

IN THE SUPREME COURT OF THE STATE OF NEVADA

INDICATE FULL CAPTION:

Clemon Hudson  
Appellant

vs.

THE STATE OF NEVADA  
Respondent

No. 82231

Electronically Filed  
Dec 18 2020 11:47 a.m.

DOCKETING Elizabeth A. Brown  
CRIMINAL APPEALS Clerk of Supreme Court

(Including appeals from pretrial and post-conviction rulings and other requests for post-conviction relief)

GENERAL INFORMATION

1. Judicial District Eighth County Clark  
Judge David M. Jones District Ct Case No. C-15-309578-2

2. If the defendant was given a sentence,

(a) what is the sentence?

See attached.

(b) has the sentence been stayed pending appeal?

No.

(c) was defendant admitted to bail pending appeal?

No.

3. Was counsel in the district court appointed  or retained  ?

4. Attorney filing this docketing statement:

Attorney CHRISTOPHER R. ORAM, Esq. Telephone (702)598-1471

Firm: Christopher R. Oram LTD.

Address:

Client(s) Clemon Hudson

5. Is appellate counsel appointed  or retained  ?

**If this is a joint statement by multiple appellants, add the names and addresses of other counsel on an additional sheet accompanied by a certification that they concur in the filing of this statement.**

**6. Attorney(s) representing respondent(s):**

Attorney Steve Wolfson Telephone \_\_\_\_\_

Firm: District Attorney

Address: 200 Lewis Avenue  
Las Vegas, Nevada 89101

Client(s) State of Nevada

Attorney Aaron Ford Telephone \_\_\_\_\_

Firm: Attorney General

Address: 100 North Carson Street  
Carson City, Nevada 89701-4717

Client(s) State of Nevada

(List additional counsel on separate sheet if necessary)

**7. Nature of disposition below:**

- |   |   |
|---|---|
| <input type="checkbox"/> Judgment after bench trial             | <input type="checkbox"/> Grant of pretrial habeas                         |
| <input checked="" type="checkbox"/> Judgment after jury verdict | <input type="checkbox"/> Grant of motion to suppress evidence             |
| <input type="checkbox"/> Judgment upon guilty plea              | <input checked="" type="checkbox"/> Post-conviction habeas (NRS ch. 34)   |
| <input type="checkbox"/> Grant of pretrial motion to dismiss    | <input type="checkbox"/> grant <input checked="" type="checkbox"/> denial |
| <input type="checkbox"/> Parole/Probation revocation            | <input type="checkbox"/> Other disposition (specify)                      |
| <input type="checkbox"/> Motion for new trial                   |   |
| <input type="checkbox"/> grant <input type="checkbox"/> denial  |   |
| <input type="checkbox"/> Motion to withdraw guilty plea         |   |
| <input type="checkbox"/> grant <input type="checkbox"/> denial  |   |

**8. Does this appeal raise issues concerning any of the following:**

death sentence

life sentence

juvenile offender

pretrial proceedings

**9. Expedited appeals:** The court may decide to expedite the appellate process in this matter. Are you in favor of proceeding in such manner?

Yes  No

**10. Pending and prior proceedings in this court.** List the case name and docket number of all appeals or original proceedings presently or previously pending before this court which are related to this appeal (e.g, separate appeals by co-defendants, appeal after post-conviction proceedings):

Steven Turner 76465

**11. Pending and prior proceedings in other courts.** List the case name, number and court of all pending and prior proceedings in other courts that are related to this appeal (e.g., habeas corpus proceedings in state or federal court, bifurcated proceedings against co-defendants):

None that counsel is aware.

**12. Nature of action.** Briefly describe the nature of the action and the result below:

On December 03, 2020, Mr. Hudson's Petition for Writ of Habeas Corpus (post-conviction) was granted in part, and denied in part by the Honorable Davis M. Jones. Mr. Hudson hereby files an untimely direct appeal pursuant to NRAP 4(c)(3) as granted by the district court. The Findings of Fact, Conclusions of Law and Order was entered December 16, 2020.

On December 03, 2020 Mr. Hudson's Petition for Writ of Habeas Corpus (post-conviction) was granted in part, and denied in part by the Honorable Davis M. Jones. Mr. Hudson hereby appeals from the denial of claims contained within his Petition for Writ of Habeas Corpus (Post-Conviction). The Findings of Fact, Conclusions of Law and Order was entered December 16, 2020.

13. **Issues on appeal.** State concisely the principal issue(s) in this appeal:  
Mr. Hudson reserves the right to address issues as they may arise.

14. **Constitutional issues.** If the State is not a party and if this appeal challenges the constitutionality of a statute or municipal ordinance, have you notified the clerk of this court and the attorney general in accordance with NRAP 44 and NRS 30.130?

N/A  Yes  No   
If not, explain

15. **Issues of first-impression or of public interest.** Does this appeal present a substantial legal issue of first-impression in this jurisdiction or one affecting an important public interest?

First-impression: Yes  No   
Public interest: Yes  No

16. **Length of trial.** If this action proceeded to trial or evidentiary hearing in the district court, how many days did the trial or evidentiary hearing last?

10 days

17. **Oral argument.** Would you object to submission of this appeal for disposition without oral argument?

Yes  No

### TIMELINESS OF NOTICE OF APPEAL

18. Date district court announced decision, sentence or order appealed from 12/03/2020

19. Date of entry of written judgment or order appeal from 12/16/2020

(a) If no written judgment or order was filed in the district court, explain the basis for seeking appellate review:

20. If this appeal is from an order granting or denying a petition for a writ of habeas corpus, indicate the date written notice of entry of judgment or order was served by the district court

(a) Was service by delivery  or by mail .

21. If the time for filing the notice of appeal was tolled by a post judgment motion,

(a) Specify the type of motion, and the date of filing of the motion:

Arrest judgment _____	Date filed _____
New trial _____	Date filed _____
(newly discovered evidence)	
New trial _____	Date filed _____
(other grounds)	

(b) Date of entry of written order resolving motion \_\_\_\_\_

22. Date notice of appeal filed 12/16/2020

23. Specify statute or rule governing the time limit for filing the notice of appeal, e.g., NRAP 4(b), NRS 34.560, NRS 34.575, NRS 177.015(2), or other

**SUBSTANTIVE APPEALABILITY**

24. Specify statute, rule or other authority that grants this court jurisdiction to review from:

NRS 177.015(1)(b) _____	NRS 34.560 _____
NRS 177.015(1)(c) _____	NRS 34.575(1) _____
NRS 177.015(2) _____	NRS 34.575(2) _____
NRS 177.015(3) _____	Other (specify) <u>NRAP 4(b)</u>
NRS 177.055 _____	

**VERIFICATION**

I certify that the information provided in this docketing statement is true and complete to the best of my knowledge, information and belief.

CLEMON HUDSON  
Name of appellant

CHRISTOPHER R. ORAM, ESQ.  
Name of counsel of record

12/18/20  
Date

/s/ Christopher R. Oram, Esq.  
Signature of counsel of record

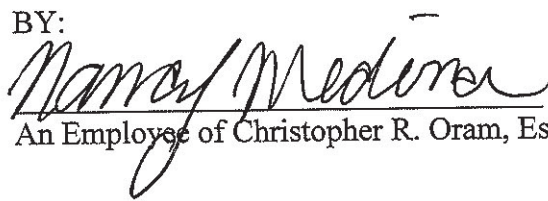
**CERTIFICATE OF SERVICE**

I certify and affirm that this document was filed electronically with the Nevada Supreme Court day of December 18, 2020 Electronic Service of the foregoing document shall be made in the accordance with Master Service list as follow:

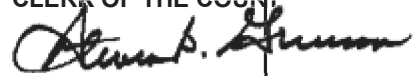
AARON FORD  
Nevada Attorney General

STEVE WOLFSON  
District Attorney

CHRISTOPHER R. ORAM, ESQ

BY:  
  
An Employee of Christopher R. Oram, Esq.

# EXHIBIT A



JOC

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DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

CLEMON HUDSON  
#7025101

Defendant.

CASE NO. C-15-309578-2

DEPT. NO. XVIII

JUDGMENT OF CONVICTION  
(JURY TRIAL)

The Defendant previously entered a plea of not guilty to the crimes of COUNT 1 – CONSPIRACY TO COMMIT BURGLARY (Gross Misdemeanor) in violation of NRS 205.060; COUNT 2 – ATTEMPT BURGLARY WHILE IN POSSESSION OF A FIREARM OR DEADLY WEAPON (Category C Felony) in violation of NRS 205.060.4; COUNT 3 – ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.010, 200.030, 193.330, 193.165; COUNT 4 – ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.010, 200.030, 193.330, 193.165; and COUNT 5 – BATTERY WITH USE OF A

Jury Trial	
<input type="checkbox"/>	Dismissed (during trial)
<input type="checkbox"/>	Acquittal
<input type="checkbox"/>	Guilty Plea with Sent. (during trial)
<input checked="" type="checkbox"/>	Conviction

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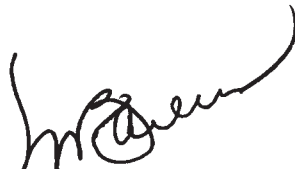
1 DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM (Category B  
2 Felony) in violation of NRS 200.481, and the matter having been tried before a jury and  
3 the Defendant having been found guilty of the crimes of COUNT 1 CONSPIRACY TO  
4 COMMIT BURGLARY (Gross Misdemeanor) in violation of NRS 205.060; COUNT 2 –  
5 ATTEMPT BURGLARY WHILE IN POSSESSION OF A FIREARM OR DEADLY  
6 WEAPON (Category C Felony) in violation of NRS 205.060.4; COUNT 3 – ATTEMPT  
7 MURDER WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS  
8 200.010, 200.030, 193.330, 193.165; COUNT 4 – ATTEMPT MURDER WITH USE OF  
9 A DEADLY WEAPON (Category B Felony) in violation of NRS 200.010, 200.030,  
10 193.330, 193.165; and COUNT 5 – BATTERY WITH USE OF A DEADLY WEAPON  
11 RESULTING IN SUBSTANTIAL BODILY HARM (Category B Felony) in violation of  
12 NRS 200.481, thereafter, on the 21<sup>st</sup> day of June, 2018, the Defendant was present in  
13 court for sentencing with counsel ALEXIS PLUNKETT, ESQ., and good cause  
14 appearing,  
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18 THE DEFENDANT IS HEREBY ADJUDGED guilty of said offenses and, in  
19 addition to the \$25.00 Administrative Assessment Fee, \$9,099.98 Restitution to be paid  
20 jointly and severally with Co-Defendant to VC2253860 – Jeremy Robertson, and  
21 \$150.00 DNA Analysis Fee including testing to determine genetic markers plus \$3.00  
22 DNA Collection Fee, the Defendant is SENTENCED to the Nevada Department of  
23 Corrections (NDC) as follows: **COUNT 1 – THREE HUNDRED SIXTY-FOUR (364)**  
24 **DAYS** in the Clark County Detention Center (CCDC); **COUNT 2 - a MAXIMUM of**  
25 **SEVENTY-TWO (72) MONTHS** with a **MINIMUM** parole eligibility of **SIXTEEN (16)**  
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1 MONTHS, CONCURRENT with COUNT 1; **COUNT 3** - a MAXIMUM of ONE  
2 HUNDRED TWENTY (120) MONTHS with a MINIMUM parole eligibility of FORTY-  
3 EIGHT (48) MONTHS, plus a CONSECUTIVE term of ONE HUNDRED TWENTY (120)  
4 MONTHS with a MINIMUM parole eligibility of THIRTY-SIX (36) MONTHS for the Use  
5 of a Deadly Weapon, CONCURRENT with COUNT 2; **COUNT 4** - a MAXIMUM of ONE  
6 HUNDRED TWENTY (120) MONTHS with a MINIMUM parole eligibility of FORTY-  
7 EIGHT (48) MONTHS, plus a CONSECUTIVE term of ONE HUNDRED TWENTY (120)  
8 MONTHS with a MINIMUM parole eligibility of THIRTY-SIX (36) MONTHS for the Use  
9 of a Deadly Weapon, CONSECUTIVE to COUNT 3; **COUNT 5** - a MAXIMUM of ONE  
10 HUNDRED TWENTY (120) MONTHS with a MINIMUM parole eligibility of THIRTY-SIX  
11 (36) MONTHS, CONCURRENT with COUNT 2; with ONE THOUSAND, TWENTY-TWO  
12 (1022) DAYS credit for time served. The AGGREGATE TOTAL sentence is FOUR  
13 HUNDRED EIGHTY (480) MONTHS MAXIMUM with a MINIMUM PAROLE  
14 ELIGIBILITY OF ONE HUNDRED SIXTY-EIGHT (168) MONTHS.

15 DATED this 26 day of June, 2018.

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MARK B. BAILUS  
DISTRICT COURT JUDGE