRITERIA REGARDING NEWLY DISCOVERED EVIDENCE, AND N.R.S. 34-930 WHICH DEFINES NEWLY DISCOVERED EVIDENCE.

THE NEWLY DISCOVERED EVIDENCE WAS NOT KNOWN AND COULD NOT HAVE BEEN DISCOVERED WITH THE EXERCISE OF REASONABLE DILIGENCE AT THE TIME OF TRIAL, SENTENCING, OR PRIOR POST CONVICTION PROCEEDINGS, BECAUSE IT ONLY BECAME KNOWN IN JULY 2019. WHEN THE NEWLY DISCOVERED EVIDENCE IS VIEWED WITH ALL THE OTHER EVIDENCE IN THE CASE, THIS PETITION PRESENTS A BONA FIDE ISSUE OF FACTUAL INNOCENCE. THE NEWLY DISCOVERED EVIDENCE IS SUBSTANTIVE AND EXCULPATORY, NOT MERELY IMPEACHMENT EVIDENCE, AND IT HAS NOT BEEN PRESENTED TO THIS COURT BEFORE. IF IT HAD BEEN, THERE WOULD HAVE BEEN A REASONABLE PROBABILITY OF A DIFFERENT OUTCOME.

. . .

LEGAL STANDARD:

"NEWLY DISCOVERED EVIDENCE" IS DEFINED BY N.R.S. 34-930:

"NEWLY DISCOVERED EVIDENCE" MEANS EVIDENCE THAT WAS NOT AVAILABLE TO PETITIONER... WHICH IS MATERIAL TO THE DETERMINATION OF THE ISSUE OF FACTUAL INNOCENCE, INCLUDING, WITHOUT LIMITATION:

1. EVIDENCE THAT WAS DISCOVERED BEFORE OR DURING THE APPLICABLE PERIOD FOR ANY DIRECT APPEAL OR POSTCONVICTION PETITION FOR A WRIT OF HABEAS CORPUS PURSUANT TO THIS CHAPTER THAT SERVED IN WHOLE OR IN PART AS THE BASIS TO VACATE OR REVERSE THE PETITIONER'S CONVICTION;

2. EVIDENCE THAT SUPPORTS THE CLAIMS WITHIN A POSTCONVICTION PETITION FOR A WRIT OF HABEAS CORPUS THAT IS PENDING AT THE TIME OF THE COURT'S DETERMINATION OF FACTUAL INNOCENCE PURSUANT TO N.R.S. 34-900 TO 34-990, INCLUSIVE; OR

3. RELEVANT FORENSIC SCIENTIFIC EVIDENCE... THAT WAS NOT AVAILABLE AT THE TIME OF TRIAL... OR THAT UNDERMINES MATERIALLY FORENSIC SCIENTIFIC EVIDENCE PRESENTED... [BY THE PROSECUTION]. FORENSIC SCIENTIFIC EVIDENCE IS CONSIDERED TO BE UNDERMINED IF NEW RESEARCH OR INFORMATION EXISTS THAT REPUDIATES THE FOUNDATIONAL VALIDITY OF SCIENTIFIC EVIDENCE OR TESTIMONY OR THE APPLIED VALIDITY OF A SCIENTIFIC METHOD OR TECHNIQUE.

AS USED IN THIS SUBSECTION:

a) "APPLIED VALIDITY" MEANS THE RELIABILITY OF A SCIENTIFIC METHOD OR TECHNIQUE IN PRACTICE.

b) "FOUNDATIONAL VALIDITY" MEANS THE RELIABILITY OF A SCIENTIFIC METHOD TO BE REPEATABLE, REPRODUCIBLE AND ACCURATE IN A SCIENTIFIC SETTING.

1 N.R.S. 34.940 (EFFECTIVE JULY 1, 2019)

2 DETERMINATION OF WHEN EVIDENCE IS "MATERIAL".

3 FOR THE PURPOSE OF N.R.S. 34.900 TO 34.990 INCLUSIVE,
4 EVIDENCE IS "MATERIAL" IF THE EVIDENCE ESTABLISHES A
5 REASONABLE PROBABILITY OF A DIFFERENT OUTCOME.

6
7 N.R.S. 34.950 CLAIM OF FACTUAL INNOCENCE IS SEPARATE FROM
8 STATE HABEAS CLAIM. (EFFECTIVE JULY 1, 2019)

9 ANY CLAIM OF FACTUAL INNOCENCE THAT IS MADE PURSUANT TO
10 N.R.S. 34.900 TO 34.990 INCLUSIVE, IS SEPARATE FROM ANY
11 STATE HABEAS CLAIM THAT ALLEGES A FUNDAMENTAL MISCARRIAGE
12 OF JUSTICE TO EXCUSE PROCEDURAL OR TIME LIMITATIONS PURSUANT
13 TO N.R.S. 34.726 OR 34.810.

14
15 N.R.S. 34.970(3) PROVIDES THAT "THE DISTRICT COURT SHALL
16 ORDER A HEARING" ON A PETITION TO ESTABLISH FACTUAL
17 INNOCENCE IF THE COURT DETERMINES THAT THE PETITION
18 SATISFIES THE PLEADING REQUIREMENTS SET FORTH IN SUBSECTIONS
19 2 AND 3 OF N.R.S. 34.960 AND "THAT THERE IS A BONA FIDE
20 ISSUE OF FACTUAL INNOCENCE."

21
22 ARGUMENT:

23 IT IS IMPORTANT TO NOTE THAT PETITIONER SKINNER HEREBY
24 ASSERTS FACTUAL INNOCENCE, NOT MERELY LEGAL INSUFFICIENCY.
25 IN LIGHT OF ALL THE EVIDENCE, WHICH INCLUDES THE NEWLY
26 DISCOVERED EVIDENCE AS SET FORTH IN THIS PETITION, IT IS MORE
27 LIKELY THAN NOT THAT NO REASONABLE JUROR WOULD FIND HIM
28 GUILTY BEYOND A REASONABLE DOUBT. IN THAT LEGAL CONTEXT,

1 PETITIONER SKINNER IS FACTUALLY INNOCENT AND ENTITLED TO
2 HAVE HIS PETITION GRANTED BY THIS HONORABLE COURT BECAUSE
3 THE NEWLY DISCOVERED EVIDENCE CLEARLY CASTS DOUBT UPON
4 THE CONVICTION BY UNDERCUTTING THE RELIABILITY OF THE
5 CONVICTION, IT'S FOUNDATIONAL VALIDITY, AND IT'S CONSISTENCY
6 WITH DUE PROCESS. NEWLY PRESENTED EVIDENCE SET FORTH
7 IN THIS PETITION CALLS INTO SERIOUS QUESTION THE CREDIBILITY
8 OF THE POLICE EXPERT WITNESS — FORMER SGT DENNIS CARRY—
9 POTENTIALLY REQUIRING A CREDIBILITY ASSESSMENT WHICH HAS
10 NOT AT ALL OCCURRED TO DATE AT ANY STAGE OF PROCEEDINGS
11 IN THIS CASE. WHILE N.R.S. 34-960(2)(b)(2) INDICATES THAT
12 NEWLY DISCOVERED EVIDENCE CANNOT BE "MERELY IMPEACHMENT
13 EVIDENCE", THIS FACTUAL INNOCENCE PETITION APPROPRIATELY
14 POINTS OUT THAT COMPUTER FORENSIC EXPERT TAMMY LOEHR'S
15 EVIDENCIARY TESTIMONY AT PETITIONER'S STATE HABEAS CORPUS
16 EVIDENCIARY HEARING ON 9/26/2019, WAS UNCONTROVERTED BY ANY
17 PROSECUTION EXPERT WITNESS BECAUSE THE STATE DIDN'T HAVE
18 ONE, OR CAUSE ONE TO BE AT THE HEARING. TAMMY LOEHR'S
19 TESTIMONY WAS CLEARLY EXCULPATORY, AND DECIMATED
20 THE STATE'S CASE AND EX-SGT CARRY SUCH THAT NO
21 REASONABLE JURIST COULD BE CONFIDENT IN THE OUTCOME
22 AS IT CURRENTLY STANDS.

23
24 EX-SGT DENNIS CARRY IS A BIGAMIST RECENTLY EXPOSED
25 IN THE MEDIA AND ON T.V. AS HAVING BEEN MARRIED TO
26 TWO WOMEN AT THE SAME TIME — ONE OF WHOM WAS A
27 FEDERAL JUDGE. HE IS CLEARLY VERY GOOD AT FOOLING
28 EVEN THE MOST ASTUTE PEOPLE IN SOCIETY; THE MAN

IS INDISPUTABLY AN ACCOMPLISHED FRAUDSTER. HIS ACTIONS WARRANT PARTICULAR SCRUTINY IN THIS CASE, WHERE IT IS EVIDENT THAT SIMILAR DISHONESTY PERPETRATED BY CARRY MAY ALSO HAVE RESULTED IN THE COURTS BEING MISLED, AS TO THE FUNDAMENTAL BASIS OF THIS CR14-0644 CASE. IN LIGHT OF CONTRADICTIONARY NEW EVIDENCE PROVIDED BY COMPUTER FORENSIC EXPERT TAMMY LOEHRS — WHO SAID THAT SHE SAW NO EVIDENCE OF A CRIME HAVING BEEN COMMITTED PURSUANT TO THE ABSENCE OF ANY FORENSIC EVIDENCE INDICATING SO — THIS CONVICTION AT THE BEHEST OF NOW EX-SGT DENNIS CARRY, SCREAMS OUT FOR FACTUAL INNOCENCE REVIEW.

CONCLUSION:

BECAUSE PETITIONER SKINNER HAS SATISFIED THE STATUTORY PLEADING REQUIREMENTS, NRS 34.970(3) REQUIRES THAT THE DISTRICT COURT ORDER A HEARING ON THE PETITION.

Dated this 26TH day of OCTOBER, 20 22.

Rod Skinner

PETITIONER IN PRO-PER

CERTIFICATE OF SERVICE

I, RODERICK SKINNER certify that on this date I did serve a true and correct copy of the foregoing Motion upon Respondent(s), via U.S. Mail, by placing same in the United States Postal Service (Prison Mail System), postage being fully prepaid, and addressed to:

① CLERK OF THE COURT
SECOND JUDICIAL DISTRICT COURT
75 COURT ST
RENO N.V. 89501

AND

② DEPUTY D.A. JENNIFER NOBLE
1 SOUTH SIERRA ST, RENO 89501
 ③ N.N.C.C. WARDEN FRAZIER
P.O. BOX 7000 CARSON CITY N.V. 89702

Dated this 26TH day of OCTOBER, 2022.

By: Rod Skinner.
RODERICK SKINNER
 In Proper Person

AFFIRMATION PURSUANT TO NRS 239B.030

** I certify that the foregoing document DOES NOT contain the social security number of any Persons.

26TH OCTOBER 2022
 (Date)

Rod Skinner.
 (Signature)

EXHIBIT- 1

- AFFIDAVIT OF RODERICK SKINNER (2-PAGES)

AFFIDAVIT

PAGE 1 of 2

State of Nevada)

: ss.

Carson City)

I, RODERICK SKINNER, the undersigned, do hereby swear under penalty of perjury that the following assertions are true and correct to the best of my knowledge:

1. I AM FACTUALLY INNOCENT OF THE N.R.S. 200.720 CHARGE
I HAVE BEEN CONVICTED OF BY THE STATE OF NEVADA IN CASE
NUMBER CR14-0644.

2. NEWLY DISCOVERED EVIDENCE EXISTS THAT I AM ABLE TO
SPECIFICALLY IDENTIFY; THIS NEWLY DISCOVERED EVIDENCE IS
CREDIBLE AND ESTABLISHES A BONA FIDE CLAIM OF FACTUAL
INNOCENCE IN ACCORD WITH N.R.S. 34.960(2)(a) AND 34.960(2)(b)
WHICH SET FORTH THE CRITERIA REGARDING NEWLY
DISCOVERED EVIDENCE, AND N.R.S. 34.930 WHICH DEFINES
NEWLY DISCOVERED EVIDENCE.

3 THE NEWLY DISCOVERED EVIDENCE WAS NOT KNOWN AND COULD
NOT HAVE BEEN DISCOVERED WITH THE EXERCISE OF REASONABLE
DILIGENCE AT THE TIME OF TRIAL, SENTENCING, OR PRIOR POST
CONVICTION PROCEEDINGS, AND THAT WHEN THE NEWLY DISCOVERED
EVIDENCE IS VIEWED WITH ALL THE OTHER EVIDENCE IN THE CASE,
MY PETITION TO THIS COURT PRESENTS A BONA FIDE ISSUE OF FACTUAL

Executed on this ____ day of OCTOBER, 2022, at Northern Nevada Correctional Center, Carson City, Nevada, under penalty of perjury, in accordance with Nevada Revised Statute 208.165. (Execution of instrument by a prisoner) and 28 USCS 1746.

Rod Skinner.

(Signature)

AFFIDAVIT
PAGE 2 of 2.

INNOCENCE.

4. THE NEWLY DISCOVERED EVIDENCE IS SUBSTANTIVE AND
EXCULPATORY, NOT MERELY IMPEACHMENT EVIDENCE.

FURTHER AFFIANT SAYETH NOT.



Dated this 26TH day of OCTOBER, 2022.

By: Rod Skinner.
N.N.C.C. #1126964
P.O. BOX 7000
CARSON CITY N.V. 89702

EXHIBIT-2

-DECLARATION OF TAMMY LOEHRS (7-PAGES)

DECLARATION

I, TAMI L. LOEHRS, hereby declare as follows:

- 1. I am a computer forensics expert and owner of Loehrs & Associates, LLC (formerly Law2000, Inc.) a firm specializing in computer forensics. My offices are located at 3037 West Ina, Suite 121, Tucson, Arizona 85741. I am competent to testify and the matters contained herein are based on my own personal knowledge.**
- 2. I have been working with computer technology for over 25 years and I hold a Bachelor of Science in Information Systems. I have completed hundreds of hours of forensics training including courses with Guidance Software and Access Data. I am an EnCase Certified Examiner (EnCE), an Access Data Certified Examiner (ACE), a Certified Computer Forensic Examiner (CCFE) and a Certified Hacking Forensic Investigator (CHFI). I have conducted hundreds of forensics exams on thousands of pieces of evidence including hard drives, cell phones, removable storage media and other electronic devices. I have conducted seminars on Computer Forensics and Electronic Discovery throughout the United States. In addition, I hold a Private Investigator Agency License in the State of Arizona which requires a minimum of 6,000 hours investigative experience. My Curriculum Vitae is attached hereto and current versions may be downloaded from the Loehrs & Associates website at www.ForensicsExpert.net.**
- 3. I have been hired as a computer forensics expert for the defense on over 400 child exploitation cases throughout the United States and internationally since the year 2000 including numerous cases in the State of Nevada. I have testified over one-hundred times in State, Federal and international Courts. My work has contributed to more than eighty (80) dismissals, several not guilty verdicts as well as numerous plea offers with non-sex offender probation only sentences.**

4. I have been retained as a computer forensics expert by Ned Reed, counsel for Defendant Roderick Skinner, for the purpose of assisting with matters related to the searching, collecting, analyzing and producing of electronic evidence in this matter.

5. I have reviewed discovery materials produced in this matter including, but not limited to, Affidavit for Search Warrant prepared by Michael Brown on October 1, 2013, Northern Nevada Cyber Center Digital Evidence Report Narrative prepared by Sgt. Dennis Carry on November 1, 2013, Curriculum Vitae of Dennis Carry, Washoe County Sheriff's Office Declaration of probable Cause dated January 31, 2014, Judgment of Conviction dated September 10, 2014 and Petition for Writ of Habeas Corpus dated July 13, 2016.

6. According to the Affidavit for Search Warrant, numerous items were seized from Mr. Skinner's residence in July, 2013, including, but not limited to, a Toshiba laptop computer, Hitachi external hard drive, Seagate external hard drive, Samsung external hard drive, and two Buffalo external hard drives. Those items were delivered to Sgt. Carry on October 2, 2013.

7. According to the Digital Evidence Narrative Report, on October 28, 2013, Sgt. Carry conducted an *initial preview examination* of the Toshiba Laptop computer and noted "evidence of pornography and pornography viewing" but indicates further examination is necessary. Sgt. Carry's preliminary examination findings document that the computer was registered to "Mike" with four different user accounts for Mike, Rod, Sophie and Sophie2 but provides no forensic evidence or information regarding dates and times the computer or the accounts were created, when they were used or by whom. He notes that file sharing software was installed in February, 2012 and child pornography was downloaded but further analysis would be conducted after obtaining an additional warrant. He indicates files were located within user created folders but provides no information about the users or the folders. He indicates Internet history revealed websites consistent with child sexual abuse but provides no actual

website URLs, dates, times, user accounts or other information regarding this activity. Two days later, on October 30, 2013, Sgt. Carry created a forensic image of the hard drive which was successfully verified by hash value.

8. On May 27, 2014, Mr. Skinner entered a plea of guilty of the crime of Promotion of a Sexual Performance of a Minor. Mr. Skinner subsequently filed a Petition for Writ of Habeas Corpus claiming that he accepted the plea due to medical distress.

9. On or about September 20, 2017, my services were authorized by the Court for the purpose of conducting an independent computer forensics examination of the evidence seized from Mr. Skinner. Arrangements were being made for that independent examination to be conducted at the Washoe County Sheriff's Office.

10. On October 11, 2017, the status of the evidence was updated in the following email:

From: "McCarthy, Terrence" <tmccarthy@da.washoecounty.us>
To: 'Edward Reed' <etreed53@yahoo.com>
Sent: Wednesday, October 11, 2017 2:41 PM
Subject: RE: SKINNER CASE

I talked to detective Carry just moments ago. He does not know what is still available. His server crashed a few years ago. He probably got rid of the original equipment. He is going to check on it and let me know. When he does, I'll let you know.
Terry

11. As of the writing of this Affidavit, the evidence remains unavailable for my independent examination which is critical to Mr. Skinner's defense and the issues he has raised. Although Sgt. Carry conducted a preliminary review of the evidence and formulated his own conclusions, he provides no forensic data that can be reviewed to corroborate or refute his conclusions and even he indicates that "further analysis of the computer is necessary to locate additional evidence to either clear or incriminate Skinner."

12. Based on his limited review of the evidence, Sgt. Carry concludes that Roderick Skinner was the user on numerous occasions while child pornography was being downloaded but he provides no forensic evidence or proof in this regard. On the contrary, he indicates the computer was registered to someone named "Mike" and contains four different user accounts but provides no forensic evidence or information regarding any of the other possible users. Sgt. Carry opines that child pornography files exist in an unknown encrypted volume that he cannot find nor access but again provides no forensic evidence or proof of the alleged encrypted volume or the child pornography within. Sgt. Carry indicates files were "carved from unallocated space" but files in unallocated space typically do not maintain any associated metadata such as the file name, file path or dates and times the files were created, modified or last accessed. As such, there is no evidence to determine the origin of the files, where they were located on the computer, when they were created, how long they existed before being deleted, whether they were ever opened or viewed, whether or not a user even knew of their existence or who was at the keyboard during any activity surrounding the files. The only thing that can be said about files recovered from unallocated space is that they existed on the hard drive at one time, which sometimes occurs prior to the current owner's possession of the hard drive.

13. Because data may reside on a computer without the user's knowledge or consent, the defense examination must thoroughly examine all activity surrounding any files for which Mr. Skinner is allegedly responsible which includes where the files originated, how they came to be on the computer, when they were created, moved or copied, whether they were ever opened or viewed, whether the files were deleted and when, how long the files existed prior to being deleted, and most importantly, who had access to the computer when any of this activity occurred. This analysis involves a far more thorough forensics examination than the *initial preview examination* conducted by Sgt. Carry.

14. Based on my involvement with hundreds of child pornography cases, the state's forensic examiner generally does not undertake the task of looking for evidence that would provide a defense and often overlooks evidence that would be relevant to the defense - either in defense of the merits of the case or in sentencing mitigation. In my experience, the state's forensic examinations have completely missed finding and reporting exculpatory evidence. For example, Sgt. Carry offers no information, opinions or evidence regarding the identification of "Mike", the name the computer is actually registered to, when "Mike" used the computer, what "Mike" used the computer for and whether or not "Mike" was responsible for any of the child pornography files carved from unallocated space. Nor does Sgt. Carry indicate that he even looked for evidence of other individuals using the computer. Rather, he simply concludes that Mr. Skinner is responsible for all of the activity relevant to the charges in this matter.

15. In contrast, an examination conducted by the defense requires an investigation into what occurred, when it occurred, how it occurred and who may be responsible for the occurrence. These in-depth examinations and investigations are critical to the defense, because of the requirement in a child pornography case that the state prove beyond a reasonable doubt "knowing" receipt, possession and/or distribution. "Knowing" receipt, possession or distribution can only be determined through an in-depth analysis of the entire piece of media to determine: (i) the original source of the data; (ii) the context in which it was copied, saved or downloaded; (iii) the path the data took through the system to arrive at its present location; (iv) dates and times the data was created, modified and accessed; (v) whether the data was ever opened or viewed; (vi) and who may have been at the keyboard during the activity. In order to make these determinations, the defense examination and analysis includes, but is not limited to, (i) the recovery of deleted data; (ii) advanced searching processes and the review of thousands of search results; (iii) locating, reviewing, testing and understanding various installed

software applications; (iv) locating, reviewing, testing and understanding various viruses, Trojans and malware present; (v) locating, reviewing, testing and understanding Internet files and how they relate to various users and Internet activities; (vi) extracting and reviewing registry files, log files, HTML files, etc.

16. This proper and thorough independent computer forensics examination can only be accomplished by forensically examining verified images of the electronic evidence items seized using industry standard forensic tools and methodologies. However, according to the state, all of the original evidence seized *and* all of the forensic images acquired by Sgt. Carry no longer exist and therefore, an independent examination by the defense is not possible.

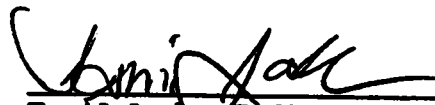
17. According to Sgt. Carry's Curriculum Vitae, his forensic certifications include CCFE, CHFI and ACE. In order to obtain those certifications, he would have received specific training and been required to pass written and practical tests. I also have the CCFE, CHFI and ACE certifications and would have received the same training and passed the same written and practical tests as Sgt. Carry. I know based on my training, test results and study materials still in my possession that all three of those certifications include training on evidence preservation. This includes creating two (2) forensic images of all original electronic evidence seized, one image to be used for the purpose of conducting the forensics examination and a second image to be maintained as backup. Once forensically imaged, all original evidence should be placed in an evidence locker and maintained pursuant to local rules and statutes. Typically, original evidence and/or forensic images are maintained years after a matter has concluded due to appeals and other litigated issues.

18. Based on all of the information set forth above, including Sgt. Carry's own statement that further analysis of the computer is necessary, it is my opinion that Mr. Skinner

cannot be provided an adequate defense without access to either the original evidence seized from him or forensic images that were acquired of that evidence.

19. I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

Executed on 1/12/18



Tami L. Loehrs, EnCE, ACE, CHFI, CCFE

EXHIBIT-3

- RENO GAZETTE JOURNAL ARTICLE (1-PAGE)
RE: DENNIS CARRY

reno gazette journal

NEWS

Former WCSO sergeant arrested on multiple felony counts including bigamy

Terell Wilkins Reno Gazette Journal

Published 5:31 p.m. PT Jan. 27, 2021 | Updated 5:41 p.m. PT Jan. 27, 2021

Following a lengthy two-year investigation by the Reno Police Department, former Washoe County Sheriff sergeant Dennis Carry was arrested Tuesday on seven felony counts that include bigamy, burglary and forgery.

Carry, 46, was previously the head of the Cyber Crimes Unit at the WCSO before being placed on administrative leave in March 2019 pending investigation. He retired from the sheriff's office during the investigation, 3 DAYS AFTER BEING ON CHANNELS 2, 7 AND 10 AS THE LEAD STORY.

Dennis and Wendy Carry were married in South Lake Tahoe in 1996. Court documents show that Carry married his second wife, Carla Baldwin, in May 2018 — more than nine months before Wendy Carry filed for divorce in March 2019.

Baldwin is a federal magistrate judge for the United States District Court for the District of Nevada. Though she filed for an annulment of her marriage with Carry shortly after RPD began their investigation, the timeline of when each woman found out about each other is unclear.

Former Washoe County family court Judge David Humke said in 2019 that investigators asked him about allegations that Carry had broken into his office and hacked his computer in order to forge paperwork for Carry's divorce from his wife, Wendy.

Carry allegedly entered the courthouse to alter documents after it was discovered he was married to two women at once, according to officials.

Follow reporter Terell Wilkins on Twitter, @terelljwilkins, call him at 252-367-8463 or email him at twilkins@rgj.com.

CODE #1260
CHRISTOPHER J. HICKS
#7747
One South Sierra Street
Reno, Nevada 89501
(775) 328-3200
districtattorney@da.washoecounty.gov
Attorney for Plaintiff

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF WASHOE

* * *

THE STATE OF NEVADA,

Plaintiff,

Case No. CR14-0644

v.

Dept. No. 8

RODERICK STEPHEN SKINNER,

Defendant.

_____ /

APPLICATION FOR ORDER TO PRODUCE PRISONER

COMES NOW, the State of Nevada, by and through CHRISTOPHER J. HICKS,
District Attorney of Washoe County, by JENNIFER P. NOBLE, Chief Appellate Deputy,
and alleges as follows:

1. That the Defendant, RODERICK STEPHEN SKINNER #1126964, is presently incarcerated at the Northern Nevada Correctional Center in Carson City, Nevada.
2. That the above RODERICK STEPHEN SKINNER #1126964 is scheduled for a post-conviction status hearing before the Second Judicial District Court on November 22, 2022 at 2:00 pm.
3. Zoom Meeting Information: <https://www.washoecourts.com/OnlineHearings>

WHEREFORE, Applicant prays that an Order be made ordering the audio/visual appearance of the said RODERICK STEPHEN SKINNER #1126964 before the Second Judicial District Court, and from time to time thereafter at such times and places as may be ordered and directed by the Court for such proceedings as thereafter may be necessary and proper in the premises and directing the execution of said Order by the Warden of the Northern Nevada Correctional Center, Carson City, Nevada.

AFFIRMATION

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

DATED: November 4, 2022.

CHRISTOPHER J. HICKS
District Attorney

By /s/Jennifer P. Noble
JENNIFER P. NOBLE
Chief Appellate Deputy

CERTIFICATE OF MAILING

Pursuant to NRCP 5(b), I hereby certify that I am an employee of the Washoe County District Attorney's Office and that, on November 4, 2022, I deposited for mailing through the U.S. Mail Service at Reno, Washoe County, Nevada, postage prepaid, a true copy of the foregoing document, addressed to:

Roderick Skinner #1126964
Northern Nevada Correctional Center
P.O. Box 7000
Carson City, NV 89702

/s/ Tatyana Ducummon
TATYANA DUCUMMON

Return Of NEF**Recipients**

JENNIFER NOBLE, ESQ. - Notification received on 2022-11-04 15:48:11.777.
KEVIN NAUGHTON, ESQ. - Notification received on 2022-11-04 15:48:12.669.
DIV. OF PAROLE & PROBATION - Notification received on 2022-11-04 15:48:11.339.
JOHN PETTY, ESQ. - Notification received on 2022-11-04 15:48:10.261.
CHRISTOPHER FREY, ESQ. - Notification received on 2022-11-04 15:48:09.855.
EDWARD REED, ESQ. - Notification received on 2022-11-04 15:48:13.044.
CHRISTINE BRADY, ESQ. - Notification received on 2022-11-04 15:48:12.153.

******* IMPORTANT NOTICE - READ THIS INFORMATION *******
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR14-0644

Judge:

HONORABLE BARRY L. BRESLOW

Official File Stamp:

11-04-2022:15:47:32

Clerk Accepted:

11-04-2022:15:47:52

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. RODERICK STEPHEN SKINNER
(D8)

Document(s) Submitted:

Application Produce Prisoner

Filed By:

Jennifer Patricia Noble

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

The following people were served electronically:

EDWARD TORRANCE REED, ESQ. for
RODERICK STEPHEN SKINNER

JENNIFER P. NOBLE, ESQ. for STATE OF
NEVADA

KEVIN P. NAUGHTON, ESQ. for STATE OF
NEVADA

CHRISTINE BRADY, ESQ. for RODERICK
STEPHEN SKINNER

JOHN REESE PETTY, ESQ. for RODERICK
STEPHEN SKINNER

DIV. OF PAROLE & PROBATION

CHRISTOPHER FREY, ESQ. for RODERICK
STEPHEN SKINNER

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

1 CODE #3340
CHRISTOPHER J. HICKS
2 #7747
One South Sierra Street
3 Reno, Nevada 89501
(775) 328-3200
4 districtattorney@da.washoecounty.gov
Attorney for Respondent
5

6 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,
7
8 IN AND FOR THE COUNTY OF WASHOE

8 * * *

9 RODERICK STEPHEN SKINNER,

10 Petitioner,

Case No. CR14-0644

11 v.

Dept. No. 8

12 THE STATE OF NEVADA,

13 Respondent.
14 _____/

15 ORDER TO PRODUCE PRISONER VIA SIMULTANEOUS AUDIO/VISUAL TRANSMISSION

16 IT APPEARING to the satisfaction of the above-entitled Court that it is necessary
17 that the Petitioner above named, RODERICK STEPHEN SKINNER #1126964, presently
18 incarcerated in the Northern Nevada Correctional Center in Carson City, Nevada, be
19 brought before the Second Judicial District Court for a post-conviction hearing in the
20 above-entitled action.

21 NOW, THEREFORE, IT IS HEREBY ORDERED that the Warden of the Northern
22 Nevada Correctional Center in Carson City, Nevada, with cooperative assistance from
23 the Nevada System of Higher Education bring the said RODERICK STEPHEN
24 SKINNER #1126964 before the Second Judicial District Court via simultaneous

1 audio/visual transmission means on November 22, at 2:00 p.m. for a post-conviction
2 hearing in the above-entitled action.

3 IT IS FURTHER ORDERED that it is not necessary for said RODERICK
4 STEPHEN SKINNER #1126964 to be physically located in Washoe County, Nevada,
5 during the post-conviction hearing.

6 IT IS FURTHER ORDERED that the Warden of the Northern Nevada
7 Correctional Center in Carson City, Nevada, shall provide and make available a
8 telephone for the duration of the post-conviction hearing to RODERICK STEPHEN
9 SKINNER #1126964, and his defense counsel, for the ability to speak privately during
10 the hearing.

11 DATED this 7th day of November, 2022.

12
13 
14 _____
DISTRICT JUDGE

Return Of NEF**Recipients**

JENNIFER NOBLE, ESQ. - Notification received on 2022-11-07 11:16:19.368.
KEVIN NAUGHTON, ESQ. - Notification received on 2022-11-07 11:16:21.056.
DIV. OF PAROLE & PROBATION - Notification received on 2022-11-07 11:16:18.931.
JOHN PETTY, ESQ. - Notification received on 2022-11-07 11:16:17.93.
CHRISTOPHER FREY, ESQ. - Notification received on 2022-11-07 11:16:17.193.
EDWARD REED, ESQ. - Notification received on 2022-11-07 11:16:22.134.
CHRISTINE BRADY, ESQ. - Notification received on 2022-11-07 11:16:19.822.

******* IMPORTANT NOTICE - READ THIS INFORMATION *******

PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR14-0644

Judge:

HONORABLE BARRY L. BRESLOW

Official File Stamp:

11-07-2022:11:15:27

Clerk Accepted:

11-07-2022:11:15:51

Court:

Second Judicial District Court - State of Nevada

Criminal

Case Title:

STATE VS. RODERICK STEPHEN SKINNER
(D8)

Document(s) Submitted:

Ord to Produce Prisoner

Filed By:

Court Clerk ADeGayne

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EDWARD TORRANCE REED, ESQ. for
RODERICK STEPHEN SKINNER

JENNIFER P. NOBLE, ESQ. for STATE OF
NEVADA

KEVIN P. NAUGHTON, ESQ. for STATE OF
NEVADA

CHRISTINE BRADY, ESQ. for RODERICK
STEPHEN SKINNER

JOHN REESE PETTY, ESQ. for RODERICK
STEPHEN SKINNER

DIV. OF PAROLE & PROBATION

CHRISTOPHER FREY, ESQ. for RODERICK
STEPHEN SKINNER

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

CODE No. 2645
CHRISTOPHER J. HICKS
#7747
One South Sierra Street
Reno, Nevada 89501
(775) 328-3200
districtattorney@da.washoecounty.gov
Attorney for Respondents

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,

IN AND FOR THE COUNTY OF WASHOE

* * *

RODERICK SKINNER,

Petitioner,

Case No. CR14-0644

v.

Dept. No. 8

WARDEN FRANKLIN, NNCC,
STATE OF NEVADA, ET AL.,

Respondents.

_____ /

OPPOSITION TO MOTION FOR CORRECTION OF SENTENCE

COMES NOW, the State of Nevada, by and through Jennifer P. Noble, Chief Appellate Deputy, and opposes Roderick Skinner's (hereinafter "Skinner") Motion for Correction of Sentence filed on November 1, 2022. This Opposition is based upon the records of this Court and the following points and authorities.

MEMORANDUM OF POINTS AND AUTHORITIES

I. PROCEDURAL HISTORY

Skinner pled guilty and was convicted of one count of Promotion of a Sexual Performance of a Minor, Age 14 or Older, and sentenced to a term of life imprisonment

with parole eligibility after five years. *See* Judgment of Conviction filed September 11, 2014.

Skinner appealed his conviction, alleging that the Court abused its discretion by sentencing him to prison rather than placing him on probation. The Court of Appeals rejected the Petitioner's argument. *See Skinner v. State*, Docket No. 66666-COA (Order of Affirmance, July 14, 2015).

Skinner filed his first Petition for Writ of Habeas Corpus (Post-Conviction) ("First Petition") on July 13, 2016. He perfected the First Petition with a verified petition on October 7, 2016. The Court held an evidentiary hearing on the First Petition and First Supplemental Petition on September 26, 2019. Following that hearing, the Court entered an Order Denying Petition for Writ of Habeas Corpus on October 9, 2019. Skinner appealed, and the Court of Appeals affirmed this Court's decision. *See Skinner v. Baca*, Docket No. 79981-COA (Order of Affirmance, February 8, 2021). Skinner sought review of the Court of Appeals' decision by the Nevada Supreme Court. The Nevada Supreme Court denied the petition for review on June 25, 2021. *See Skinner v. Baca*, Docket No. 79981 (Order Denying Petition for Review, June 30, 2021).

On March 29, 2022, Skinner filed his second Petition for Writ of Habeas Corpus (Post-Conviction) ("Second Petition") and requested submission on the same day. The Court entered an order striking Skinner's request for submission. Skinner re-filed the Second Petition on April 4, 2022. Skinner again requested submission on the same day the Second Petition was re-filed, and this Court again struck the request for submission. The State moved to dismiss the Second Petition, and that motion is currently pending.

On April 14, 2022, Skinner filed a Motion for Appointment of Counsel. The State filed an Opposition to Motion for Appointment of Counsel, relying on the analysis in the

motion to dismiss. The Court appointed Edward Reed, Esq. to represent Skinner regarding the Second Petition. On August 16, 2022, Mr. Reed filed a motion to withdraw as counsel, and the State filed a notice of non-opposition. A hearing on that motion was held October 25, 2022, and the following day, the Court issued an Order Appointing Conflict Counsel. On November 1, 2022, Skinner filed a Motion to Correct Illegal Sentence in proper person. The State opposes.

II. ARGUMENT

A motion to correct an illegal sentence may only address the facial legality of the sentence, i.e., one at variance with the controlling statute, beyond a court's jurisdiction, or in excess of the statutory maximum. *Edwards v. State*, 112 Nev. 704, 918 P.2d 321 (1996). Skinner contends that he should have been granted probation, but the Nevada Court of Appeals has previously rejected a similar argument. *See* Order of Affirmance, *Skinner v. State*, 66666-COA, July 14, 2015. To the extent that Skinner attempts to argue that this Court relied on highly impalpable or suspect evidence contained in the presentence investigation report, he exceeds the narrow scope of his procedural vehicle as contemplated by *Edwards, supra*. The Motion may properly be denied.

AFFIRMATION PURSUANT TO NRS 239B.030

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

DATED: November 14, 2022.

CHRISTOPHER J. HICKS
District Attorney

By /s/ Jennifer P. Noble
JENNIFER P. NOBLE
Chief Appellate Deputy
Nevada Bar No. 9446

CERTIFICATE OF MAILING

Pursuant to NRCP 5(b), I hereby certify that I am an employee of the Washoe County District Attorney's Office and that, on November 14, 2022, I deposited for mailing through the U.S. Mail Service at Reno, Washoe County, Nevada, postage prepaid, a true copy of the foregoing document, addressed to:

Roderick Skinner #1126964
Northern Nevada Correctional Center
P.O. Box 7000
Carson City, NV 89702

/s/ Tatyana Ducummon
TATYANA DUCUMMON

Return Of NEF**Recipients**

JENNIFER NOBLE, ESQ. - Notification received on 2022-11-14 14:22:22.362.
KEVIN NAUGHTON, ESQ. - Notification received on 2022-11-14 14:22:23.425.
DIV. OF PAROLE & PROBATION - Notification received on 2022-11-14 14:22:21.909.
JOHN PETTY, ESQ. - Notification received on 2022-11-14 14:22:21.269.
CHRISTOPHER FREY, ESQ. - Notification received on 2022-11-14 14:22:20.956.
EDWARD REED, ESQ. - Notification received on 2022-11-14 14:22:23.8.
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***** IMPORTANT NOTICE - READ THIS INFORMATION *****

PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR14-0644

Judge:

HONORABLE BARRY L. BRESLOW

Official File Stamp:

11-14-2022:14:06:06

Clerk Accepted:

11-14-2022:14:21:58

Court:

Second Judicial District Court - State of Nevada

Criminal

Case Title:

STATE VS. RODERICK STEPHEN SKINNER
(D8)

Document(s) Submitted:

Opposition to Mtn

Filed By:

Jennifer Patricia Noble

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NEVADA

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STEPHEN SKINNER

JOHN REESE PETTY, ESQ. for RODERICK
STEPHEN SKINNER

DIV. OF PAROLE & PROBATION

CHRISTOPHER FREY, ESQ. for RODERICK
STEPHEN SKINNER

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

FILED

NOV 15 2022

ALICIA L. LERUD, CLERK
By: [Signature]
DEPUTY CLERK

1 RODERICK SKINNER, # 1126964
Northern Nevada Correctional Center
2 P.O. Box 7000
3 Carson City, Nevada 89702

4 PETITIONER IN PROPER PERSON
5

6 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF
7 NEVADA IN AND FOR THE COUNTY OF WASHOE
8
9

10 RODERICK SKINNER

11 Petitioner,

Case No.: CR14-0644

12 V.

Dept. No. 15

13 WARDEN FRAZIER N.N.C.C. et al.,
14 STATE OF NEVADA.
Respondent

15
16
17 **PETITION FOR WRIT OF HABEAS CORPUS (POST CONVICTION)**

18 **INSTRUCTIONS:**
19

20 (1) This petition must be legibly handwritten or typewritten, signed by the
petitioner and verified.

21 (2) Additional pages are not permitted except where noted or with respect to the
22 facts which you rely upon to support your grounds for relief. No citation of
authorities need be furnished. If briefs or arguments are submitted, they should be
23 submitted in the form of a separate memorandum.

24 (3) If you want an attorney appointed, you must complete the Affidavit in Support
of Request to Proceed in Forma Pauperis. You must have an authorized officer at the
prison complete the certificate as to the amount of money and securities on deposit to
25 your credit in any account in the institution.

26 (4) You must name as respondent the person by whom you are confined or
restrained. If you are in a specific institution of the Department of Corrections,
27 name the warden or head of the institution. If you are not in a specific institution
of the Department but within its custody, name the Director of the Department of
28 Corrections.

(5) You must include all grounds or claims for relief which you may have regarding your conviction or sentence. Failure to raise all grounds in this petition may preclude you from filing future petitions challenging your conviction and sentence.

(6) You must allege specific facts supporting the claims in the petition you file seeking relief from any conviction or sentence. Failure to allege specific facts rather than just conclusions may cause your petition to be dismissed. If your petition contains a claim of ineffective assistance of counsel, that claim will operate to waive the attorney-client privilege for the proceeding in which you claim your counsel was ineffective.

(7) When the petition is fully completed, the original and one copy must be filed with the clerk of the state district court for the county in which you were convicted. One copy must be mailed to the respondent, one copy to the Attorney General's Office, and one copy to the district attorney of the county in which you were convicted or to the original prosecutor if you are challenging your original conviction or sentence. Copies must conform in all particulars to the original submitted for filing.

PETITION

1. Name of institution and county in which you are presently imprisoned or where and how you are presently restrained of your liberty: NORTHERN NEVADA CORRECTIONAL CENTER
CARSON CITY.

2. Name and location of court which entered the judgment of conviction under attack:

SECOND JUDICIAL DISTRICT COURT, RENO NEVADA.

3. Date of judgment of conviction: 10TH SEPT. 2014

4. Case number: CR14-0644

5. (a) Length of sentence: 5 YEARS → LIFE

1 (b) If sentence is death, state any date upon which
2 execution is scheduled: N/A

3
4 6. Are you presently serving a sentence for a conviction
5 other than the conviction under attack in this motion?

6 Yes _____ No ✓

7 If "yes," list crime, case number and sentence being
8 served at this time: _____

9
10 7. Nature of offense involved in conviction being
11 challenged: N.R.S. 200.720 COMPUTER FILESHARE SOFTWARE.

12
13
14 8. What was your plea? (check one)

15 (a) Not guilty _____

16 (b) Guilty ✓

17 (c) Guilty but mentally ill _____

18 (d) Nolo contendere _____

19
20 9. If you entered a plea of guilty to one count of an
21 indictment or information, and a plea of not guilty to another
22 count of an indictment or information, or if a plea of guilty was
23 negotiated, give details: N/A

24
25
26
27 10. If you were found guilty after a plea of not guilty, was
28 the finding made by: (check one)

1 (a) Jury _____

2 (b) Judge without a jury _____

3
4 11. Did you testify at the trial? Yes _____ No _____

5
6 12. Did you appeal from the judgment of conviction?

7 Yes ☒ No _____

8
9 13. If you did appeal, answer the following:

10 (a) Name of court: NEVADA SUPREME COURT

11 (b) Case number or citation: 66666

12 (c) Result: CONVICTION AFFIRMED

13
14
15 (d) Date of result: 14TH JULY 2015

16 (Attach copy of order or decision, if available.)

17
18 14. If you did not appeal, explain briefly why you did not:

19
20
21
22
23 15. Other than a direct appeal from the judgment of
24 conviction and sentence, have you previously filed any petitions,
25 applications or motions with respect to this judgment in any
26 court, state or federal? Yes ☒ No _____

16. If your answer to No. 15 was "yes," give the following information:

(a) (1) Name of court: SECOND JUDICIAL DISTRICT COURT

(2) Nature of proceeding: STATE HABEAS CORPUS

(3) Grounds raised: 16 GROUNDS, INCLUDING NO CORPUS

DELICTI, GUILTY PLEA DURESS, AND
INEFFECTIVE ASSISTANCE OF COUNSEL BOTH AT TRIAL AND ON APPEAL.

(4) Did you receive an evidentiary hearing on your petition, application or motion? Yes ☒ No ☐

(5) Result: PETITION DENIED

(6) Date of result: 9TH OCTOBER 2019

(7) If known, citations of any written opinion or date of orders entered pursuant to such result: _____

(b) As to any second petition, application or motion, give the same information:

(1) Name of court: U.S. DISTRICT COURT

(2) Nature of proceeding: FEDERAL HABEAS CORPUS

(3) Grounds raised: 3:21-cv-00318-MMD-CLB

COERCED GUILTY PLEA, NO CORPUS DELICTI

(4) Did you receive an evidentiary hearing on your petition, application or motion? Yes PENDING No ☐

(5) Result: PENDING

(6) Date of result: _____

1 (7) If known, citations of any written opinion or date of
2 orders entered pursuant to such result: _____
3 _____
4 _____

5 (c) As to any third or subsequent additional applications or
6 motions, give the same information as above, list them on a
7 separate sheet and attach.

8 (d) Did you appeal to the highest state or federal court
9 having jurisdiction, the result or action taken on any petition,
10 application or motion?

11 (1) First petition, application or motion?

12 Yes ☒ No _____

13 Citation or date of decision: _____

14 (2) Second petition, application or motion?

15 Yes _____ No PROCEEDINGS STILL PENDING

16 Citation or date of decision: _____

17
18 (3) Third or subsequent petitions, applications or motions?

19 Yes _____ No PROCEEDINGS STILL PENDING

20 Citation or date of decision: _____

21 (e) If you did not appeal from the adverse action on any
22 petition, application or motion, explain briefly why you did not.
23 (You must relate specific facts in response to this question.
24 Your response may be included on paper which is 8 1/2 by 11
25 inches attached to the petition. Your response may not exceed
26 five handwritten or typewritten pages in length.)
27
28

1 17. Has any ground being raised in this petition been
2 previously presented to this or any other court by way of
3 petition for habeas corpus, motion, application or any other
4 post-conviction proceeding? ^ If so, identify:

5 NO.

6 (a) Which of the grounds is the same: NONE.

7
8
9 (b) The proceedings in which these grounds were raised:

10
11
12 (c) Briefly explain why you are again raising these grounds.

13 (You must relate specific facts in response to this
14 question. Your response may be included on paper which is 8 1/2
15 by 11 inches attached to the petition. Your response may not
16 exceed five handwritten or typewritten pages in length.)

17
18
19
20
21 18. If any of the grounds listed in Nos. 23(a), (b), (c) and
22 (d), or listed on any additional pages you have attached, were
23 not previously presented in any other court, state or federal,
24 list briefly what grounds were not so presented, and give your
25 reasons for not presenting them. (You must relate specific facts
26 in response to this question. Your response may be included on
27 paper which is 8 1/2 by 11 inches attached to the petition. Your

1 response may not exceed five handwritten or typewritten pages in
2 length.)
3
4
5

6
7 19. Are you filing this petition more than 1 year following
8 the filing of the judgment of conviction or the filing of a
9 decision on direct appeal? ✓ If so, state briefly the reasons for
10 the delay. (You must relate specific facts in response to this
11 question. Your response may be included on paper which is 8 1/2
12 by 11 inches attached to the petition. Your response may not
13 exceed five handwritten or typewritten pages in length.)

14 YES. FUNDAMENTAL CHANGE IN JUDICIAL HOLDING CONCERNING
15 PRESENTENCE INVESTIGATION REPORTS. See,
16 JOSHUA RAY VASQUEZ v NEVADA, No. 79409 COA filed 12TH AUG 2020.

17 20. Do you have any petition or appeal now pending in any
18 court, either state or federal, as to the judgment under attack?
19 Yes ✓ No If yes, state what court and the case number:
20 - SECOND JUDICIAL DISTRICT COURT RENO. STATE HABEAS CORPUS IN CR14-0644
21 - U.S. DISTRICT COURT OF NEVADA. FEDERAL HABEAS CORPUS PETITION.
22 CASE NO. 3:21-CV-00318-MMD-CLB

23 21. Give the name of each attorney who represented you in
24 the proceeding resulting in your conviction and on direct appeal:
25 CHRISTOPHER FREY ESQ. JOHN REESE PETTY ESQ.

26 22. Do you have any future sentences to serve after you
27 complete the sentence imposed by the judgment under attack?
28

Yes No ✓

23. (a) GROUND ONE: I AM BEING DENIED DUE PROCESS AND EQUAL PROTECTION GUARANTEED BY THE FIFTH AND FOURTEENTH AMENDMENTS OF THE UNITED STATES CONSTITUTION, AS DESCRIBED IN THE SUPPORTING FACTS HEREUNDER.

23. (a) SUPPORTING FACTS (tell your story briefly without citing cases or law): I AM BEING DENIED DUE PROCESS AND EQUAL PROTECTION AS GUARANTEED BY THE UNITED STATES CONSTITUTION, BECAUSE I HAVE A 'PRESENTENCE INVESTIGATION REPORT' (HEREAFTER "P.S.I.") ASSOCIATED WITH MY NEVADA CRIMINAL CASE CR14-0644, WHICH IS NOT BASED ON ANY "STANDARDS" FOUNDED UPON "OBJECTIVE CRITERIA".

THE 'DIVISION OF PAROLE AND PROBATION' IN NEVADA (HEREAFTER "P+P") HAS RELIED IN WHOLE OR IN PART UPON — AND/OR CONTINUES TO RELY IN WHOLE OR IN PART UPON — MY P.S.I. WHEN MAKING ITS DETERMINATIONS IN MY CASE. 'NEVADA REVISED STATUTE' (HEREAFTER "N.R.S.") 213.10988 COMMANDED (BY USING THE TERM "SHALL") P+P TO ADOPT BY REGULATION, "STANDARDS" BASED UPON "OBJECTIVE CRITERIA". AS OF 2016, THE ONLY REGULATION THAT COMPLIES WITH THIS COMMAND IS NAC 213.580, WHICH ONLY GOES SO FAR AS TO PROMISE THAT P+P WILL CONDUCT EVALUATIONS USING "STANDARDS" TO BE OTHERWISE ADOPTED. THE PROBLEM IS THAT NAC 213.580 IS NOT ITSELF A "REGULATION" THAT EMBODIES "STANDARDS". IT IS NOTHING MORE THAN A BLAND PROMISE THAT P+P WILL CREATE SOME "STANDARD" OUTSIDE OF NAC 213.580 THAT THE REGULATION DOES NOT ITSELF IDENTIFY. (— Lines 15-24 IS THE DICTA OF JUDGE TAO, NEVADA COURT OF APPEALS, IN JOSHUA RAY VASQUEZ v STATE OF NEVADA, No. 79409-COA FILED AUGUST 12 2020).

BY ISSUING SENTENCING RECOMMENDATIONS IN MY CASE THAT FOLLOWED NO STANDARD SET FORTH IN ANY REGULATION, P+P MADE

IT'S RECOMMENDATIONS IN WHAT IS, VIRTUALLY BY DEFINITION,
AN ARBITRARY AND CAPRICIOUS MANNER AND WITHOUT DUE NOTICE
TO ME AS A THEN CRIMINAL DEFENDANT FACING THE PROSPECT OF
A PRISON SENTENCE. THE U.S. SUPREME COURT HAS EMPHASIZED
THIS FUNDAMENTAL DUE PROCESS ISSUE OF "WHAT HAPPENS WHEN
AN EXECUTIVE BRANCH AGENCY ACTS WITHOUT ANY LAW OR REGULATION
TO CONSTRAIN IT". - TAO J. CONCURRING WITH GIBBONS C.J AND
BULLA J. IN JOSHUA RAY VASQUEZ v NEVADA No. 79409-COA (2020);
See ALSO UNITED STATES v HAVIS, 907F.3d 439, 450 (6TH CIR. 2018)"
(THUPAR, J., CONCURRING), quoting SESSIONS v DIMAYA, -- U.S. --, 138 S.Ct.
1204, 1223 (2018) (GORSUCH, J., CONCURRING IN PART AND CONCURRING IN
THE JUDGEMENT). IN VASQUEZ supra, THE NEVADA COURT OF APPEALS
ORDERED THE JUDGEMENT OF THE DISTRICT COURT VACATED SINCE
THE DISTRICT COURT ABUSED IT'S DISCRETION AT SENTENCING BY
FAILING TO RULE ON HIS OBJECTIONS TO THE P.S.I.

THE DISTRICT COURT IN PETITIONER SKINNER'S CASE CR14-0644
ALSO FAILED TO RULE ON HIS OBJECTIONS TO THE P.S.I.; P+P
USED 27 CRITERIA PREVIOUSLY SET FORTH IN NAC 213.590 WHICH
DID NOT APPEAR IN ANY REGULATION AND WERE REPEALED IN 2016.
AS A DIRECT CONSEQUENCE AND DESPITE COMPREHENSIVELY
CHALLENGING THE P+P SCORING DURING SENTENCING PROCEEDINGS,
PETITIONER SKINNER WAS DENIED PROBATION AND NOW CONTINUES
TO BE PREJUDICED BY HIS FUNDAMENTALLY DEFECTIVE P.S.I..
FOR INSTANCE, HE HAS BEEN DENIED PAROLE TWICE SINCE HIS
CONVICTION IN SEPTEMBER 2014; IF STANDARDS HAD PROPERLY
EXISTED AT THE TIMES OF HIS PAROLE ELIGIBILITY IN 2018 AND 2021,
I. "VAGUE LAWS INVITE ARBITRARY POWER"

OUT

THERE IS A REASONABLE PROBABILITY THAT AN OUTCOME OTHER THAN PETITIONER SKINNER'S CONTINUED INCARCERATION, COULD HAVE RESULTED.

"WHILE SOME LEVEL OF RETROACTIVITY CAN BE TOLERATED IN CIVIL CASES, EX POST FACTO PROSECUTION AND PUNISHMENT ARE CONSTITUTIONALLY PROHIBITED IN CRIMINAL CASES".

- JUDGE TAO, IN VASQUEZ v NEVADA No. 79409 C.O.A (2020), *at v*, citing COLLINS v YOUNGBLOOD, 497 U.S. 37 (1990).

AFTER THE FACT OR RETROACTIVE "EX POST FACTO" PUNISHMENT CONTINUES TO OCCUR IN PETITIONER SKINNER'S CASE CRI4-0644, AS A RESULT OF HIS P.S.I. NOT BEING BASED ON ANY "STANDARDS" FOUNDED UPON "OBJECTIVE CRITERIA". WHEN THE "STANDARDS" ARE WHATEVER THE APPLICABLE PUBLIC OFFICIAL SUBJECTIVELY DEEMS THEM TO BE AT ANY GIVEN TIME — THERE ARE NO STANDARDS. PETITIONER SKINNER HAS BEEN DENIED DUE PROCESS OF LAW TO WHICH HE IS CONSTITUTIONALLY ENTITLED. JUDGE TAO IN HIS CONCURRING OPINION IN JOSHUA RAY VASQUEZ v NEVADA (2020) *supra* AT THE END OF HIS POINT IV. STATED :

"...I HARBOR SERIOUS DOUBT THAT THE NEVADA CONSTITUTION PERMITS ANY KIND OF STATE ANALOGUE TO IT THAT PERMITS NEVADA STATE AGENCIES TO MAKE UP RULES ON THE FLY, ESPECIALLY IN CRIMINAL CASES." *Id.*

THE NEVADA COURT OF APPEALS IN VASQUEZ CONCLUDED THAT THE DISTRICT COURT ABUSED IT'S DISCRETION BY SENTENCING HIM WITHOUT DUE CONSIDERATION TO HIS OBJECTIONS TO THE P.S.I.. IT ORDERED VASQUEZ'S SENTENCE BE VACATED AND HIS CASE REMANDED FOR RESENTENCING. THE SAME MUST APPLY TO SKINNER.

23. (b) GROUND TWO: I AM BEING DENIED DUE PROCESS AND EQUAL PROTECTION GUARANTEED BY THE FIFTH AND FOURTEENTH AMENDMENTS OF THE UNITED STATES CONSTITUTION, AS DESCRIBED IN THE SUPPORTING FACTS HEREUNDER.

23. (b) SUPPORTING FACTS (tell your story briefly without citing cases or law): I AM BEING DENIED DUE PROCESS AND EQUAL PROTECTION AS GUARANTEED BY THE UNITED STATES CONSTITUTION, BECAUSE I HAVE A 'PRESENTENCE INVESTIGATION REPORT' (HEREAFTER "P.S.I") ASSOCIATED WITH MY NEVADA CRIMINAL CASE CR14-0644, WHICH IS NOT BASED ON ANY "STANDARDS" FOUNDED UPON "OBJECTIVE CRITERIA", AND AS SUCH IMPROPERLY AFFECTS MY CUSTODY, CLASSIFICATION, PROGRAMMING AND OTHER MATERIAL CONDITIONS OF MY CONFINEMENT IN THE NEVADA DEPARTMENT OF CORRECTIONS.

I HEREBY INCORPORATE INTO THIS GROUND BY REFERENCE ALL OF MY SUPPORTING FACTS, LEGAL ARGUMENT, AND OTHER CONTENT WHICH COMPRISES GROUND ONE IN THIS PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION).

MY P.S.I. MATERIALLY AFFECTS MANY ASPECTS OF MY INCARCERATION. IT IS THEREFORE CRITICALLY IMPORTANT THAT IT CONTAINS ACCURATE INFORMATION, AND IS BASED UPON SOUND CRITERIA THAT ARE OBJECTIVE AND FOUNDED ON "STANDARDS" THAT ARE IN COMPLIANCE WITH DUE PROCESS AND APPLICABLE LAWS AND REGULATIONS. MY P.S.I. IS NOT SO GROUNDED. AS SUCH IT NEGATIVELY AFFECTS MY PAROLE ELIGIBILITY AND MORE BECAUSE IT IS ULTIMATELY AN INACCURATE DOCUMENT AND THEREFORE MISLEADING. A NEW, ACCURATE P.S.I. AND RESENTENCING MUST OCCUR.

23. (c) GROUND THREE: I AM BEING SUBJECTED TO CRUEL AND UNUSUAL PUNISHMENT PROHIBITED BY THE EIGHTH AMENDMENT TO THE UNITED STATES CONSTITUTION.

23. (c) SUPPORTING FACTS (tell your story briefly without citing cases or law): INACCURACIES AND SUBJECTIVE CONTENT CONTAINED IN MY P.S.I. HAVE BEEN AND CONTINUE TO BE USED AGAINST ME BY PRISON INMATES AND OTHERS, TO MY DETRIMENT. IT HAS AND DOES EXPOSE ME TO THE RISK OF HARM AND EVEN DEATH IN THE PRISON ENVIRONMENT. THE COURT DID NOT SENTENCE ME TO SUFFER PHYSICAL HARM OR DEATH. I CAN TESTIFY TO INSTANCES WHERE I HAVE BEEN THREATENED WITH HARM BY PRISON INMATES, AND RIDICULE BY PRISON STAFF.

THE NEVADA DEPARTMENT OF CORRECTIONS ISSUED A MEMORANDUM DATED OCTOBER 27TH 2022 CONCERNING INMATE P.S.I.'S WHICH IS CLEARLY RELEVANT TO THE ISSUES I RAISE IN THIS GROUND. See, EXHIBIT - 1.

A NEW P.S.I. THAT IS ACCURATE MUST BE CAUSED TO REPLACE MY CURRENT P.S.I., AND A NEW SENTENCING HEARING MUST OCCUR IN MY CR14-0644 CRIMINAL CASE.

CONCLUSION

A NEW P.S.I. MUST BE GENERATED IN MY CR14-0644 CRIMINAL CASE IN ACCORD WITH "OBJECTIVE CRITERIA" AND "STANDARDS" RATIFIED BY REGULATION. A NEW SENTENCING PROCEEDING MUST OCCUR IN MY CASE.

VERIFICATION

Under penalty of perjury, the undersigned declares that he is the petitioner named in the foregoing petition and knows the contents thereof; that the pleading is true of his own knowledge, except as to those matters stated on information and belief, and as to such matters he believes them to be true.

Rod Skinner.

Petitioner

Attorney for petitioner

AFFIRMATION

PURSUANT TO NRS 239B.030

The undersigned does hereby affirm that the preceding PETITION FOR WRIT
OF HABEAS CORPUS (POST-CONVICTION)

(Title of Document)

Does not contain the social security number of any person

Rod Skinner.

Signature

04TH NOVEMBER 2022

Date

RODERICK SKINNER

Print name

PETITIONER IN PRO-PER

Title

CERTIFICATE OF SERVICE BY MAIL

I, RODERICK SKINNER, hereby certify pursuant to
N.R.C.P. 5(b), that on this FOURTH day of the month of NOVEMBER
of the year 2022, I mailed a true and correct copy of the
foregoing PETITION FOR WRIT OF HABEAS CORPUS addressed to:

WARDEN FRAZIER N.N.C.C.

Respondent prison or jail official

P.O. Box 7000

CARSON CITY N.V. 89702

Address

Attorney General's Office
100 North Carson Street
Carson City, Nevada 89701-4717

CLERK OF THE COURT
SECOND JUDICIAL DISTRICT COURT
75 COURT ST
RENO N.V. 89501.

JENNIFER NOBLE

District Attorney of County of Conviction

1 SOUTH SIERRA ST

RENO N.V. 89501

Address

Rod Skinner.

Signature of Petitioner

Northern Nevada Correctional Center
P.O. Box 7000
Carson City, Nevada 89702

EXHIBIT-1

DEPARTMENT OF CORRECTIONS NEVADA

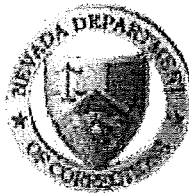
MEMORANDUM DATED OCTOBER 27TH, 2022

SUBJECT: POSSESSION OF PRE-SENTENCE REPORTS

Steve Sisolak
Governor

William Gittere
Acting Director

Fernandeis A. Frazier,
Warden Northern
Nevada Correctional
Center



STATE OF NEVADA
Department of Corrections

Northern Administration
5500 Snyder Ave.
Carson City, NV 89701
(775) 977-5500

Southern Administration
3955 W. Russell Rd.
Las Vegas, NV 89118
(725) 216-6000

MEMORANDUM

Date: October 27, 2022

To: NNCC/SCC Offenders

Subject: Possession of Pre-Sentence Report

In accordance with AR 568, "Offenders will not be provided copies of their Pre-Sentence Investigation Reports due to sensitive information contained in them." As a means of addressing this issue, individuals who currently have these items in their possession are required to turn the items into their assigned Case Worker no later than November 13, 2022. Offenders who are found in possession of said items after that date will receive a Notice of Charge(s) MJ26 Possession of Contraband along with the item being confiscated at that time.

10/27/22
Fernandeis A. Frazier, Warden Date
Northern Nevada Correctional Center-
Stewart Conservation Camp
Nevada Department of Corrections

1 WHEREFORE, petitioner prays that the court grant petitioner
2 relief to which he may be entitled in this proceeding.

3
4 EXECUTED at NORTHERN NEVADA CORRECTIONAL CENTER
5 on the 04TH day of the month of NOVEMBER of the
6 year 2022

7
8 Rod Skinner
9 Signature of petitioner

10
11
12
13 Address

14
15 Signature of attorney (if any)

16
17 Attorney for petitioner

18
19
20
21 Address

CODE #1260
CHRISTOPHER J. HICKS
#7747
One South Sierra Street
Reno, Nevada 89501
(775) 328-3200
districtattorney@da.washoecounty.gov
Attorney for Plaintiff

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,

IN AND FOR THE COUNTY OF WASHOE

* * *

THE STATE OF NEVADA,

Plaintiff,

Case No. CR14-0644

v.

Dept. No. 8

RODERICK STEPHEN SKINNER,

Defendant.

_____/

APPLICATION FOR ORDER TO PRODUCE PRISONER

COMES NOW, the State of Nevada, by and through CHRISTOPHER J. HICKS,
District Attorney of Washoe County, by KEVIN NAUGHTON, Appellate Deputy, and
alleges as follows:

1. That the above Defendant, RODERICK STEPHEN SKINNER #1126964, is
presently incarcerated at the Northern Nevada Correctional Center, Carson City,
Nevada.

2. That the above RODERICK STEPHEN SKINNER #1126964, is scheduled for an
in-person status hearing before the Second Judicial District Court on December 29,
2022, at 9:00 a.m.

WHEREFORE, Applicant prays that an Order be made ordering the appearance of the said RODERICK STEPHEN SKINNER #1126964, before the Second Judicial District Court, on December 29, 2022, at 9:00 a.m. for an in-person status hearing in the above-entitled action, and from time to time thereafter at such times and places as may be ordered and directed by the Court for such proceedings as thereafter may be necessary and proper in the premises, and directing the execution of said Order by the Warden of the Northern Nevada Correctional Center, Carson City, Nevada.

AFFIRMATION

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

DATED: November 22, 2022.

CHRISTOPHER J. HICKS
District Attorney

By /s/ Kevin Naughton
KEVIN NAUGHTON
Appellate Deputy

CERTIFICATE OF MAILING

Pursuant to NRCP 5(b), I hereby certify that I am an employee of the Washoe County District Attorney's Office and that, on November 22, 2022, I deposited for mailing through the U.S. Mail Service at Reno, Washoe County, Nevada, postage prepaid, a true copy of the foregoing document, addressed to:

Roderick Skinner #1126964
Northern Nevada Correctional Center
P.O. Box 7000
Carson City, NV 89702

/s/ Tatyana Ducummon
TATYANA DUCUMMON

Return Of NEF**Recipients**

JENNIFER NOBLE, ESQ. - Notification received on 2022-11-22 15:50:22.466.
KEVIN NAUGHTON, ESQ. - Notification received on 2022-11-22 15:50:23.201.
DIV. OF PAROLE & PROBATION - Notification received on 2022-11-22 15:50:22.107.
JOHN PETTY, ESQ. - Notification received on 2022-11-22 15:50:21.294.
CHRISTOPHER FREY, ESQ. - Notification received on 2022-11-22 15:50:20.935.
EDWARD REED, ESQ. - Notification received on 2022-11-22 15:50:23.497.
CHRISTINE BRADY, ESQ. - Notification received on 2022-11-22 15:50:22.794.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****

PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR14-0644

Judge:

HONORABLE BARRY L. BRESLOW

Official File Stamp:

11-22-2022:15:49:51

Clerk Accepted:

11-22-2022:15:50:02

Court:

Second Judicial District Court - State of Nevada

Criminal

Case Title:

STATE VS. RODERICK STEPHEN SKINNER
(D8)

Document(s) Submitted:

Application Produce Prisoner

Filed By:

Kevin Naughton

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

The following people were served electronically:

DIV. OF PAROLE & PROBATION

EDWARD TORRANCE REED, ESQ. for
RODERICK STEPHEN SKINNER

JENNIFER P. NOBLE, ESQ. for STATE OF
NEVADA

CHRISTINE BRADY, ESQ. for RODERICK
STEPHEN SKINNER

CHRISTOPHER FREY, ESQ. for RODERICK
STEPHEN SKINNER

JOHN REESE PETTY, ESQ. for RODERICK
STEPHEN SKINNER

KEVIN P. NAUGHTON, ESQ. for STATE OF
NEVADA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

1 CODE #3340
CHRISTOPHER J. HICKS
2 #7747
One South Sierra Street
3 Reno, Nevada 89501
(775) 328-3200
4 districtattorney@da.washoecounty.gov
Attorney for Plaintiff
5

6 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,
7
8 IN AND FOR THE COUNTY OF WASHOE

9 * * *

10 THE STATE OF NEVADA,

11 Plaintiff,

Case No. CR14-0644

12 v.

Dept. No. 8

13 RODERICK STEPHEN SKINNER,

14 Defendant.
15 _____/

16 ORDER TO PRODUCE PRISONER FOR IN PERSON HEARING

17 IT APPEARING to the satisfaction of the above-entitled Court that it is necessary
18 that the Defendant above named, RODERICK STEPHEN SKINNER #1126964,
19 presently incarcerated in the Northern Nevada Correctional Center, Carson City,
20 Nevada, be brought before the Second Judicial District Court for an in-person status
21 hearing in the above-entitled action.

22 NOW, THEREFORE, IT IS HEREBY ORDERED that the Warden of the Northern
23 Nevada Correctional Center, Carson City, Nevada, bring the said RODERICK STEPHEN
24 SKINNER #1126964 before the Second Judicial District Court on December 29, 2022, at
9:00 a.m., for an in-person status hearing in the above-entitled action, and from time to

time thereafter at such time and places as may be ordered and directed by the Court for such proceedings as thereafter may be necessary and proper in the premises.

DATED this 23rd day of November, 2022.


DISTRICT JUDGE

Return Of NEF**Recipients**

JENNIFER NOBLE, ESQ. - Notification received on 2022-11-23 14:39:06.441.
KEVIN NAUGHTON, ESQ. - Notification received on 2022-11-23 14:39:07.55.
DIV. OF PAROLE & PROBATION - Notification received on 2022-11-23 14:39:05.941.
JOHN PETTY, ESQ. - Notification received on 2022-11-23 14:39:04.722.
CHRISTOPHER FREY, ESQ. - Notification received on 2022-11-23 14:39:04.066.
EDWARD REED, ESQ. - Notification received on 2022-11-23 14:39:07.957.
CHRISTINE BRADY, ESQ. - Notification received on 2022-11-23 14:39:06.988.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****

PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR14-0644

Judge:

HONORABLE BARRY L. BRESLOW

Official File Stamp:

11-23-2022:14:38:33

Clerk Accepted:

11-23-2022:14:38:44

Court:

Second Judicial District Court - State of Nevada

Criminal

Case Title:

STATE VS. RODERICK STEPHEN SKINNER
(D8)

Document(s) Submitted:

Ord to Produce Prisoner

Filed By:

Court Clerk ADeGayne

You may review this filing by clicking on the following link to take you to your cases.

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-

If service is not required for this document (e.g., Minutes), please disregard the below language.

The following people were served electronically:

DIV. OF PAROLE & PROBATION

EDWARD TORRANCE REED, ESQ. for
RODERICK STEPHEN SKINNER

JENNIFER P. NOBLE, ESQ. for STATE OF
NEVADA

CHRISTINE BRADY, ESQ. for RODERICK
STEPHEN SKINNER

CHRISTOPHER FREY, ESQ. for RODERICK
STEPHEN SKINNER

JOHN REESE PETTY, ESQ. for RODERICK
STEPHEN SKINNER

KEVIN P. NAUGHTON, ESQ. for STATE OF
NEVADA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

RODERICK SKINNER
(Name)
1126964
(I.D. No.)
Northern Nevada Correctional Center
Post Office Box 7000
Carson City, NV 89702

Petitioner, In Proper Person

FILED
2022 NOV 28 AM 9:11
ALICIA L. LERMO
CLERK OF THE COURT

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

RODERICK SKINNER
Plaintiff/Petitioner

vs.
WARDEN FRAZIER N.N.C.C. et al,
STATE OF NEVADA Defendant/Respondent

Case No.: CR14-0644

REPLY TO "OPPOSITION TO
MOTION FOR CORRECTION OF
SENTENCE"

COMES NOW, RODERICK SKINNER, in proper person and herein
above respectfully moves this Honorable Court for a(n) ORDER GRANTING HIS MOTION
FOR CORRECTION OF SENTENCE AND SUCH OTHER RELIEF AS THE
COURT DEEMS FIT AND PROPER.

The instant motion is made and based upon all papers and pleadings on file herein as well
as the following Memorandum of Points and Authorities and attached exhibits (where
applicable).

MEMORANDUM OF POINTS AND AUTHORITIES

IN HER ARGUMENT, PROSECUTOR NOBLE cites EDWARDS v STATE, 112 Nev. 704 918 P.2d 321 (1996) FOR THE PROPOSITION THAT "A MOTION TO CORRECT AN ILLEGAL SENTENCE MAY ONLY ADDRESS THE FACIAL LEGALITY OF THE SENTENCE..."

See, 'OPPOSITION TO MOTION FOR CORRECTION OF SENTENCE' at page 3 lines 8-9.

HOWEVER THIS POTENTIALLY MISLEADS THE COURT BY OMITTING THAT THE EDWARDS COURT GOES ON TO STATE THAT A MOTION TO MODIFY SENTENCE IS LIMITED IN SCOPE TO SENTENCES BASED ON MISTAKEN ASSUMPTIONS ABOUT A DEFENDANT'S CRIMINAL RECORD WHICH WORK TO THE DEFENDANT'S EXTREME DETRIMENT. EDWARDS v STATE, 112 Nev. at 708, 918 P.2d at 324.

FURTHERMORE, PROSECUTOR NOBLE FAILS TO ADDRESS THE SUBSTANCE OF MY ARGUMENT, WHICH IS THAT IN LIGHT OF VASQUEZ v STATE 2020 Nev. App. UNPUB LEXIS 657: 468 P.3d 886 No. 79409-COA, THE DISTRICT COURT NEVER RESOLVED MY OBJECTIONS CONCERNING THE DIVISION OF PAROLE AND PROBATION'S SCORING IN MY CASE.

"A DEFENDANT HAS THE RIGHT TO OBJECT TO FACTUAL OR METHODOLOGICAL ERRORS IN SENTENCING FORMS, SO LONG AS HE OR SHE OBJECTS BEFORE SENTENCING".

BLANKENSHIP v STATE, 132 Nev. 500, 508, 375 P.3d 407, 412 (2016). MR SKINNER DID TIMELY OBJECT, YET NO RESOLUTION OCCURRED.

CONCLUSION

THE NEVADA SUPREME COURT HAS LONG RECOGNIZED THAT
COURTS HAVE THE POWER AND JURISDICTION TO MODIFY A SENTENCE;
STALEY V STATE, 787 P.2d 396, 106 Nev. 75 (1990).

ACCORDINGLY, AND IN LIGHT OF VASQUEZ V STATE (2020) *supra*,
THIS COURT HAS AN ADEQUATE LEGAL BASIS TO GRANT MY MOTION
FOR CORRECTION OF SENTENCE AND IT IS PROPER IN ALL THE
CIRCUMSTANCES OF THIS CASE TO DO SO.

Dated this 17TH day of NOVEMBER, 2022.

By: Rod Skinner.

CERTIFICATE OF SERVICE

I, RODERICK SKINNER certify that on this date I did serve a true and correct copy of the foregoing Motion upon Respondent(s), via U.S. Mail, by placing same in the United States Postal Service (Prison Mail System), postage being fully prepaid, and addressed to:

CLERK OF THE COURT
SECOND JUDICIAL DISTRICT COURT
75 COURT ST
RENO N.V. 89501

AND

JENNIFER NOBLE
DISTRICT ATTORNEYS OFFICE
ONE SOUTH SIERRA ST
RENO N.V. 89501

Dated this 17TH day of NOVEMBER, 2022.

By: Rod Skinner

Petitioner, In Proper Person

AFFIRMATION PURSUANT TO NRS 239B.030

** I certify that the foregoing document DOES NOT contain the social security number of any

Persons.

17TH NOVEMBER 2022
 (Date)

Rod Skinner
 (Signature)

1 CODE 2715
2
3
4

5 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
6
7 IN AND FOR THE COUNTY OF WASHOE

8 RODERICK STEPHEN SKINNER,

9 Petitioner,

10 vs.

Case No. CR14-0644

11 THE STATE OF NEVADA,

Dept. No. 8

12 Respondent.
-----/

13 **SECOND RECOMMENDATION AND ORDER APPOINTING COUNSEL**
14 **(Post-Conviction)**

15 The Petitioner was granted Forma Pauperis Status as he is currently in custody
16 and the District Court Judge previously found him indigent and determined there was a
17 basis to appoint counsel for Petitioner. Edward Torrance Reed was appointed as
18 counsel, but he was relieved in an Order dated October 26, 2022 and the Court has
19 requested new counsel be appointed to represented Petitioner. This Administrator
20 makes the following recommendations:
21

22 IT IS HEREBY RECOMMENDED that Sean Neahusan, Esq., be appointed to
23 continue to represent Petitioner on his Petition for Writ of Habeas Corpus (Post-
24 Conviction), and that counsel be paid pursuant to NRS 7.115 through NRS 7.165 by
25 the State Public Defender/Department of Indigent Defense (DIDS) in an amount
26 recommended by the Conflict Administrator and then approved by the Court.

1 IT IS FURTHER RECOMMENDED that newly appointed counsel shall be
2 placed as attorney of record in Case Number CR14-0644.

3 IT IS FURTHER RECOMMENDED that counsel should contact the District
4 Court to set any hearing that is currently scheduled in accordance with his own
5 calendar.
6

7 Affirmation

8 This pleading does not contain the social security number of any person.

9 Dated this 27th day of November, 2022.

10
11 /s/ Kmeier
12 KRISTA MEIER, ESQ.
13 APPOINTED COUNSEL ADMINISTRATOR

14 **SECOND ORDER TO APPOINT COUNSEL**

15 Pursuant to the Nevada Supreme Court Order in ADKT 411 and the Second
16 Judicial District Court's Model Plan to address ADKT 411, good cause appearing and
17 in the interests of justice,

18 IT IS HEREBY ORDERED the recommendations of the Administrator are
19 confirmed, approved and adopted. As such, Sean Neahusan shall be appointed to
20 continue to represent Petitioner on his Petition for Writ of Habeas Corpus (Post-
21 Conviction).

22 DATED this 28th day of November, 2022.

23
24 
25 CHIEF DISTRICT JUDGE
26

CERTIFICATE OF SERVICE

I certify I am an employee of THE SECOND JUDICIAL DISTRICT COURT; and on the 28th day of November, 2022, I electronically filed the foregoing with the Clerk of the Court system which will send a notice of electronic filing to the following:

JENNIFER NOBLE, ESQ.

JOHN PETTY, ESQ.

CHRISTINE BRADY, ESQ.

CHRISTOPHER FREY, ESQ.

SEAN NEAHUSAN, ESQ.

KEVIN NAUGHTON, ESQ.

DIV. OF PAROLE & PROBATION

And, I deposited in the County mailing system for postage and mailing with the United States Postal Service in Reno, Nevada, a true and correct copy of the attached document addressed as follows:

Return Of NEF**Recipients**

JENNIFER NOBLE, ESQ. - Notification received on 2022-11-28 09:42:04.28.
SEAN NEAHUSAN, ESQ. - Notification received on 2022-11-28 09:42:03.655.
KEVIN NAUGHTON, ESQ. - Notification received on 2022-11-28 09:42:03.03.
DIV. OF PAROLE & PROBATION - Notification received on 2022-11-28 09:42:02.062.
JOHN PETTY, ESQ. - Notification received on 2022-11-28 09:42:00.78.
CHRISTOPHER FREY, ESQ. - Notification received on 2022-11-28 09:42:00.327.
CHRISTINE BRADY, ESQ. - Notification received on 2022-11-28 09:42:02.577.

******* IMPORTANT NOTICE - READ THIS INFORMATION *******

PROOF OF SERVICE OF ELECTRONIC FILING

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A filing has been submitted to the court RE: CR14-0644

Judge:

HONORABLE BARRY L. BRESLOW

Official File Stamp:

11-28-2022:09:41:04

Clerk Accepted:

11-28-2022:09:41:34

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. RODERICK STEPHEN SKINNER
(D8)

Document(s) Submitted:

Ord Appointing Counsel

Filed By:

Judicial Asst. HLonge

You may review this filing by clicking on the following link to take you to your cases.

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DIV. OF PAROLE & PROBATION

JENNIFER P. NOBLE, ESQ. for STATE OF
NEVADA

JOHN REESE PETTY, ESQ. for RODERICK
STEPHEN SKINNER

CHRISTINE BRADY, ESQ. for RODERICK
STEPHEN SKINNER

CHRISTOPHER FREY, ESQ. for RODERICK
STEPHEN SKINNER

SEAN NEAHUSAN, ESQ. for RODERICK
STEPHEN SKINNER

KEVIN P. NAUGHTON, ESQ. for STATE OF
NEVADA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

CASE NO. CR14-0644

STATE OF NEVADA VS. RODERICK STEPHEN SKINNER

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES-HEARING

CONTINUED TO

10/25/2022
HONORABLE
BARRY
BRESLOW
DEPT. NO. 8
A. DeGayner
(Clerk)
P. Hoogs
(Reporter)

HEARING ON MOTION TO WITHDRAW*All parties were present via Zoom.*

Deputy District Attorney Jennifer Noble represented the State.
Defendant was present, in custody, represented by Edward Torrance
Reed, Esq.

11/22/2022
2:00 p.m.
Status Hearing
(Zoom)

2:42 p.m. – Court convened with Court, counsel and Defendant
present.

DATY Reed advised the Court that he is still seeking to withdraw as
counsel for Defendant.

DDA Noble offered no objection to the Motion to Withdraw and
advised that the State does not believe that the Defendant is entitled
to appointment of counsel.

Defendant advised that it is not his intention to prolong this matter.

DATY Reed argued that it would be proper to appoint new counsel.

COURT ORDERED: A Hearing on Motion to Withdraw as Counsel of
Record was held on October 25, 2022. Defense Counsel presented
information demonstrating that there exists a conflict, IT IS HEREBY
ORDERED that Edward Torrance Reed, Esq. is hereby RELIEVED
as counsel of record. IT IS FURTHER ORDERED that pursuant to
order of the Nevada Supreme Court regarding representation of
indigent defendants, ADKT 411 (2008), and the plan developed for
the Second Judicial District Court to meet the requirements set forth
therein, the matter of appointment of counsel is hereby referred to
the Conflict Counsel/Attorney Administrator. IT IS FURTHER
ORDERED that a Status Hearing is set for **November 22, 2022 at
2:00 p.m.** in Department 8.

Defendant remained in the custody of the Nevada Department of
Corrections.

Return Of NEF**Recipients**

JENNIFER NOBLE, ESQ. - Notification received on 2022-12-27 13:40:56.524.
SEAN NEAHUSAN, ESQ. - Notification received on 2022-12-27 13:40:53.821.
KEVIN NAUGHTON, ESQ. - Notification received on 2022-12-27 13:40:51.883.
DIV. OF PAROLE & PROBATION - Notification received on 2022-12-27 13:40:47.211.
JOHN PETTY, ESQ. - Notification received on 2022-12-27 13:40:42.226.
CHRISTOPHER FREY, ESQ. - Notification received on 2022-12-27 13:40:40.21.
CHRISTINE BRADY, ESQ. - Notification received on 2022-12-27 13:40:49.257.

******* IMPORTANT NOTICE - READ THIS INFORMATION *******

PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR14-0644

Judge:

HONORABLE BARRY L. BRESLOW

Official File Stamp:

12-27-2022:13:39:33

Clerk Accepted:

12-27-2022:13:40:06

Court:

Second Judicial District Court - State of Nevada

Criminal

Case Title:

STATE VS. RODERICK STEPHEN SKINNER
(D8)

Document(s) Submitted:

***Minutes

Filed By:

Court Clerk ADeGayne

You may review this filing by clicking on the following link to take you to your cases.

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-

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The following people were served electronically:

DIV. OF PAROLE & PROBATION

JENNIFER P. NOBLE, ESQ. for STATE OF
NEVADA

JOHN REESE PETTY, ESQ. for RODERICK
STEPHEN SKINNER

CHRISTINE BRADY, ESQ. for RODERICK
STEPHEN SKINNER

CHRISTOPHER FREY, ESQ. for RODERICK
STEPHEN SKINNER

SEAN NEAHUSAN, ESQ. for RODERICK
STEPHEN SKINNER

KEVIN P. NAUGHTON, ESQ. for STATE OF
NEVADA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):