

Public Comment

Nevada Local Justice Reinvestment
Coordinating Council

Submitted by: Tonja Brown

For NLJRCC meeting: March 13, 2024

Received On: March 12, 2024

Good Afternoon,

On behalf of Advocate for the Inmates and the Innocent, we are respectfully submitting these 4 document files for Agenda Item 6.

It appears that the currently accepted prosecution practice related to Nevada's Use of a Deadly Weapon statute is to attach the averment of fact to the actual crime, creating the appearance of a greater crime, for example Murder appears to become a greater crime of Murder with the Use of a Deadly Weapon. Under this practice, the sentencing court imposes multiple consecutive sentences for the single count. Once the conviction and related first sentence is discharged, the second consecutive sentence for use of a deadly weapon does not provide a basis for confinement to a state prison and does not work to prevent the restoration of civil rights. This is due to the fact that there was only one conviction. This is precisely why the Secretary of State was compelled to restore Michael Adkisson's right to vote, despite the fact that NDOC continues to confine Mr. Michael Adkisson to a state prison under the described circumstance without a conviction. Please review the attached court's order in support of a further review and analysis of this practice. In the related case, the court acknowledges there is NO statutory authority for the stated crime Murder with the Use of a Deadly Weapon.

We ask that you please review these **documents** that we have submitted under Agenda Item 6, for possible solutions to correct this.

1. Eight Judicial District Court, Court Order Case No.00C171764, Dept. XXV, State of Nevada vs. Stephen Federdick Ciolino # 1424706,

2. Election Integrity Violation Report,

3. First Judicial District Court, James Menor Valdez vs. Board of Prison Commissioners Case No. 23 oc 000611B Dept. No. 1,

4. Letter to Governor Joe Lombardo

Respectfully,

Tonja Brown, Advocates for the Inmates and the Innocent.

2907 Lukens Lane

Carson City, NV 89706

775-671-5037

nvmemorialfund@aol.com

CERTIFICATE OF SERVICE

I hereby certify that on or about the date filed, a copy of the foregoing **ORDER** was E-Served, mailed or a copy was placed in the attorney's folder located inside the Regional Justice Center as follows:

Ronda J. Holm
Nevada Attorney General's Office
555 E. Washington Avenue, Suite 3900
RHolm@ag.nv.gov
Attorney for Plaintiff

Stephen F. Colino, #1424706
High Desert State Penitentiary
P.O. Box 650
Indian Springs, NV 89070
Defendant

/s/ Marvanda Knight
Marvanda Knight
Judicial Executive Assistant

Electronically Filed
07/19/2023 5:57 PM
Thomas S. Shuman
CLERK OF THE COURT

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ORDER

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,
Plaintiff,

v.

STEPHEN FREDERICK CIOLINO,
#1424706
Defendant.

Case No.: 00C171764
Dept. No.: XXV

ORDER

DISTRICT JUDGE
DEPARTMENT XXV

Defendant's Motion for Appointment of Attorney and Motion to Vacate Judgment N.R.S. 176.515, having come before this Court for hearing on July 5, 2023 at 9:30 A.M.; Defendant, Stephen F. Ciolino, not appearing as he is currently incarcerated in the Nevada Department of Corrections; Plaintiff, the State of Nevada, through the Office of the Attorney General, not appearing; the Court having read the pleadings and papers on file without considering the argument of counsel at the time of the hearing due to Parties not being present; and good cause appearing, the Court decides the matters submitted as follows:

THE COURT HEREBY FINDS that Defendant is unable to show the sentencing Court made a mistake in rendering judgment or that the sentence is otherwise facially illegal. While the current statutory authority for murder does not list "First Degree Murder with Use of a Deadly Weapon", the change in the statute would not apply retroactively to the Defendant's conviction, and therefore the

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CSERV

DISTRICT COURT
CLARK COUNTY, NEVADA

The State of Nevada vs Stephen
F Ciolino

CASE NO: 00C171764
DEPT. NO. Department 25

AUTOMATED CERTIFICATE OF SERVICE

Electronic service was attempted through the Eighth Judicial District Court's electronic filing system, but there were no registered users on the case. The filer has been notified to serve all parties by traditional means.

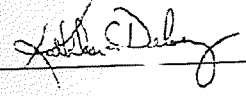
1 sentencing court could not have gone beyond its authority or act outside its jurisdiction when it
2 imposed the sentence against the Defendant;

3 **THE COURT FURTHER HEREBY FINDS** that Defendant is not raising issues that would
4 require the appointment of post-conviction counsel;

5 **IT IS HEREBY ORDERED** that Defendant's Motion to Vacate Judgment is **DENIED**;

6 **IT IS FURTHER HEREBY ORDERED** that Defendant's Motion for Appointment of
7 Attorney is **DENIED**.

Dated this 19th day of July, 2023



D58 624 9D3C C642
Kathleen E. Delaney
District Court Judge

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RECEIVED

JAN 26 2024

OFFICE OF THE GOVERNOR
CARSON CITY, NV 89701

Michael Adkisson #84280
P.O. Box 7000 N.N.C.C.
Carson City NV. 89702

OFFICE OF THE GOVERNOR, HONORABLE JOE LOMBARDO GOVERNOR
101 N. Carson Street, Capitol Complex
Carson City NV. 89701

RE: EMERGENCY REQUEST FOR CONSIDERATION
PURSUANT TO Nev. Art. 3 § 1 and Nev. Art 5 §§ 1, 21
TO CURE DEFECT OF UNLAWFUL RESTRAINT
PREVENTING THE FREE EXERCISE OF MICHAEL
ADKISSON'S RESTORED RIGHT TO VOTE AT THE
FEBRUARY 6, 2024 PRESIDENTIAL PREFERENCE
PRIMARY ELECTION

To: The Honorable Joe Lombardo, Governor

Dear Sir

My name is Michael Dean Adkisson, I am currently confined at Northern Nevada Correctional Center without any felony conviction, after a grant of parole for my sole felony. ① In recognition of this fact, and in accordance with Nev. Rev. Stat. 213.157 (Restoration of Civil Rights) the Secretary of State has now issued my Voter Registration Card, and advised me to seek legal counsel, where admittedly ongoing confinement to prison in this manner is unlawful.

Furthermore, in recognition of such circumstance, the Secretary of States office advised me to contact both the Parole Board and the Pardons Board in order to address the issue, where the Parole Board granted Institutional Parole to a "consecutive sentence" without any "Consecutive conviction," and where N.D.O.C. admits that my confinement is ongoing without any conviction.

In consideration of my legal status as a valid Elector, and Actively Registered Voter, the continued confinement to a state prison by fraudulent contrivance works to unlawfully abridge the free exercise of my right to vote in person in the upcoming February 6, 2024 Presidential Preference Primary Election.

This circumstance has now revealed a structural defect in our Executive Branch that implicates a serious, imminent Constitutional crisis. In an effort to prevent the imminent abridgment of my restored right to vote, please consider the following time sensitive request:

1.) Where the Chief Executive Officer SHALL see that the laws are faithfully executed, (see Nev. Art 5 § 7) and where Nev. Rev. Stat. 209.4887 contemplates reentry of offenders and parolees into the community. In this instance, I am requesting that I be placed or classified to Casa Grande in Las Vegas in order to avoid the imminent violation described herein. I am not asking to forego further resolution of the implicated problems, where I do have a "Consecutive Sentence" without any crime or conviction.

NOTE: The Secretary of State is a Board of Prison Commission Member

CORDIALLY
Michael Adkisson

① A completed investigation by the Secretary of State was concluded in March. See Attachments

Michael Adkisson # 84280

January 7, 2024

ATTACHMENTS

Number	Description	Pages
# 1	Email to Pardons Board as instructed by by the Secretary of States office, and Conclusion that ; under state law Michael Adkisson IS Registered (despite the Wardens claim that BECAUSE he is incarcerated he therefore has a Conviction)	6 pgs,
# 2	NOTICE TO CURE DEFECT submitted to the Board of Prison Commissioners	2 pgs,
# 3	Restoration of Voter Registration Card Issued 12/09/2022	2 pgs
# 4	Amended Voter Registration card reflecting party affiliation: REPUBLICAN Issued 10/10/2023 after Completed investigation REFUTING N.D.O.C. Claim	2 pgs
# 5	N.D.O.C. Kite dated 09/13/2023 Acknowledging NO existing Conviction for use of a deadly weapon and describing need for review by Full-Classification Committee	1 pg
# 6	N.D.O.C. Kite dated 10/02/2023 Describing Refusal to Consider the issue, where admittedly I am held in a state prison without any Conviction	1 pg
# 7	N.D.O.C. Kite dated 10/24/2023 Improperly denied housing at Casa Grande Imminent voting Rights violation contemplated	1 pg
# 8	Copy of the relevant law, Nev. Rev. Stat. 213.157 with annotations clearly establishing AND directing Immediate Restoration of Civil Rights to Include Release from Prison	5 pgs

ATTACHMENT # 1

Patricia Adkisson

faithandjoesmom@gmail.com

Board of Prison Commissioners

555 E. Washington Ave.

Las Vegas, NV. 89101

August.28, 2023

Board of Prison Commissioner Meeting

Public Comments submitted by Patricia Adkisson for Michael Adkisson August. 30, 2023

NOTICE TO CURE DEFECT OF MALFEASANCE

My name is Patricia Adkisson. My comments relate to today's regulations. This Board's failure to comply with the public rulemaking process after notice of defect, now constitutes a Defect of Malfeasance.

All regulations must be adopted in conformance with NRS 233B. This fact is emphasized in the State Administrative Manual and is a fundamental principle of the Separation of Powers clause.

Before the Director may affix an effective date to any regulation that works to bind any person outside of the Department, this Board MUST conduct Public Workshops and provide responsive replies to public objections. Then the regulations MUST be submitted to the Legislative Council in order to ensure the regulations conform to the Legislative intent before any effective date may be applied. This board NEVER completes its intended public function, instead the Director effectively hi-jacks the regulations and unilaterally affixes an effective date. This problem seems to be tied to the fact that this Board does not have a staff, and instead, permits the Department to act as judge, jury, and executioner without supervision and as such amounts to a rogue agency conducting quasi legislative activities in violation of Nevada Article 3 and Article 5.

The effects have been catastrophic to my family, where registered voters are confined to State Prison without any criminal conviction through a bad classification practice by the Department. The Secretary of State determined in March that my husband, Michael Adkisson, is

currently confined to a state prison without any criminal conviction, recognizing my husband as a Legal Elector and Registered Voter. This lawful determination by the Secretary of State was made based upon the official state conviction record with the central repository, where the department does not even know the difference between a J.O.C. (Judgement of Conviction) and a Conviction Record. The Departments enabling statute NRS. 209.351 mandates reliance on the offender's conviction record, however the Departments regulation fails to identify this requirement. The Board and the Department continue to act in defiance of the law. For this reason, our efforts will now be focused on a litigation. For the record, I object to the Board's ongoing failure to adopt regulations without first conforming to the public rulemaking process.

Finally, in recognition of the legislature's efforts, we encourage this Board to prioritize the lawful establishment of regulations in order to ensure the office of the Ombudsperson for Offenders will be fully operational by January 2024, as contemplated by A.B. 452.

Thank you in advance,

Patricia & Michael Adkisson

Patricia Adkisson

ATTACHMENT # 2

faithandjoesmom@gmail.com / 702-505-2861

Denise Davis- Executive Secretary

PARDONS BOARD

1677 Old Hot Springs Rd Suite A

Carson City, NV. 89706

July. 6, 2023

Good afternoon, Denise,

My husband, Michael Adkisson, initiated a voter registration swearing under penalty of perjury on the application that he is NOT incarcerated for a felony conviction. Subsequent to that he filed an Election Integrity Violation Report, this triggered an investigation by the Secretary of State's Office.

******Please see the attached 3 emails******

Initially, on March 7th (see email) Heather Hardy, with the Secretary of State's Office, indicated that they were going to cancel my husband's registration claiming that BECAUSE he is incarcerated, he therefore has a felony conviction for Use of a Deadly Weapon.

On March 9th (see email), I responded to Heather Hardy and asked her to comply with her ministerial duty by securing Michael Adkisson's Conviction Record from the Criminal Records Repository, instead of relying on representations made by the NDOC.

On March 10th (see email), after reviewing the "official" Conviction Record from the Criminal Records Repository, Heather Hardy- with the Secretary of State's Election Dept, REVERSED their position and agreed that under current state laws, my husband is a qualified voter and therefore registered him to vote, despite the fact that he is incarcerated.

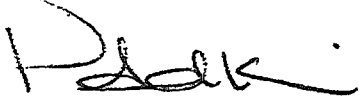
Heather Hardy also recommended that we contact the Pardon's Board and the Parole Board. Her interpretation was that the Parole Board should have never paroled my husband to a consecutive sentence without a conviction under consideration. Release is mandated where NO conviction exists. Additional emails are available if/when needed. It is NDOC that is making the false representation that a conviction exists. The problem with all of this Denise is that there is clearly a problem that exists related to custody without statutory authority. There is NO crime or conviction under consideration for Use of a Deadly Weapon. This is a real problem for the Board of Pardons Commissioners. Just last week, on June 28th the Board of Pardons Commissioners, according to their agenda, considered an inmate not for his first-degree murder, but for Use of a Deadly Weapon, where his murder was already discharged. The Board took action, where NO crime was under consideration. By the way Denise, this individual convicted of First-Degree Murder, will now serve less time than my husband, convicted of Second-Degree Murder. This presents significant problems. Kristina Wildeveld was apprised of this circumstance and told us that if we gave her \$35,500, she had the "political power" to place my husband on the board even

though NO conviction exists. We have done everything we can NOT to overturn or upset the status quo. But now we have been forced to file a False Imprisonment claim. Case # 3:23-cv-00287-MMD-CLB, ADKISSON v LOMBARDO. Maybe we can resolve this before court action.

Denise, PLEASE consider this... upon review of my husband's conviction record, I wanted to point out that the charged offense of DOMESTIC VIOLENCE, resulted in an actual conviction of BATTERY. Your claim of a conviction for Domestic Violence prevented fair consideration for his application to the Pardon's Board. Will you PLEASE consider placing him on the board? You have his application from Kristina Wildeveld...

Thank you for your consideration,

Patricia Adkisson

A handwritten signature in black ink, appearing to read 'Patricia Adkisson', written in a cursive style.



Patricia Adkisson <faithandjoesmom@gmail.com>

Please Confirm Qualified Elector

Heather Hardy <hardyh@sos.nv.gov>

Tue, Mar 7, 2023 at 2:59 PM

To: "faithandjoesmom@gmail.com" <faithandjoesmom@gmail.com>

Good afternoon,

In accordance with Nevada Revised Statute, Michael Adkisson is not eligible to vote as he is currently incarcerated at NNCC for a Felony, Use of Deadly Weapon Enhancement conviction. His PED is not until November 2026.

Mr. Adkisson may contact us, once he is paroled from his consecutive sentence, and released from prison. We will provide guidance for registering to vote, at that time.

Until then, please be patient as our office is required to follow Nevada Revised Statute and Nevada Administrative Code.

We appreciate your understanding,

Thank you.

NRS 293.540 Circumstances in which county clerk is required to cancel preregistration or registration.

1. The county clerk shall cancel the preregistration of a person:

(a) If the county clerk has personal knowledge of the death of the person or if an authenticated certificate of the death of the person is filed in the county clerk's office.

(b) At the request of the person.

(c) If the county clerk has discovered an incorrect preregistration pursuant to the provisions of NRS 293.5235 and the person has failed to respond within the required time.

(d) As required by NRS 293.541.

(e) Upon verification that the application to preregister to vote is a duplicate if the county clerk has the original or another duplicate of the application on file in the county clerk's office.

2. The county clerk shall cancel the registration of a person:

(a) If the county clerk has personal knowledge of the death of the person or if an authenticated certificate of the death of the person is filed in the county clerk's office.

(b) If the county clerk is provided a certified copy of a court order stating that the court specifically finds by clear and convincing evidence that the person lacks the mental capacity to vote because he or she cannot communicate, with or without accommodations, a specific desire to participate in the voting process.

(c) Upon the determination that the person has been convicted of a felony and is currently incarcerated.

(d) Upon the production of a certified copy of the judgment of any court directing the cancellation to be made.

(e) At the request of the person.

(f) If the county clerk has discovered an incorrect registration pursuant to the provisions of NRS 293.5235, 293.530 or 293.535 and the elector has failed to respond or appear to vote within the required time.

(g) As required by NRS 293.541.

(h) Upon verification that the application to register to vote is a duplicate if the county clerk has the original or another duplicate of the application on file in the county clerk's office.

Heather Hardy

Program Officer 3, CAPS – Elections Division

Office of Secretary of State Francisco V. Aguilar

101 North Carson Street Suite 3

Carson City NV 89701

(775) 684-7126

hardyh@sos.nv.gov

From: Patricia Adkisson <faithandjoesmom@gmail.com>

Sent: Tuesday, March 7, 2023 12:28 PM

To: Briana Bollman <bbollman@sos.nv.gov>

Subject: Please Confirm Qualified Elector

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

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Patricia Adkisson <faithandjoesmom@gmail.com>

Please Confirm Qualified Elector

Patricia Adkisson <faithandjoesmom@gmail.com>
To: Heather Hardy <hardyh@sos.nv.gov>

Thu, Mar 9, 2023 at 12:33 PM

REQUEST TO COMPLY WITH THE MINISTERIAL DUTIES SET FORTH BY NRS. CHAPTER 179A- RELATED TO CONVICTION RECORDS AND VOTING RIGHTS

Good morning, Heather,

Thank you for your prompt response. However, your claim that a second or separate undischarged felony conviction forms the basis of your determination that Michael Adkisson it is NOT eligible to vote is expressly refuted by the plain language of the relevant Nevada Revised Statute 193.165 and the Criminal Justice Information System Record where there is NO separate conviction and Michael Adkisson's sole felony conviction is now discharged (check his Conviction Record at the Central Repository). The stated reasoning you rely upon, that Michael Adkisson is not eligible to vote BECAUSE he is currently incarcerated at NNCC, works to presuppose that he is confined to NNCC for a felony conviction. Deference in this way works to create additional liability for your office and our state. In this instance, the voter registration application signed by Michael Adkisson, swears under penalty of perjury that he is NOT currently serving a term of imprisonment for a felony conviction and also provides notice that giving false information is a felony. Mr. Adkisson is invoking his rights related to voting. Your office has a duty in accordance with the Nevada Constitution and Nevada Revised Statute 179A.010 through 179A.900 to first direct your inquiry related to conviction records to the Central Repository for records of criminal history, in order to make a determination. Again, a copy of his record is attached to the related Election Integrity Violation Report detailing a single felony conviction for Second Degree Murder NRS. 200.030. No separate conviction for Use of a Deadly Weapon is contemplated in the state of Nevada when considering NRS.193.165. Michael Adkisson's incarceration at NNCC presents other issues implicating false imprisonment, with NO current conviction. The failure by your office to first authenticate the attached conviction record for reliance in this matter implicates nonfeasance to a clearly established duty. Michael Adkisson's sworn statement cannot be overcome without first making inquiry to the Central Repository. The attached Nevada Criminal Justice Information System Record of conviction sets forth a prima facie showing to establish the credibility of Michael Adkisson's sworn statement. The point of relevance is simply that Michael Adkisson did swear under penalty of perjury to the facts and cannot be effectively denied a lawful determination. Any claim that the county clerk is required to cancel registration upon the determination that the person is both convicted of a felony and incarcerated pursuant to that actual conviction, utilizing NRS. 293.540(2) triggers your ministerial duty to authenticate the relevant conviction record with the Central Repository. This system of laws is designed to safeguard Michael Adkisson's rights. If you persist in the claim that Michael Adkisson is currently serving a term of imprisonment for a felony conviction, you are compelled to bring a criminal complaint alleging felony false information on a voter registration. Michael Adkisson looks forward to having his day in court with an appointed attorney. This novel case will otherwise establish clarification of several criminal rules related to the public's interest in the restoration of civil rights, not limited to voting rights. As such, please conduct the appropriate inquiry and revise your determination as this is a time sensitive issue. We look forward to your prompt reply.

Please take note that relevant documents/records were provided to Sandy/Compliance Investigator on March.2nd. A review of those records would really benefit you in your further review for a proper determination.

Thank you in advance,
Patricia Adkisson

702-505-2861

faithandjoesmom@gmail.com

[Quoted text hidden]

Heather Hardy- S.O.S. Election Division.docx
16K



Patricia Adkisson <faithandjoesmom@gmail.com>

PLEASE AUTHENTICATE CONVICTION RECORD**Heather Hardy** <hardyh@sos.nv.gov>

Fri, Mar 10, 2023 at 2:28 PM

To: Patricia Adkisson <faithandjoesmom@gmail.com>

Patricia,

If you read the entire paragraph of his parole grant on his controlling case, it clearly states that he is paroled to a consecutive sentence.

Also, I am very familiar with both Parole Board and criminal history (CJIS) information. The criminal history you provided is missing several pages.

Furthermore, while he is incarcerated, the State of Nevada register him to vote under our current state laws.

Your letters need to be addressed to the Parole Board, or even possibly the Pardons Board.

Thank you,

Heather Hardy

Program Officer 3, CAPS – Elections Division

Office of Secretary of State Francisco V. Aguilar

111 North Carson Street, Suite 111

Carson City, NV 89701

(775) 684-7126

hardyh@sos.nv.gov

From: Patricia Adkisson <faithandjoesmom@gmail.com>
Sent: Friday, March 10, 2023 12:36 PM
To: Heather Hardy <hardyh@sos.nv.gov>
Subject: PLEASE AUTHENTICATE CONVICTION RECORD

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

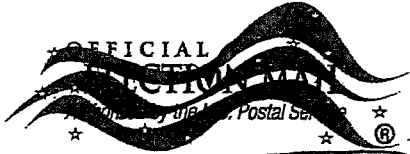
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CLARK COUNTY ELECTION DEPT
PO BOX 3909
LAS VEGAS, NV 89127-3909
(702) 455-VOTE (8683)

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U.S. Postage Paid
Las Vegas, NV
Permit No. 398

ATTACHMENT #3

ELECTRONIC SERVICE REQUESTED



MICHAEL DEAN ADKISSON
P.O. BOX 7000 N.N.C.C.
CARSON CITY NV 89702

84280

10A-4m

It is our pleasure to inform you that you are a registered voter in Clark County, Nevada. Please keep the card attached below to reference your voting information. If the card is in error, call the Election Department at (702) 455-VOTE (8683).

SIGNATURE OF REGISTRAR

DCNNI 89702



VOTER REGISTRATION CARD - CLARK COUNTY, NEVADA

Name: MICHAEL DEAN ADKISSON
Residence Address: 7117 LONGHORN CATTLE ST
NORTH LAS VEGAS NV 89084



REG ID

Mailing Address: P.O. BOX 7000 N.N.C.C.
CARSON CITY NV 89702

Issue Date: 12/09/22

Precinct	Party	Congress District	Senate District	Assembly District	Commission District	City/Ward
2074	NP	4	1	17	B	NLV/4

Polling Place: CLARK COUNTY VOTE CENTERS
Language Preference: ENGLISH

Address changed? Use this card to notify us of your new address OR if you have a valid Nevada Driver's License or State Identification Card, UPDATE YOUR ADDRESS online at www.clarkcountynv.gov/vote.

3240

City State Zip
(Enter New Residence Address)

City State Zip
(Enter Mailing Address)

Signature: _____ Date: _____

Prior to any election, your Official Sample Ballot will be sent to the address to which this card was mailed. If you move before the next election, you must update your registration information. If you fail to do so, you will not receive an Official Sample Ballot. To reduce delays while you are at the polling site, make sure to update your registration information prior to the close of registration. You may update your address on our website www.clarkcountynv.gov/vote or use the attached Voter Registration Card. You will be sent a new voter registration card with your updated information within 10 - 20 days.

ELECTRONIC SAMPLE BALLOT: You are now eligible to receive your sample ballot by e-mail. To do so, go to www.clarkcountynv.gov/vote and log into "REGISTERED VOTER SERVICES." From "Voter Services:" select "Request My Sample Ballot Electronically (Go Green)".

Before each election, select the most convenient vote center in your Official Sample Ballot, on our website at www.clarkcountynv.gov/vote, or by calling (702) 455-VOTE (8683).

LANGUAGE PREFERENCE: If you prefer to receive your election ballot and other election-related materials in Filipino (Tagalog) or Spanish, contact the Election Department at (702) 455-VOTE (8683) or go to our website at www.clarkcountynv.gov/vote.

PLACE POSTAGE HERE

CLARK COUNTY ELECTION DEPARTMENT
REGISTRAR OF VOTERS
PO BOX 3909
LAS VEGAS, NV 89127-3909

ATTACHMENT # 4

CLARK COUNTY ELECTION DEPT
PO BOX 3909
LAS VEGAS, NV 89127-3909
(702) 455-VOTE (8683)



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U.S. Postage Paid
Las Vegas, NV
Permit No. 398

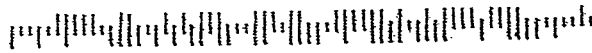
10A3W

It is our pleasure to inform you that you are a registered voter in Clark County, Nevada. Please keep the card attached below to reference your voting information. If the card is in error, call the Election Department at (702) 455-VOTE (8683).

MICHAEL DEAN ADKISSON
PO BOX 7000
CARSON CITY, NV 89702

#84200

SIGNATURE OF REGISTRAR



VOTER REGISTRATION CARD - CLARK COUNTY, NEVADA

Name: MICHAEL ADKISSON
Residence Address: 7117 LONGHORN CATTLE ST
NORTH LAS VEGAS, NV 89084
Mailing Address: PO BOX 7000
CARSON CITY, NV 89702
Issue Date: 10/10/2023

Precinct	Party	Congress District	Senate District	Assembly District	Commission District	City/Ward
2074	REP	4	1	17	B	NLV/NL4

Language Preference: English

CLARK COUNTY VOTE CENTERS
Address changed? Use this card to notify us of your new address OR if you have a valid Nevada Driver's License or State Identification Card, UPDATE YOUR ADDRESS online at www.clarkcountynv.gov/vote.

City _____ State _____ Zip _____
(Enter new Residence Address above)

City _____ State _____ Zip _____
(Enter new Mailing Address above)

Signature: _____ Date: _____

INMATE REQUEST FORM

1.) INMATE NAME	DOC #	2.) HOUSING UNIT	3.) DATE
Michael Adkisson	84280	10 A 3 W	Sept 13, 2023

- 4.) REQUEST FORM TO: (CHECK BOX)
- MENTAL HEALTH CANTEEN
 CASEWORKER MEDICAL LAW LIBRARY DENTAL
 EDUCATION VISITING SHIFT COMMAND
 LAUNDRY PROPERTY ROOM OTHER _____

5.) NAME OF INDIVIDUAL TO CONTACT: Caseworker Griffith RE: Official Conviction Record
CENTRAL REPOSITORY
RCCD

6.) REQUEST: (PRINT BELOW) Nevada Dept. of PUBLIC SAFETY, Records, Communications and Compliance Div.

1. Please confirm that you requested and received my Official State Conviction Record from the Repository.

2. Please state the ONLY Felony Conviction listed AND THE N.R.S. listed

3. PLEASE Confirm NO Listing of ^{Conviction} N.R.S. 193.165 use of D.W.

7.) INMATE SIGNATURE Michael Adkisson DOC # 84280

8.) RECEIVING STAFF SIGNATURE _____ DATE _____

9.) RESPONSE TO INMATE

I have received your criminal record from RCCD and have you set to be seen at Full Classification when it can be facilitated. I see a conviction for Murder in the Second Degree NRS 200.030. I see no conviction for a Use of Deadly Weapon on the record.

10.) RESPONDING STAFF SIGNATURE ccs [Signature] DATE 9.13.2023

INMATE REQUEST FORM

1.) INMATE NAME	DOC #	2.) HOUSING UNIT	3.) DATE
Michael Adkisson	84280	10A 3W	Oct 2, 2023

4.) REQUEST FORM TO: (CHECK BOX)

CASEWORKER MEDICAL MENTAL HEALTH CANTEEN
 EDUCATION VISITING LAW LIBRARY DENTAL
 LAUNDRY PROPERTY ROOM SHIFT COMMAND OTHER _____

5.) NAME OF INDIVIDUAL TO CONTACT: Case worker Griffith RE: F.C.C. Hearing to Facilitate Review and application of Conviction Record.

6.) REQUEST: (PRINT BELOW) Please review and respond to the Following Related to the Sept. 13, 2023 Rite

1.) On Sept 22, 2023 you attempted to conduct a Full Class. Committee hearing in order to facilitate a review of My Conviction Record as it relates to Classification

2.) A. W. O. Hartman refused to permit a Hearing and review, despite the fact that you represented the fact that My Conviction record does not include any Conviction for N.R.S. 193.165 use of a deadly weapon

7.) INMATE SIGNATURE Michael Adkisson DOC # 84280

8.) RECEIVING STAFF SIGNATURE _____ DATE _____

 9.) RESPONSE TO INMATE

We were going to have you seen by Full Classification on September 22, 2023

*2) It was determined that Full Classification was not willing to hear the issue and was recommended that you seek legal advice.

10.) RESPONDING STAFF SIGNATURE ccs Griffith DATE 10.10.2023

WARDEN BREITENBACH
 VOTER REG. CARD ATTACHED ISSUED DATE 10/10/2023
 INMATE REQUEST FORM

ATTACHMENT # 7

1.) INMATE NAME	DOC #	2.) HOUSING UNIT	3.) DATE
Michael Adkisson	84280	10 A 3 W	10/24/2023

- 4.) REQUEST FORM TO: (CHECK BOX)
- MENTAL HEALTH CANTEEN
- CASEWORKER MEDICAL LAW LIBRARY DENTAL
- EDUCATION VISITING SHIFT COMMAND
- LAUNDRY PROPERTY ROOM OTHER WARDEN BREITENBACH

5.) NAME OF INDIVIDUAL TO CONTACT: WARDEN BREITENBACH RE: DEMAND TO THE FREE EXERCISE OF RIGHT TO VOTE IN PERSON

6.) REQUEST: (PRINT BELOW) As demonstrated by the St. of Nev. Chief officer of Elections determination, (see NRS. 293.124) I am ELIGIBLE to vote in the FEB. 2024 Republican Presidential Preference Primary Election (see Attached VOTER REG. CARD issued date 10/10/2023) where I am required by state law to vote in person (293.272) and must present a valid I.D. which shows my physical address (Residence) (293.2725) please take immediate steps to either; #1. Release me on My Grant of Parole, where no conviction remains; or #2. Transfer me to CASA GRANDE in Las Vegas so I can access D.M.V. and the Voting Polls; or #3. Make immediate arrangements to transport me to D.M.V. for valid I.D. AND ACCESS TO VOTE

7.) INMATE SIGNATURE [Signature] DOC # 84280

8.) RECEIVING STAFF SIGNATURE [Signature] DATE 10/24/23

9.) RESPONSE TO INMATE

Denied Request to house at Casa Grande per AR 521 & AR 523 preclude from house arrest nor trusty status, see your case manager for assistance

10.) RESPONDING STAFF SIGNATURE [Signature] DATE 10/2023

213.157. Restoration of right to vote when placed on probation, granted parole or granted pardon; restoration of civil rights after sentence served.

1. A person convicted of a felony;

(a) Who is placed on probation, granted parole or granted a pardon is immediately restored to the right to vote;

(b) Who has served his or her sentence and has been released from prison:

(1) Is immediately restored to the right to serve as a juror in a civil action.

(2) Is immediately restored to the right to vote.

(3) Four years after the date of his or her release from prison, is restored to the right to hold office.

(4) Six years after the date of his or her release from prison, is restored to the right to serve as a juror in a criminal action.

2. Upon his or her release from prison, a person so released must be given an official document which provides:

(a) That the person has been released from prison;

(b) That the person is restored to his or her civil right to serve as a juror in a civil action as of the date of his or her release from prison;

(c) The date on which his or her civil right to hold office will be restored to the person pursuant to subparagraph (3) of paragraph (b) of subsection 1; and

(d) The date on which his or her civil right to serve as a juror in a criminal action will be restored to the person pursuant to subparagraph (4) of paragraph (b) of subsection 1.

3. A person who has been released from prison in this State or elsewhere and whose official documentation of his or her release from prison is lost, damaged or destroyed may file a written request with a court of competent jurisdiction to restore his or her civil rights pursuant to this section. Upon verification that the person has been released from prison and is eligible to be restored to the civil rights set forth in subsection 1, the court shall issue an order restoring the person to the civil rights set forth in subsection 1. A person must not be required to pay a fee to

receive such an order.

4. A person who has been released from prison in this State or elsewhere may present

(a) Official documentation of his or her release from prison, if it contains the provisions set forth in subsection 2; or

(b) A court order restoring his or her civil rights,

as proof that the person has been restored to the civil rights set forth in subsection 1.

HISTORY:

1973, p. 1844; 1977, p. 666; 1993, ch. 20, § 4, p. 39; 1993, ch. 466, § 158, p. 1529; 1995, ch. 293, § 1, p. 508; 2001, ch. 358, § 13, p. 1697; 2003, ch. 447, § 15, p. 2695; 2005, ch. 476, § 14, p. 2359; 2017, ch. 362, § 3, p. 2230, effective January 1, 2019; 2019, ch. 255, § 3, p. 1455, effective July 1, 2019; 2020, 32nd Sp. Sess. ch. 1, § 1, p. 2, effective August 2, 2020.

Editor's Notes

Acts 2001, ch. 358, § 14, directs that the amendatory provisions of the act apply: (1) to a petition for an order to seal records pursuant to NRS 179.245 or 179.255 filed on or after the effective date of the act (June 5, 2001), and (2) an application for restoration of civil rights pursuant to NRS 176A.860, 213.090, 213.155, or 213.157 filed on or after the effective date of the act.

Acts 2003, ch. 447, § 71, provides that:

1. Any person residing in this state who, before July 1, 2003, was:

(a) Honorably discharged from probation pursuant to NRS 176A.850;

(b) Pardoned pursuant to NRS 213.090;

(c) Honorably discharged from parole pursuant to NRS 213.154 and 213.155; or

(d) Released from prison pursuant to NRS 213.157, in this state or elsewhere, who is not on probation or parole or serving a sentence of imprisonment on July 1, 2003, and who has not

had his civil rights restored is hereby restored to the civil rights set forth in subsection 2.

2. A person listed in subsection 1:

(a) Is immediately restored to the following civil rights:

(1) The right to vote; and

(2) The right to serve as a juror in a civil action.

(b) Four years after the date on which he is released from his sentence of imprisonment, is restored to the right to hold office.

(c) Six years after the date on which he is released from his sentence of imprisonment, is restored to the right to serve as a juror in a criminal action.

3. A person who is restored to his civil rights pursuant to this section and whose official documentation which demonstrates that the person qualifies to have his civil rights restored pursuant to subsection 1 is lost, damaged or destroyed may file a written request with a court of competent jurisdiction to restore his civil rights pursuant to this section. Upon verification that the person qualifies to have his civil rights restored pursuant to subsection 1, the court shall issue an order restoring the person to the civil rights set forth in subsection 2. A person must not be required to pay a fee to receive such an order.

4. A person who is restored to his civil rights pursuant to this section may present official documentation that he qualifies to have his civil rights restored pursuant to subsection 1 or a court order restoring his civil rights as proof that he has been restored to the civil rights set forth in subsection 2.

In 2019, the Legislative Counsel made a stylistic change in (2)(b).

Acts 2019, ch. 255, § 7 provides (per subsequent amendment by Acts 2020, 32nd Sp. Sess., ch. 1, § 3):

Any person residing in this State who:

1. Before July 1, 2019, was placed on or discharged from probation, granted a pardon, granted or discharged from parole;
2. Is not incarcerated; and
3. Has not already had his or her right to vote restored, is immediately restored the right to vote.”

Amendment Notes

The 2017 amendment by ch. 362, effective January 1, 2019, redesignated and rewrote former introductory language of (1)(a) and (1)(a)(2) as (1)(a) and deleted former (1)(a)(1), which read: “The right to vote; and”; added (1)(b) and (1)(c); redesignated former (1)(b) and (1)(c) as (1)(d) and (1)(e); in (3)(b), substituted “is” for “has been” and “applicable dates set forth in paragraphs (a), (b) and (c) of subsection 1” for “date of his or her release from prison”; substituted “paragraph (d)” for “paragraph (b)” in (3)(c); and substituted “paragraph (e)” for “paragraph (c)” in (3)(d).

The 2019 amendment by ch. 255, effective July 1, 2019, deleted “Except as otherwise provided in subsection 2” at the beginning of the introductory language of 1; deleted “Except as otherwise provided in paragraph (c)” at the beginning of 1(b); deleted former 1(c); redesignated former 1(d) and 1(e) as 1(c) and 1(d); deleted former 2; redesignated former 3 through 5 as 2 through 4; deleted “Except for a person subject to the limitations set forth in subsection 2” at the beginning of the introductory language of 2; substituted “date of his or her release from prison” for “applicable dates set forth in paragraphs (a), (b) and (c) of subsection 1” in 2(b); substituted “paragraph (c)” for “paragraph (d)” in 2(c); substituted “paragraph (d)” for “paragraph (e)” in 2(d); deleted “Subject to the limitations set forth in subsection 2” at the beginning of the first sentence of 3; and substituted “subsection 2” for “subsection 3” in 4.

The 2020 amendment by 32nd Sp. Sess. ch. 1, effective August 2, 2020, rewrote the section.

NOTES TO DECISIONS

Cited in:

Salisbury v. List, 501 F. Supp. 105, 1980 U.S. Dist. LEXIS 14887 (D. Nev. 1980).

OPINIONS OF ATTORNEY GENERAL

A pardon relieves a person from any further punishments for a crime, while a restoration of civil rights allows a convicted person to vote, hold office and avoid certain requirements to register as a convicted person. Such restoration does not allow a convicted person to carry a concealed firearm, enable the individual to avoid professional licensing restrictions, or relieve the individual of statutory enhancements based upon the underlying conviction. AGO 83-13 (9-14-1983).

Limitations on restoration of rights.

Felons convicted in a Nevada district court may have their civil rights restored pursuant to NRS. Nevada can only restore the civil rights of Nevada felons. Federal felons may have their civil rights restored only by presidential pardon. Whether Nevada must afford full faith and credit to the restoration of civil rights by a foreign jurisdiction depends on the individual circumstances. AGO 96-27 (9-25-1996).

* Filed but NOT considered *

RE: NDOC Regulations/ Separation of

Powers Issue

IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE
OF NEVADA IN AND FOR CARSON CITY

JAMES MENOR VALDEZ Petitioner	Board of Prison Comm'n's New Stat Respondent
v	
Case No. 23 DC 00065 JB Dkt No. 1	

Petitioner's Opposition to Respondent's Motion to Dismiss

Comes Now, James Menor Valdez Petitioner in the
above entitled case of action, does now file his OPPOSITION
to Respondent's Motion to Dismiss.

This Opposition is made and based upon the
following facts and authorities, records, files, and all other
material contained in the Clerk's record, upon declaration
of Petitioner, and any further information the Court may
require of the Petitioner.

POINTS AND AUTHORITIES

I. Nature of Opposition

This Opposition is made and brought pursuant to
New R. Civ. Proc. Rule 18 and Local Rule 3.8. The
Petitioner disputes all claims and allegations made by

1 Respondents in the Motion to Dismiss

2 II STATEMENT OF THE CASE

3 Petitioner is now and at all times since imprisonment

4 Subject to Administrative Proceedings in order to make legal

5 determinations related to Initial and Ongoing Classification in

6 order to ensure individualized under the Nevada Department

7 of Corrections (N.D.C.) jurisdiction

8 Petitioner is aggrieved by the N.D.C. decision related

9 to classification. In accordance with N.D.C. requirements

10 Petitioner submitted a grievance challenging the determination

11 related to classification on May 4, 2023.

12 Petitioner complains of the N.D.C. classification practice

13 Centering his conservative sentences related to use of a deadly

14 weapon. Petitioner asserts the right to be free from being subject to

15 N.D.C. classification determinations that include consideration

16 of the (conservative sentences) for use of a deadly weapon

17 where: A) N.D.C. jurisdiction is established over upon conviction

18 and sentence of imprisonment; and B) No conviction is under

19 consideration when considering the (conservative sentences) for

20 use of a deadly weapon.

21 The N.D.C. refused to accept the grievance, effectively

22 claiming, that the N.D.C. does not exercise authority or

23 Control over the classification of offenders.

III ARGUMENT

24 Administrative Procedure Act (A.P.A.)

25 This information is publicly available at the N.D.C. website at <https://dc.nv.gov/about/administrative-regulations> 700 series

26 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700

1 The Nevada Legislature chose to exercise its Constitutional

2 prerogative ³ to authorize adoption of regulations by certain

3 agencies of the Executive Department of the State Government pursuant

4 to Nev. Rev. Stat. § 233.031. The existing R.F.R. establishments which agencies

5 that are authorized and those agencies which are expressly

6 exempt from authorization, namely, N.R.S. 233B.037(1)(b)

7 expressly exempt M.D.O.C. from the privilege related to the A.P.A.

8 Consequently, the M.D.O.C. is not authorized to adopt regulations,

9 unless otherwise directed by the Legislature to do so.

10 To respond to Nev. Rev. Stat. § 233.031 the Legislature reorganized the Department;

11 that all regulations shall be subject to the A.P.A. In Furthermore,

12 of this constitutional principle the Legislature authorized M.D.O.C.

13 to adopt regulations necessary in order to carry out the

14 legislative intent related to N.R.S. 209, 209B, 209C, 209D, 209E, 209F,

15 by authorizing Nevada Code of Administrative Procedures.

16 The legislative intent

17 The State Administrative Manual (SAM) comprises the

18 Constitutional principle, "Efficient and economical government."

19 Administrative regulations must be adopted in compliance

20 with statutory rulemaking procedures set forth in the

21 Administrative Procedures Act, "The

22 Respondents for the State Intentionally Dis-obey the Law

23 When change is made, N.R.S. 233B.039, exempts the

24 Department, since the M.D.O.C. is exempt from the

25 R.F.R. and actions undertaken by the M.D.O.C. are

26 designed or intended code... § 233.031

27 Admittedly, the M.D.O.C. is exempt / NOT AUTHORIZED TO

28 See TITLE 18 CHAPTER 233B Nevada Administrative Procedures Act

29 The Attorney General's Office publishes the Nevada Administrative

30 Information Manual that explains the law in greater detail and is

31 frequently available online at <http://ag.nv.gov>

1 implement the Public Rulemaking Process (N.R.S. 233B)

2 However, the state goes on to explain;

3 "The Director of N.D.O.C. is charged with establishing

4 a system of initial classification and evaluation

5 for offenders who are sentenced to imprisonment

6 in the State Prison, N.R.S. 233B.1-3, by the N.D.O.C.

7 Administrative Regulation (AR) put this into effect

8 The initial classification process is addressed in

9 AR 504 which sets out the contents and

10 considerations in Section 233B.1-3, N.R.S. 233B.1-3

11 Summary, AR 504, 504.D.3 states between 2-11

8 When considering these statements together, the respondents

9 position becomes apparent (that); i.e., "Since the N.D.O.C.

10 is exempt from the R.P.A." we must accept that the

11 N.D.O.C. can ratify, implement, and prescribe Administrative

12 Regulations unilaterally by way of affixing the Director's

13 Signature

14 On its face the state's interpretation is absurd;

15 produces absurd results, and offends Art 3 §1

16 This circumstance now presents a significant question of

17 Law of Constitutional Dimension that implicates R.R. 504 as

18 a fugitive document prepared by a lower agency.

19 Petitioner submits, that this Court must first determine if

20 Art 3 §1 requires legislative authorization BEFORE N.D.O.C.

21 may prescribe regulations; second, this Court must determine

22 if the cited authority within R.R. 504 contemplates a

23 legislative command, either permissive or mandatory, in order to

24 prescribe any regulations; and lastly, this Court must determine

25 whether R.R. 504 works to implement the legislative intent

26 OF N.D.C.

27 Petitioner further submits that the State has previously

1 Conceded that any agency exempted by NRS 233B.029 is

2 not authorized to adopt administrative regulations, by

3 way of the following statement detailed in the ADMINISTRATIVE

4 RULEMAKING manual (A.R.M.)

5 "A MESSAGE FROM THE ATTORNEY GENERAL

6 The Nevada Legislature authorizes almost every

7 department, agency, board and commission to

8 adopt regulations. ... Admin. Rule Mktg. Agency Board

9 The A.R.M. goes on to emphasize:

10 "Administrative regulations must be within the

11 statutory purview of the agency ..."

12 In this question of statutory authority we must look to

13 NRS 233B, which works "TO BUTRIBUTE" the N.D.A.C.

14 except status by NRS 233B.029 is conclusively a

15 legislative decision that works TO DENY N.D.A.C. authorization

16 to adopt regulations

17 The administration of the Department of Corrections is codified

18 by TITLE 16 Chapter 169, which establishes the Board of Prison

19 Commissioners as the head of the Department, charged with the

20 duty to prescribe regulations;

21 "NRS 209.161(6) The head of the Department is the Board of State

22 Prison Commissioners

23 "NRS 209.111(9) The Board shall prescribe regulations for ...

24 the Department

25 The Boards duty to prescribe regulation by lawful process

26 is contemplated by legislative authorization pursuant to

27 the A.R.M., where NRS 233B.029 does not exempt the

28 5. sec: ADMINISTRATIVE RULEMAKING - a procedural guide with exhibit

1 Board from inclusion for authorization as contemplated by

2 the A.R.A. in order to carry out the legislative command

3 However, and despite the Constitutional Comptroller's, the

4 Board of Prison Commissioners (B.P.C.) adamantly refuses

5 to comply with A.R.A. in the "approval and adoption" of N.D. 116.

6 Legislators and as a direct consequence the resulting A.R.S. 504,

7 and other, work in excess of the controlling Statute, (Title)

8 The following B.D.F.C. meeting minutes establish great of the

9 fact constituting the essence related to a clear duty in the adoption

10 of Regulations:

11 Board of Prison Commissioners meeting July 14, 1960

(p. 3) Attorney General's office: "There are some

important distinctions between this body and the Nevada

system... for many boards and agencies the Nevada

Administrative Procedures Act provides the appropriate

steps to take in promulgating regulations... The Nevada

Department of Corrections, however, is entirely exempted

from the Administrative Procedures Act N.A.S. 332B-332H(1)(b)

to the head of the Nevada Department of Corrections, the

Board is exempt as well. INSTEAD, the Director of the

Nevada Department of Corrections is charged with

establishing regulations with the approval of the

Board N.A.S. 332B-332H(1)(b). Governor, Board, and

what general board just established.

19 It is conclusive from these statements that the Board sought

20 to unilaterally interpret a legal question as a pretext in order

21 to subrogate legislative functions by the Board's actions.

22 The Board's conclusion that it to be exempt from the A.R.A.

23 is to be upheld by its 351 and likewise the relevant laws

24 contemplated by N.R.S. 833.2 is unconstitutional.

25 Furthermore, the Board's attempt to confine N.D. 116's exempt

26 status with the Board's legal relationship with Art 351 and

27 N.R.S. 833.2 is a pretext that works to offend Art 351 and

28 the A.R.A. in purporting the validity of existing Administrative Regulations (A.R.S.)

1 During the November 10 2007 B.O.R.C. meeting the following

2 representations were made in furtherance of the Boards

3 questionable conduct.

4 pg. 2 Senior Deputy Attorney General, **Janet Trout**, **Janet Trout**

5 issue that clouded that was a discussion of the

6 Administrative Procedures Act, there were separate

7 complaints about the regulatory process that the Board

8 of Prison Commissioners uses, which is set in statute

9 for Nevada Department of Corrections, and also the

10 Board of Prison Commissioners is EXPRESSLY exempted

11 from the Administrative Procedures Act by statute.

12 In that direction, the Director of the Department

13 of Corrections is the one who actually promulgates the

14 rules, they are reviewed by the Attorney General's

15 office, and then the Board approves those rules.

16 Department of Corrections need not present its regulations

17 for public comment, Governor Jim Gibbons, thank-you,

18 very well understood by all of us, Commissioners,

19 that the Administrative Procedures Act does not apply

20 to Administrative Regulations that we decide upon

21 and that we should vote on it that correct?

22 **Janet Trout**; **Yes, Sir.**

23 This exchange reveals an ongoing, bilateral, executive branch

24 effort to do an end-run around Art 3.31. In order to effectuate

25 the Constitutional reach of Art 3.31, the Board simply dictates

26 that the Act does not apply to the Board by virtue of the Legislature's

27 determination to deny administrative jurisdiction to adopt

28 regulations and making false statements in the public record

29 determining that the Board is EXPRESSLY exempt from the Act in

30 an effort to justify executive branch over-reach, and confounding

31 a rational "EXHIBITION" with fabricated testimony

32 At the January 8, 2008 Board meeting the following

33 representations were made by Governor Jim Gibbons,

34 Governor Gibbons, "The role of the Board is

35 set by the Attorney General's opinion... The Board

36 under its authority to adopt regulations... for

37 the Department may delegate these functions...

38

1. In furtherance of the Board's claims of unbound authority, the Board "DELEGATED" legislative powers to the N.D.C.E. in order to adopt regulations; subsequently, the Board simply "rubberstamps" the Director's regulations by virtue of a verbal "approval";
2. The Director does then prescribe, promulgate, and unilaterally trigger an "EFFECTIVE" date by way of affixing the Director's signature and the date of the Board meeting, circumventing the A.R.A. entirely
3. This described bad practice of delegation is not a legal function of government and has been rebuffed by the courts, wherein Botica Hokison, a resident of Las Vegas Nevada, did appear at each and every Board meeting concerning A.R.S. 833 B. Div. 2, related to the failure to comply with the A.R.A.
4. The Delegation Doctrine is one of Constitutional origin, limiting the authority of one branch of government from delegating its duties to another branch of government. It is the well recognized general rule that a power vested in one of the departments of our government by the Constitution cannot be delegated by any other branch of government's board or tribunal. This type of improper delegation by the Board now implicates due process problems as it impacts citizens rights.
5. The Nevada Legislature has established statutory standards regarding adoption of regulations see N.R.S. 833 B. 1 and changing the Board with the City to prescribe all regulations for the N.D.C.E.
6. see N.R.S. 833 B. 1(3), admittedly the Board has not acted in a manner that is consistent therewith.
7. As to the specifics of the "Petition for Judicial Review"
8. Where the Board of Prison Commissioners is a party to the

- 1 the Bill, for all purposes, and under reciprocal to the
- 2 administrative proceeding is properly named. Judicial review
- 3 warranted, that services, under property served the history
- 4 General that serving as attorney for the named parties;
- 5 see Attachment # 2, in Original Petition
- 6 B. MANDAMUS
- 7 Petitioner hereby adopts the Respondents statement of
- 8 mandamus by reference for purposes of DREVIT (pg 3; 12-25)
- 9 The justiciable controversy in this instance is not related
- 10 to the transportation requirements contemplated by N.R.S. 209.261
- 11 as suggested by the state.
- 12 Furthermore, Petitioner agrees that he stands duly convicted
- 13 of First Degree Murder and Attempted Murder. However, Petitioner
- 14 disputes any representation that a separate and distinct
- 15 sentence for use of a deadly weapon either forms the basis
- 16 of a conviction for N.D.O.C. purposes related to custody;
- 17 of classification of offenders, in accordance with the definition
- 18 of N.R.S. 209.081 and the provisions of N.R.S. 175.511;
- 19 N.R.S. 209.341; and N.R.S. 209.351; OR works to enhance any
- 20 Criminal Sentence.
- 21 Thus, the underlying justiciable controversy relates in
- 22 part to Petitioner's claim that the N.D.O.C. system of
- 23 Classification does unlawfully subject him to N.D.O.C.
- 24 custody when considering the consecutive sentence(s) for
- 25 use of a deadly weapon, in violation of clearly established state
- 26 law.
- 27 The Respondent for the state attempts to avoid this
- 28

1 Controversy by claiming that the Petitioner's convictions

2 are both enhanced for use of a deadly weapon,

3 without addressing the consecutive nature and character

4 of Petitioner's claim

5 As such, Petitioner will now address the state's premise

6 where, as in this instance, multiple punishments for each count,

7 in the form of consecutive sentences, DO NOT constitute a

8 single "enhanced" sentence for purposes of N.D.C. Custody

9 and classification or parole eligibility.

10 In Nevada each offense that is to be charged must be

11 stated separately. Likewise, when a defendant may be convicted

12 of more than one offense charged, each offense of which the

13 defendant is convicted must be stated separately in the

14 Verdict or finding of the court (see N.R.S. 175.511)

15 In accordance with Nevada law, the Petitioner was

16 charged and found guilty of the statutory offenses

17 related to N.R.S. 200.030; First Degree Murder and Attempted

18 Murder,

19 In Nevada, criminal statutes provide a single sentence

20 of imprisonment for each distinct crime in accordance

21 with the scope of protection under the double jeopardy clause

22 of the U.S. 5th amendment and Nev. Art. 1 § 8, which protects

23 against multiple punishments for the same offense,

24 In this instance the Petitioner received a single sentence

25 of imprisonment for First Degree Murder and a single sentence

26 of imprisonment for Attempted Murder

27 However, Petitioner also received two consecutive

1 Sentences for use of a deadly weapon that are to be treated

2 as separate and distinct for all purposes, including N.D.O.C.

3 custody, classification and parole-eligibility determinations.

4 In this instance a total of four sentences have been

5 imposed in consideration of two charged counts resulting in

6 Two convictions.

7 In accordance with the single-sentence requirements discussed

8 supra, any enhanced sentence must block to augment the

9 single sentence for the same, otherwise it is not an enhancement.

10 The rule consecutive sentences for use of a deadly weapon

11 cannot be utilized by N.D.A.C. for custody, classification or

12 parole-eligibility determinations, where the N.D.A.C. system of

13 classification is limited to consider offenders only.

14 N.R.S. 209.021 "OFFENDER" defined.

15 "Offender" means any person convicted of a crime.

16 Additionally, N.D.O.C. is required to rely upon the statute

17 under which the petitioner is sentenced in order to determine

18 parole-eligibility and related custody requirements;

19 see N.R.S. 176.105 (1)(c) ... "The judgment of

20 conviction must set forth, a reference to

21 the statute under which the defendant is

22 sentenced," to determine eligibility for

23 parole. In this instance there is no dispute as to the relevant

24 statute, it is N.R.S. 193.165 a general provision defined by the

25 legislature as no offense.

26 Petitioner is NOT challenging any conviction or sentence.

27 Instead, petitioner correctly points out that the consecutive

28 Sentence(s) do NOT work to ENHANCE any single criminal

1 Sentence for N.D.O.C. purposes related to custody, classification

2 or determination of parole-eligibility,

3 Before the consecutive sentence may begin the Petitioner

4 must discharge the relevant conviction and sentence. The

5 character of the consecutive sentence does not provide

6 a legal basis for imprisonment;

7 It is well settled in Nevada that the use of a deadly

8 weapon statute, N.R.S. 193.165, NEVER results in a conviction.

9 Before Petitioner may be subject to imprisonment there

10 must first be a felony conviction AND a sentence of

11 imprisonment; N.R.S. 193.160 classification of crimes

1. A crime is an act or omission... punishable

12 upon conviction... by imprisonment...

2 Every crime which may be punished by imprisonment in the state prison is a felony...

14 Admittedly, Petitioner never suffered any conviction

15 for use of a deadly weapon, instead Petitioner's classification

16 for imprisonment is predicated upon the contrary unilateral

17 classification of crime determinations related to the

18 consecutive sentence(s) for use of a deadly weapon

19 without any crime of conviction under consideration,

20 implicating the unlawful application and operation of the

21 N.D.O.C. system of classification

22 The Director has a statutory duty to receive, retain

23 and release offenders in accordance with the described

24 statutory scheme and when applicable to determine

25 eligibility for parole,

26 In order to carry out the described duties

27 6. See N.R.S. 209.101(5)

7. See N.R.S. 209.254

28

- 1 N.D.O.C. must conduct Initial and Ongoing classification
- 2 hearings in accordance with N.R.S. 209.341 and N.R.S. 209.351
- 3 respectively.
- 4 significantly, the statutory requirements concerning classification
- 5 mandate reliance upon Petitioners "Record of Conviction" in order
- 6 to carry out the described legal duties and to prevent the
- 7 possibility of arbitrary N.D.O.C. interpretation of verbiage
- 8 within Petitioners Judgment of Conviction (J.A.C.) related to the
- 9 consecutive sentence for use of a deadly weapon;
- 10 See N.R.S. 209.341 Director to establish system of initial
- 11 classification and evaluation for offenders; assignment
- 12 of offenders to appropriate institution or facility of
- 13 Department;
- 14 by the Director shall: (d) assign every person
- 15 based on the offender's records;
- 16 also see N.R.S. 209.351 Director to establish system of ongoing
- 17 classification for offenders;
- 18 Establish ongoing classification, to ensure the
- 19 individualized custody under the Department's
- 20 jurisdiction.
- 21 Keep records for each offender containing:
- 22 (a) The offender's record of conviction;
- 23 The described "Record of Conviction" is a "Record of
- 24 Criminal history," not to be confused with a J.A.C., which is
- 25 a record of action. The Central Repository maintains records of
- 26 conviction for the relevant purpose(s) of administrative
- 27 proceedings contemplated by statute including N.D.O.C. classification
- 28 and Bank Board hearings and determinations
- 29 The N.D.O.C. must first obtain Petitioners conviction
- 30 record from the Central Repository before conducting any
- 31 N.D.O.C. administrative classification proceeding that works
- 32 8. see N.R.S. 179A.070(1) Record of criminal history defined. see also
- 33 N.R.S. 179A.001(1)(a)(1)(b) Record of conviction only use in administrative hearing
- 34 9. 176. 125(5) what papers constitute record of action

- 1 to determine a crime of conviction for N.D.C. purposes
- 8 The explanation for the reversal of longstanding jurisprudence
- 3 related to the Double Jeopardy clause, U.S. 5th amendment and Nevada
- 4 Rrt 18.8 resulting in the imposition of four sentences related to behaviors
- 5 Two counts of conviction is detailed by the Nevada Supreme Court
- 6 in Nevada Dept of Prisons v. Bowen 103 Nev. 477; 745 P.2d 697
- 7 (1987). In recognition of the legislative clarification that NRS,
- 8 193.165 is NOT an offense, the Bowen Court held that the Double
- 9 Jeopardy clause DOES NOT preclude imposition of multiple
- 10 sentences for a single offense. Bowen footnote 1;
- 11 In dicta in *Wootley*, this Court stated: It is a fundamental
- 12 concept expressed in criminal statutes providing a single
- 13 sentence of imprisonment for each distinct crime that
- 14 a defendant may not be punished more than once for
- 15 the same offense. Id at 758, 542 P.2d at 1397
- 16 To the extent that this language may be read to be
- 17 inconsistent with this Opinion, it is expressly disapproved
- 18 The Opinion expressed in Bowen, that the Double Jeopardy
- 19 clause permits multiple sentences for a single offense is simply
- 20 wrong and now produces absurd results.
- 21 With respect to cumulative sentences imposed in a single
- 22 trial, the Double Jeopardy clause does not preclude multiple
- 23 sentences as long as there are multiple convictions, one sentence
- 24 for each criminal offense.
- 25 In Nevada when considering N.R.S. 193.165 the Legislature
- 26 provided clarification of its intent in 1975, after the Nevada
- 27 Supreme Court found the statute to be ambiguous. In order to
- 28 prevent prosecutors and the Court from treating N.R.S. 193.165
- 29 as a crime of conviction, the Central Reporter, shall, circulate
- 30 the exchange of all data with the Department of Corrections.
- 31 See also NRS 193A.090. No agency in Nevada may disseminate any
- 32 record... about a felony... without FIRST making inquiry of the Central
- 33 Reporter.

1 as a criminal offense for any related purpose, the legislature

2 declared that NRS 193.165 is no offense whatsoever, and as

3 such, NEVER results in a conviction.

4 Once the legislature provides clarification in this way, any

5 judicial interpretation treating NRS 193.165 as providing a

6 basis for a consecutive criminal sentence is ABSURD. Once

7 an 'offender' expires or is paroled from the criminal conviction

8 and sentence he is left with a consecutive sentence without

9 a consecutive conviction

10 In an effort to avoid the multiple punishment discussion

11 the state conceals the appearance of the fact by imposing a

12 single sentence for the crime and a consecutive sentence for

13 use of a deadly weapon. However, this does not change the fact

14 that TWO CONSECUTIVE SENTENCES are imposed for one count.

15 When we consider the Nevada Constitution Art 1 § 8 (1);

16 " ... No person shall be subject to be twice put in jeopardy for

17 the same offense ... the double punishment for each count in

18 Pettigrew's case has placed him in jeopardy twice for one count

19 The present meaning of "jeopardy" as it pertains to

20 a person, is the loss or injury or hazard or peril or

21 danger to which one may become exposed. Once the petitioner

22 was convicted of a crime, he has been exposed to the loss of

23 his freedom by way of imprisonment.

24 The conviction of the offense places him in jeopardy, if

25 this one conviction makes him liable for two sentences, instead

26 of one, then the loss or peril to which he has been exposed

27 - DOUBLE PUNISHMENT - has placed him in jeopardy twice

28 for the same count.

1 In this instance each count contemplates a single criminal

act defined by N.R.S. 800.030. There is no statutory definition

in Nevada for 'murder with the use of a deadly weapon' and if

there is, the act of bifurcation of a single count for the

purpose of imposing multiple sentences for a single count

will work to offend the U.S. 5th Amendment and Nev. Art. 1 § 8

7 PETITIONER DOES NOT challenge the convictions or

8 Multiple sentences for each count. Instead, Petitioner seeks

9 a mandate directing N.D.A.C. to recognize the consecutive

10 Sentence for use of a deadly weapon as a sentence without

11 a conviction that does not provide N.D.A.C. with jurisdiction

12 in order to subject the Petitioner to the N.D.A.C. classification

13 system for either custody or parole-eligibility purposes

14 It must be noted that the executive branch is

15 charged with seeing that the laws are faithfully executed

16 (See Nev. Art 5)

17 Consequently, the statutory authority for confinement

18 to a state prison, or consideration for parole-eligibility

19 is constitutional only as long as it vests sufficient control

20 in the executive branch over these actions, as such, any

21 consecutive sentence without a consecutive conviction works

22 to divest the executive branch of jurisdiction in order to

23 carry out the command to imprison.

24 Simply stated, the N.D.A.C. cannot accept or retain any

25 person that is not a convicted felon.

26 When considering Petitioner's four sentences, the Petitioner

27 did not suffer any conviction for the two consecutive

1 Sentences for use of a deadly weapon. The N.D.O.C. can

2 grant the relief sought simply by seeing that the laws are

3 faithfully executed, treating the two consecutive sentences

4 as a unitly where no 'consecutive' conviction of felony

5 is available

CONCLUSION

7 Petitioner has established jurisdiction for a Petition

8 for Judicial Review in accordance with N.R.S. 233 B.

9 The Board of Prison Commissioners is a party to the

10 Administrative Procedures Act.

11 Furthermore, the N.D.O.C. can provide the requested

12 relief through a writ of Mandamus, simply by following

13 this law to utilize Petitioner's actual conviction record.

14 Where no conviction is available for N.R.S. 193.165 and

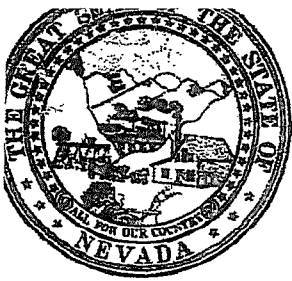
15 the consecutive sentence does not provide N.D.O.C. with

16 jurisdiction for custody or parole-eligibility determinations

17 Respectfully Submitted on this day of 20

By

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STATE OF NEVADA
SECRETARY OF STATE
BARBARA K. CEGAVSKE

101 N. Carson St. Phone: 775-684-5705
 Carson City, NV 89701 Fax: 775-684-5718

nvelect@sos.nv.gov
 www.nvsos.gov

For official use only:

Received by: _____
 Date Received: _____
 Complaint Type: _____
 (Stamp here)

OFFICE OF THE GOVERNOR
 CARSON CITY, NV

ELECTION INTEGRITY VIOLATION REPORT

The information you report on this form may be used to help us investigate violations of Nevada election laws. When completed, mail, email, or fax your form and supporting documents to the office listed above. Upon receipt, your complaint will be reviewed by a member of our staff. The length of this process can vary depending on the circumstances and information you provide with your complaint. The Office of the Secretary of State may contact you if additional information is needed.

INSTRUCTIONS: Please TYPE/PRINT your complaint in dark ink. You must write LEGIBLY. All fields MUST be completed.

SECTION 1.

COMPLAINANT INFORMATION

Salutation: Mr. Mrs. Ms. Miss

Your Name: ADKISSON MICHAEL D
 Last First MI

Your Organization, if any: N/A (Citizen of Nevada)

Your Address: 7117 Longhorn Cattle Street Las Vegas NV 89089
 Address City State Zip

Your Phone Number: Message # 702-505-2861 (WIFE)
 Home Cell Work Fax

Email: MichaelAdkisson@gmail.com Call me between 8am-5pm at: Home Cell Work

SECTION 2.

TYPE OF COMPLAINT *See Attachments in Support.*

- | | |
|--|---|
| <input type="checkbox"/> Campaign Practices | <input type="checkbox"/> Voter Fraud |
| <input type="checkbox"/> Contributions / Expenses | <input type="checkbox"/> Initiative / Referendum Petition |
| <input checked="" type="checkbox"/> Voter Registration | <input type="checkbox"/> Financial Disclosure Statement |
| <input checked="" type="checkbox"/> Other | |

1.) The Nevada Department of Corrections (N.D.C.E.) failure to comply with the statutory provisions of N.R.S. 213.157 worked to unfairly deprive me of my Constitutional right to vote in this years elections

SECTION 3.

COMPLAINT IS AGAINST *State of Nevada Ex Rel.; Nevada Dept. of Corrections; Board of Prison Commissioners*

Please detail the nature of your complaint. Include the name and contact information (if known) of the individual, candidate, campaign, or group that is the subject of your complaint. Your complaint must also include a clear and concise statement of facts sufficient to establish that the alleged violation occurred. Any relevant documents or other evidence that support your complaint should be listed and attached. You may attach additional sheets if necessary.

Assembly Bill 431 passed in 2019 restored my right to vote (among other things) Immediately upon a grant of parole. (N.R.S. 213.157 attached for your convenience) See N.R.S. 213.157 (1)(a). I suffered one single conviction in 2004 and was granted parole effective Nov 1st 2016. (ORDER granting parole attached for your convenience) As of Nov. 1st 2016 there no longer exist any undischarged conviction my continuing confinement to a state prison is related to an improper, unilateral, administrative act by N.D.O.C. done without the benefit of any conviction what-so-ever. The consecutive sentence that the N.D.O.C. relies upon pursuant to N.R.S. 193.165 is admittedly no offense and does not result in a conviction. I have discharged my sole conviction and sentence for Murder (see ORDER of AFFIRMANCE attached) The N.D.O.C. unilateral determination that I cannot register to vote or otherwise participate in the voting process while I am imprisoned works to violate my rights as defined by N.R.S. 213.157 (see N.D.O.C. Brief. # 2006-31-45642 attached) Once my Grant of parole became effective admittedly No felony conviction(s) remain, NO legitimate basis exist in order to deny my right to vote pursuant to N.R.S. 213.157. (See Nevada Criminal Justice Information System (N.C.J.I.S)) Record of Conviction detailing a single, unitary felony conviction pursuant to N.R.S. 200.030 Second degree Murder attached). Any questions related to N.D.O.C.'s practice to confine me to a state prison pursuant to a consecutive sentence without a conviction are separate from the stated violation of my voting rights

SECTION 4.

Sign and date this form. The Secretary of State's Office cannot process any unsigned, incomplete, or illegible complaints. In order to resolve your complaint, we may send a copy of this form to the person or group about whom you are complaining.

I am filing this complaint to notify the Office of the Secretary of State of the activities of a particular candidate, campaign, individual or group. I understand that the information contained in this complaint may be used to establish violations of Nevada law in both private and public enforcement actions. I authorize the Office of the Secretary of State to send my complaint and supporting documents to the individual or group identified in this complaint.

By signing my name below, I certify under penalty of perjury that the information provided in this complaint is true and correct to the best of my knowledge.


Signature

Michael Adkisson
Print Name

12/20/2022
Date (mm/dd/yyyy)

Michael Adkisson

ELECTION INTEGRITY VIOLATION REPORT
SUPPORTING DOCUMENTS

No. of pages	Description of Document
5 pgs	NRS 213.157 with Editors Notes, Decisions, A&D.
2 pgs	ORDER GRANTING PAROLE
	Effective Nov 1 st 2016
3 pgs	Nevada Court of Appeals ORDER of Affirmance detailing, Conviction and Sentence for Misch is discharged
7 pgs	Nevada Dept. of Corrections CITIZEN # 2006-31-45642
2 pgs	Nevada Criminal Justice Information System BASE Records detailing one unitary conviction pursuant to NRS 800.030

213.157. Restoration of right to vote when placed on probation, granted parole or granted pardon; restoration of civil rights after sentence served.

1. A person convicted of a felony:

(a) Who is placed on probation, granted parole or granted a pardon is immediately restored to the right to vote;

(b) Who has served his or her sentence and has been released from prison:

(1) Is immediately restored to the right to serve as a juror in a civil action.

(2) Is immediately restored to the right to vote.

(3) Four years after the date of his or her release from prison, is restored to the right to hold office.

(4) Six years after the date of his or her release from prison, is restored to the right to serve as a juror in a criminal action.

2. Upon his or her release from prison, a person so released must be given an official document which provides:

(a) That the person has been released from prison;

(b) That the person is restored to his or her civil right to serve as a juror in a civil action as of the date of his or her release from prison;

(c) The date on which his or her civil right to hold office will be restored to the person pursuant to subparagraph (3) of paragraph (b) of subsection 1; and

(d) The date on which his or her civil right to serve as a juror in a criminal action will be restored to the person pursuant to subparagraph (4) of paragraph (b) of subsection 1.

3. A person who has been released from prison in this State or elsewhere and whose official documentation of his or her release from prison is lost, damaged or destroyed may file a written request with a court of competent jurisdiction to restore his or her civil rights pursuant to this section. Upon verification that the person has been released from prison and is eligible to be restored to the civil rights set forth in subsection 1, the court shall issue an order restoring the person to the civil rights set forth in subsection 1. A person must not be required to pay a fee to

receive such an order.

4. A person who has been released from prison in this State or elsewhere may present

(a) Official documentation of his or her release from prison, if it contains the provisions set forth in subsection 2; or

(b) A court order restoring his or her civil rights,

as proof that the person has been restored to the civil rights set forth in subsection 1.

HISTORY:

1973, p. 1844; 1977, p. 666; 1993, ch. 20, § 4, p. 39; 1993, ch. 466, § 158, p. 1529; 1995, ch. 293, § 1, p. 508; 2001, ch. 358, § 13, p. 1697; 2003, ch. 447, § 15, p. 2695; 2005, ch. 476, § 14, p. 2359; 2017, ch. 362, § 3, p. 2230, effective January 1, 2019; 2019, ch. 255, § 3, p. 1455, effective July 1, 2019; 2020, 32nd Sp. Sess. ch. 1, § 1, p. 2, effective August 2, 2020.

Editor's Notes

Acts 2001, ch. 358, § 14, directs that the amendatory provisions of the act apply: (1) to a petition for an order to seal records pursuant to NRS 179.245 or 179.255 filed on or after the effective date of the act (June 5, 2001), and (2) an application for restoration of civil rights pursuant to NRS 176A.860, 213.090, 213.155, or 213.157 filed on or after the effective date of the act.

Acts 2003, ch. 447, § 71, provides that:

1. Any person residing in this state who, before July 1, 2003, was:

(a) Honorably discharged from probation pursuant to NRS 176A.850;

(b) Pardoned pursuant to NRS 213.090;

(c) Honorably discharged from parole pursuant to NRS 213.154 and 213.155; or

(d) Released from prison pursuant to NRS 213.157, in this state or elsewhere, who is not on probation or parole or serving a sentence of imprisonment on July 1, 2003, and who has not

NV CODE

had his civil rights restored is hereby restored to the civil rights set forth in subsection 2.

2. A person listed in subsection 1:

(a) Is immediately restored to the following civil rights:

(1) The right to vote; and

(2) The right to serve as a juror in a civil action.

(b) Four years after the date on which he is released from his sentence of imprisonment, is restored to the right to hold office.

(c) Six years after the date on which he is released from his sentence of imprisonment, is restored to the right to serve as a juror in a criminal action.

3. A person who is restored to his civil rights pursuant to this section and whose official documentation which demonstrates that the person qualifies to have his civil rights restored pursuant to subsection 1 is lost, damaged or destroyed may file a written request with a court of competent jurisdiction to restore his civil rights pursuant to this section. Upon verification that the person qualifies to have his civil rights restored pursuant to subsection 1, the court shall issue an order restoring the person to the civil rights set forth in subsection 2. A person must not be required to pay a fee to receive such an order.

4. A person who is restored to his civil rights pursuant to this section may present official documentation that he qualifies to have his civil rights restored pursuant to subsection 1 or a court order restoring his civil rights as proof that he has been restored to the civil rights set forth in subsection 2.

In 2019, the Legislative Counsel made a stylistic change in (2)(b).

Acts 2019, ch. 255, § 7 provides (per subsequent amendment by Acts 2020, 32nd Sp. Sess., ch. 1, § 3):

Any person residing in this State who:

1. Before July 1, 2019, was placed on or discharged from probation, granted a pardon, granted or discharged from parole;
2. Is not incarcerated; and
3. Has not already had his or her right to vote restored, is immediately restored the right to vote."

Amendment Notes

The 2017 amendment by ch. 362, effective January 1, 2019, redesignated and rewrote former introductory language of (1)(a) and (1)(a)(2) as (1)(a) and deleted former (1)(a)(1), which read: "The right to vote; and"; added (1)(b) and (1)(c); redesignated former (1)(b) and (1)(c) as (1)(d) and (1)(e); in (3)(b), substituted "is" for "has been" and "applicable dates set forth in paragraphs (a), (b) and (c) of subsection 1" for "date of his or her release from prison"; substituted "paragraph (d)" for "paragraph (b)" in (3)(c); and substituted "paragraph (e)" for "paragraph (c)" in (3)(d).

The 2019 amendment by ch. 255, effective July 1, 2019, deleted "Except as otherwise provided in subsection 2" at the beginning of the introductory language of 1; deleted "Except as otherwise provided in paragraph (c)" at the beginning of 1(b); deleted former 1(c); redesignated former 1(d) and 1(e) as 1(c) and 1(d); deleted former 2; redesignated former 3 through 5 as 2 through 4; deleted "Except for a person subject to the limitations set forth in subsection 2" at the beginning of the introductory language of 2; substituted "date of his or her release from prison" for "applicable dates set forth in paragraphs (a), (b) and (c) of subsection 1" in 2(b); substituted "paragraph (c)" for "paragraph (d)" in 2(c); substituted "paragraph (d)" for "paragraph (e)" in 2(d); deleted "Subject to the limitations set forth in subsection 2" at the beginning of the first sentence of 3; and substituted "subsection 2" for "subsection 3" in 4.

The 2020 amendment by 32nd Sp. Sess. ch. 1, effective August 2, 2020, rewrote the section.

NOTES TO DECISIONS

Cited in:

Salisbury v. List, 501 F. Supp. 105, 1980 U.S. Dist. LEXIS 14887 (D. Nev. 1980).

OPINIONS OF ATTORNEY GENERAL

A pardon relieves a person from any further punishments for a crime, while a restoration of civil rights allows a convicted person to vote, hold office and avoid certain requirements to register as a convicted person. Such restoration does not allow a convicted person to carry a concealed firearm, enable the individual to avoid professional licensing restrictions, or relieve the individual of statutory enhancements based upon the underlying conviction. AGO 83-13 (9-14-1983).

Limitations on restoration of rights.

NVCODE

Felons convicted in a Nevada district court may have their civil rights restored pursuant to NRS. Nevada can only restore the civil rights of Nevada felons. Federal felons may have their civil rights restored only by presidential pardon. Whether Nevada must afford full faith and credit to the restoration of civil rights by a foreign jurisdiction depends on the individual circumstances. AGO 96-27 (9-25-1996).

STATE OF NEVADA
CERTIFICATION OF
BOARD OF PAROLE COMMISSIONERS ACTION
ORDER GRANTING PAROLE

ADRISSON, MICHAEL	84280	094280	HDSP-15-D-10-A	08/11/2016
IRVING, WENDE				

It is the Order of the Board that Parole is GRANTED. The effective date of parole is: 11/01/2016
 Release to the community or to a consecutive sentence is authorized on the above specified date. If "when eligible" is indicated, release is authorized on or after the date of this hearing upon attaining minimum eligibility, as determined by the Nevada Department of Corrections (NDOC). Release to the community may not occur until approval of release plans in accordance with NRS 213.140
 You are expected to program and/or work constructively regardless of institutional setting, and you are expected to abide by the rules of the NDOC. Failure to work under program constructively, or violation of the rules of the NDOC may result in the revocation of the order and denial of parole.

THIS ACTION APPLIES TO THE FOLLOWING SENTENCE(S):

Controlling sentence imposed by 1 Class # Court Officer Description

*200178; PLAUZER AND BRAGER

Community supervision conditions apply to all active sentences, including any previously granted sentences not specified on this Order. In addition to the standard conditions, the following special parole conditions apply

*If applicable, four months prior to release to the community, contact the Division of Parole and Probation, Pre-release, and establish a viable release plan. The Board will impose any special conditions regarding community release at that time. It is the Order of the Board that the inmate is not to be released to the community until any proposed release plans are investigated and approved by the Division of Parole and Probation.

Reason(s) for sentence

Great Reason: The inmate has participated in programs specific to addressing behavior that led to incarceration.
Great Reason: There is community and/or family support.
Great Reason: The inmate must serve a consecutive sentence.

A determination of the Board was conducted and the following members of the Board of Parole Commissioners were present:
 Commissioner Lucille Montford, Great Parole
 Commissioner Melissa Keeler, Great Parole
 Commissioner Susan Jackson, Great Parole
 Chairman Corinne Bibeau, Great Parole

The final action was ratified by the following members of the Board of Parole Commissioners:
 Commissioner Melissa Keeler, Great Parole
 Commissioner Lucille Montford, Great Parole
 Commissioner Susan Jackson, Great Parole
 Chairman Corinne Bibeau, Great Parole

FOR THE NEVADA BOARD OF PAROLE COMMISSIONERS



This document was prepared by DEBARBARO # 8170991 01-13 PM

STATE OF NEVADA CERTIFICATION OF BOARD OF PAROLE COMMISSIONERS ACTION

PAROLE RISK ASSESSMENT & GUIDELINE

ADRISSON, MICHAEL	84280	084280	HDSB-U9-D-10-A	08/11/2016
INMATE NAME	NDOC Number	BOOKING#	LOCATION	DATE

Parole Risk Assessment:

Questions	Responses / Scores
1. Age at 1st Arrest	19 years or younger (3): 2
2. Prior Revocations	(2) No Parole or Probation Revocations: 0
3. Employment History	(1) Employed less than full-time/full-time some year: 1
4. Property Custodian	(0) All Others: 0
5. Drug/Alcohol Use/Abuse	(0) Some use, no severe disruption of functioning: 1
6. Gender	(1) Male: 1
Static Risk Score	5
7. Current Age	(-1) 41 and above: -1
8. Gang Membership	(0) No or Suspect: 0
9. Programming (current term)	(0) No: 0
10. Disciplinary Conduct	(-1) No discipline: -1
11. Approved Custody Level	(0) Medium: 0
Dynamic Risk Score	-2
Total Score (Static+Dynamic)	3

Offense (used to determine crime severity for risk assessment)	Offense Category	Offense Severity
MURDER AND DEGREE	CA1_A	Highest

Total Risk Score:	Guideline Risk	Guideline Recommendation
3	Low Risk	Consider Factors

The Board determined the following **Aggravating Factors** are applicable in your case:
 Prior violent conviction: Has 2 prior misdemeanor convictions
 Impact on victim(s) and/or community: Victim dies in this offense.

The Board determined the following **Mitigating Factors** are applicable in your case:
 Pending CS sentence or detainer lodged by other jurisdiction: Has a pending sentence to serve.

This document was prepared by DBARNARD at 2/7/2016 1:15 PM

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

MICHAEL DEAN ADKISSON,
Appellant,
vs.
BRIAN WILLIAMS, WARDEN,
Respondent.

No. 73807

FILED

JUN 13 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *S. Young*
DEPUTY CLERK

ORDER OF AFFIRMANCE

Michael Dean Adkisson appeals from a district court order denying a postconviction petition for a writ of habeas filed on August 23, 2016.¹ Eighth Judicial District Court, Clark County; Linda Marie Bell, Judge.

Adkisson claims the credits he has earned pursuant to NRS 209.4465 must be applied to his parole eligibility as provided in NRS 209.4465(7)(b) (1997). The Nevada Supreme Court recently held in *Williams v. State Department of Corrections*, 133 Nev. ___, ___, 402 P.3d 1260, 1262 (2017), that credits earned under NRS 209.4465 apply to parole eligibility as provided in NRS 209.4465(7)(b) (1997) where the offender was sentenced pursuant to a statute that requires a minimum term of not less than a set number of years but does not expressly mention parole eligibility.

Adkisson was convicted of second-degree murder with the use of a deadly weapon for conduct that occurred in February 2004. He was

¹This appeal has been submitted for decision without oral argument. NRAP 34(f)(3).

sentenced to a prison term of life with a minimum parole eligibility of ten years for the murder convictions and an equal and consecutive prison term of life with a minimum parole eligibility of ten years for the deadly weapon enhancement. He has discharged the sentence for his murder conviction and is now serving the sentence for the deadly weapon enhancement.²

The sentencing statutes expressly required Adkisson to serve the minimum term before he is eligible for parole. See NRS 193.165 (1995) (providing that sentence for weapon enhancement must be equal and consecutive to sentence imposed for primary offense); NRS 200.030(5) (providing that person convicted of second-degree murder shall be punished by imprisonment for "life with the possibility of parole, with eligibility for parole beginning when a minimum of 10 years has been served" or "a definite term of 25 years, with eligibility for parole beginning when a minimum of 10 years has been served"). Therefore, pursuant to the exception set forth in NRS 209.4465(7)(b) (1997), the credits Adkisson earns under NRS 209.4465 cannot be applied to his parole eligibility on the weapon enhancement sentence that he is serving. See *Williams*, 133 Nev. at ___, 402 P.3d at 1262.

Although the analysis in the district court's order conflicts with *Williams*, we nonetheless affirm the order because the district court reached the correct result in denying the petition. See *Wyatt v. State*, 86 Nev. 294,

²To the extent Adkisson claims he is entitled to credit for the time he served between parole hearings, we conclude he is not entitled to relief. See *Niergarth v. Warden*, 105 Nev. 26, 28-29, 768 P.2d 882, 883-84 (1989) (holding no statutory authority or case law permits retroactive grant of parole).

298, 468 P.2d 338, 341 (1970) (stating that an order that reached the correct result will not be reversed simply because it is based on the wrong reason).

Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____. C.J.
Silver


_____. J.
Tao


_____. J.
Gibbons

cc: Hon. Linda Marie Bell, District Judge
Michael Dean Adkisson
Attorney General/Carson City
Attorney General/Las Vegas
Eighth District Court Clerk



Nevada Department of Corrections Improper Grievance Memo

TO: Adkisson, Michael #84280 UNIT: 10A-4M

FROM: AWP Henley, NNCC

DATE: November 23, 2022

RE: Improper Grievance # 2006-31-45642 REJ 1st

The attached grievance is being returned to you for the following reason(s):

NOT ACCEPTED - If not accepted due to any of the reasons in this box, the grievance may NOT proceed to the next level Per AR 740.03,5 and 740.04,G.

Non-grievable issues:

Other specify: Under Assembly Bill 431, passed in 2019, any Nevada resident who is convicted of a felony is immediately restored the right to vote upon the individual's release from prison. There is no waiting period or action required by the individual. The restoration of voting rights is automatic and immediate upon the individual's release from prison, regardless of the category of felony committed or whether the individual is still on either parole or probation.

Individuals who have had their voting rights restored must meet all the other eligibility requirements in order to register to vote. In order to be eligible to register to vote in Nevada, an individual must:

- Be a U.S. citizen;
- Be at least 18 years old by the date of the next election (or at least 17 years old if preregistering to vote);
- Have continuously resided in Nevada and the county for at least 30 days before the next election; and
- Have continuously resided in the precinct for at least 10 days before the next election.

Any individual who has been convicted of a felony and is currently serving a term of imprisonment cannot register to vote or otherwise participate in the voting process while the individual is in prison.

You are currently incarcerated serving a prison term therefore you may not vote Per assembly bill 431.

Do not re-submit

CCS [Signature] 12-19-22
 Witness Signature Date

[Signature] 12-19-2022
 Inmate Signature Date

Log Number 20010-31-451047

NEVADA DEPARTMENT OF CORRECTIONS
INFORMAL GRIEVANCE

NAME: Michael Adkisson I.D. NUMBER: 84880

INSTITUTION: N.A.C.C. (D.O.C. 3095 attend) UNIT: 10 A 407

GRIEVANT'S STATEMENT: I am grieving the N.D.C.C. for the violation of my rights related to N.R.S. 213.157 Restoration of right to vote and related civil rights "A person convicted of a Felony who is granted parole is IMMEDIATELY restored the right to vote." In this instance I was granted parole on my Sole Felony Conviction effective Nov. 1st 2016. Legislative Changes

SWORN DECLARATION UNDER PENALTY OF PERJURY

INMATE SIGNATURE: [Signature] DATE: 11-17-22 TIME: 12:44

GRIEVANCE COORDINATOR SIGNATURE: C. Dutton DATE: 11-23-22 TIME: 12:39pm

GRIEVANCE RESPONSE: DOC-3098

CASEWORKER SIGNATURE: [Signature] DATE: 12-19-2022

GRIEVANCE UPHELD GRIEVANCE DENIED ISSUE NOT GRIEVABLE PER AR 740

GRIEVANCE COORDINATOR APPROVAL: [Signature] DATE: 12-5-2022

INMATE AGREES INMATE DISAGREES

INMATE SIGNATURE: [Signature] DATE: 12-19-22

FAILURE TO SIGN CONSTITUTES ABANDONMENT OF THE CLAIM. A FIRST LEVEL GRIEVANCE MAY BE PURSUED IN THE EVENT THE INMATE DISAGREES.

- Original: To inmate when complete, or attached to formal grievance
- Canary: To Grievance Coordinator
- Pink: Inmate's receipt when formal grievance filed
- Gold: Inmate's initial receipt

RECEIVED
NOV 23 2022
NNCC 3091 (12/01)

NEVADA DEPARTMENT OF CORRECTIONS
GRIEVANT'S STATEMENT CONTINUATION FORM

NAME: Michael Adkisson I.D. NUMBER: 84280

INSTITUTION: N.N.C.C. UNIT #: 10A 4M

GRIEVANCE #: 2006-31-45642 GRIEVANCE LEVEL: Internal

GRIEVANT'S STATEMENT CONTINUATION: PG. Two OF Three

(2019)
related to N.R.S. 213.157 during ~~the~~ the 2020 32nd Special Session 2
Worked to restore my right to vote immediately upon my grant of parole
Because my Grant of parole is effective Nov. 1 2016 My Right to Vote
was intact and restored for the Current election cycle. But for
the N.D.O.C. Classification of my person as an "OFFENDER"
(defined at N.R.S. 209.081 "offender" means any person convicted of a
Crime under the laws of this state and sentenced to imprisonment in the
State prison.") With a claim that I suffered a Category A Felony
Conviction for N.R.S. 193.165 USE of D/W I would have been
permitted to vote

To be clear, I have discharged the sentence and the Conviction
pursuant to the 3rd Criminal Court.

Despite the verbiage in My J.O.C. relied upon by N.D.O.C.
related to a "Consecutive-sentence of 10-Life" No Conviction
is stated for or pursuant to either the relevant statutory language
or even the J.O.C. itself where only one Court is charged and

Original: Attached to Grievance
Pink: Inmate's Copy

NEVADA DEPARTMENT OF CORRECTIONS
GRIEVANT'S STATEMENT CONTINUATION FORM

NAME: Michael Adrison I.D. NUMBER: 84280

INSTITUTION: N.M.C.C. UNIT #: 10 A 407

GRIEVANCE #: 2006-31-45642 GRIEVANCE LEVEL: INFORMAL

GRIEVANT'S STATEMENT CONTINUATION: PG. Three OF Three

only one conviction resulted and where that sole conviction is now discharged. The N.D.C.C. designation through classification claiming that I am to be treated as an Offender with a current undischarged conviction worked to deprive me of my Constitutional and Statutory right to Vote where N.R.S. 213.157 does reserve my related rights to Vote, Serve as a Juror, HOLD OFFICE as I have been paroled for 6 six years now, the Dept's Classification worked to violate my rights related to each provision of N.R.S. 213.157

PROPOSED REMEDY: Immediately Conduct a Classification hearing in order to correct the unsupported determination that my current legal status is that of an Offender with a current conviction. Establish my correct custody status to reflect "PAROLEE." This Classification change will REQUIRE assignment to Casa Grande Transitional Center as a PAROLEE see N.R.S. 209.511(2) Duties and Auth. Actions of Director, N.R.S. 209.4889 Transitional Housing OR To the Alternative Five Million Dollars with additional injury insurance

Original: Attached to Grievance
Pink: Inmate's Copy

NEVADA DEPARTMENT OF CORRECTIONS ADMINISTRATIVE CLAIM FORM

**THIS FORM MUST BE COMPLETED PER NRS 41.036, 41.0322,
209.243 AND ADMINISTRATIVE REGULATION 740**

**DO NOT SEND DIRECTLY TO ATTORNEY GENERAL'S OFFICE,
BOARD OF EXAMINERS, OR DIRECTOR**

This form is to be attached to your grievance form for any injuries or any other claim (except property) arising out of a tort alleged to have occurred during your incarceration as a result of an act or omission of the Department of Corrections or any of its agents, former officers, employees or contractors.

The following information is necessary to fairly evaluate your claim. Please provide complete information. If you need more space, attach a separate sheet of paper. You may submit additional evidence if available. Such additional evidence will be returned.

CLAIM IN THE AMOUNT OF \$ _____ is hereby made against the Department of Corrections, based upon the following facts:

1. NAME OF CLAIMANT (Please print full name)	2. I.D. #	3. INSTITUTION
<i>Michael ADRISSON</i>	<i>84280</i>	<i>N.N.C.C.</i>
4. AMOUNT OF CLAIM	5. DATE AND DAY OF OCCURRENCE	
<i>As set forth in Griev.</i>	<i>Nov 1st 2016 - thru Current/ongoing</i>	
7. PLACE OF OCCURRENCE		6. TIME (a.m. or p.m.)
<i>Nevada Dept of Corrections</i>		<i>ON GOING</i>

8. Describe here, in complete detail, exactly how your claim loss or damage occurred and why you believe the institution is responsible or liable:

I am denied my right to vote, serve as juror and ability to hold office as contemplated by N.R.S. 213.157 solely as a result of ABUSE of Authority by N.D.O.C. in the illegal and unauthorized classification designation by claiming that my status is that of an offender when in fact I am a parolee with no current conviction under consideration where my parole grant became effective Nov 1 2016 see below # 10

9. Witnesses. Be sure to include any staff member who may have been involved in, or has any knowledge of, your alleged loss; also, list any inmate who has actual knowledge of facts pertinent to your claim:

Warden HENLEY (AWO)
Caseworkers Griffith, Vaccaro, Baraza, Hugs, AGLE

10. Other pertinent information:


and where N.R.S. 213.157 Restoration of Right to vote, serve as juror and right to hold office when granted parole is being denied to me solely as a result of the institutions Classification designation which works to deny my rights related to my Grant of Parole By claiming that I am an "Offender" see N.R.S. 209.081 offender defined means a person convicted of a crime and sentenced to prison. In this instance I do NOT have any remaining convictions

STATE OF Nevada)
COUNTY OF Carson) SS

I, Michael Adkisson, do hereby swear under penalty of perjury that I am the claimant named above, that I have read the foregoing claim and know the contents thereof, that the same is true of my own knowledge, except those matters stated upon information and belief, and as to those matters, I believe them to be true, and that THIS IS MY ENTIRE CLAIM AGAINST THE STATE OF NEVADA DEPARTMENT OF CORRECTIONS.

I FULLY UNDERSTAND THAT I WILL HAVE TO SIGN A GENERAL RELEASE OF ALL CLAIMS IN THE PRESENCE OF A NOTARY PUBLIC FOR THE EXACT AMOUNT I AM CLAIMING BEFORE ANY PAYMENT WILL BE OFFERED TO ME. THIS GENERAL RELEASE WILL BECOME EFFECTIVE ONLY UPON ACTUAL PAYMENT OF THE CLAIM BY THE STATE OF NEVADA.

DATED this 17th day of November, 2022


Signature of Claimant

NOTICE

NEVADA REVISED STATUTE 197.160 provides that every person who knowingly presents a false or fraudulent claim is guilty of a gross misdemeanor, and is subject to criminal penalties of imprisonment of up to one year, and a fine of up to \$2,000.00.

DOC 3095 (12.01)

THE FOLLOWING FROM NCIS CRIMINAL JUSTICE IS A RESULT OF YOUR SQCH INQUIRY ON:
NAM/ ADKISSON, MICHAEL DOB/ 19650716

NCIS BASE RECORD

NAME: ADKISSON, MICHAEL D

DOB: [REDACTED]

RACE: WHITE SEX: M HEIGHT: 509 WEIGHT: 210
HAIR: RED OR AUBURN EYES: BROWN

ALIAS NAMES:

ADKISSON, MICHAEL

ADKISSON, MICHAEL DEAN

POB: CA

ADDRESS:

4020 S ARVILLE
LV, NV

SID: NV02437476

FINGERPRINTS ARE AVAILABLE.

CRIMINAL HISTORY RECORD PCN/ 21221278
FINGERPRINT BASED RECORD

ARREST DATE: 2004-02-19

ARRESTING AGENCY: CLARK COUNTY DETENTION CENTER

ORI: NV0020135

NAME USED: ADKISSON, MICHAEL DEAN

OCA: 0917293

BOOKING AGENCY: CLARK COUNTY DETENTION CENTER

ORI: NV0020135

ARREST OFFENSE

1: MURDER WITH A DEADLY WEAPON

FELONY

NEVADA STATUTE NRS 200.030

NV OFFENSE CODE: 00093 NCIC: 0912

COURT/FINAL CHARGE

1: MURDER IN THE SECOND DEGREE

FELONY

NEVADA STATUTE NRS 200.030

NV OFFENSE CODE: 00094 NCIC: 0999

EIGHTH JUDICIAL DISTRICT COURT

ORI: NV002015J

DISPOSITION: PLEAD GUILTY

DISPOSITION DATE: 2004-12-06

CASE #: 04F03106X

NAME USED: ADKISSON MICHAEL DEAN

SENTENCE DATE: 2004-12-06

FACILITY: NEVADA STATE PRISON

SENTENCE: LIFE WITH POSSIBILITY OF PAROLE

CREDIT TIME SERVED:
YEARS: MOS: DAYS: 252 HOURS:

SPECIAL CONDITIONS: YES

RECORD CREATED: 2004-02-19 07:02:46 LAST UPDATED: 2019-08-29 13:09:44

CRIMINAL HISTORY RECORD PCN/ 10948037
FINGERPRINT BASED RECORD

ARREST DATE: 2001-08-21
ARRESTING AGENCY: LAS VEGAS METROPOLITAN POLICE
NAME USED: ADKISSON, MICHAEL DEAN ORI: NV0020100
OCA: 0917293

ARREST OFFENSE
1: BATTERY/DOMESTIC VIOLENCE MISDEMEANOR
NEVADA STATUTE NRS 200.485 NV OFFENSE CODE: 02138 NCIC: 1399

COURT/FINAL CHARGE
1: BATTERY MISDEMEANOR
NEVADA STATUTE NRS 200.481 NV OFFENSE CODE: 00145 NCIC: 1399
LAS VEGAS MUNICIPAL COURT ORI: NV002051J

DISPOSITION: PLEAD GUILTY DISPOSITION DATE: 2004-01-20
CASE #: C-0497567-A
NAME USED: ADKISSON MICHAEL DEAN

SENTENCE DATE: 2004-01-20
SPECIAL CONDITIONS: YES

RECORD CREATED: 2001-10-09 08:10:15 LAST UPDATED: 2018-04-08 15:54:46

WHEN AN EXPLANATION OF A CHARGE OR DISPOSITION IS NEEDED, COMMUNICATE DIRECTLY WITH THE AGENCY THAT FURNISHED THE DATA TO THE NEVADA CRIMINAL HISTORY RECORDS REPOSITORY.

IF FINGERPRINTS DID NOT ACCOMPANY THIS INQUIRY, THE NEVADA CRIMINAL HISTORY RECORDS REPOSITORY IS UNABLE TO GUARANTEE THAT THIS MATERIAL CONCERNS THE INDIVIDUAL IN WHOM YOU ARE INTERESTED.

IN REGARDS TO THE ABOVE NAMED SUBJECT, THIS DOES NOT PRECLUDE THE POSSIBLE EXISTENCE OF ADDITIONAL MATCHED RECORDS IN LOCAL OR FBI IDENTIFICATION DIVISION FILES WHICH ARE NOT INDEXED BY THE NEVADA STATE CRIMINAL HISTORY RECORDS REPOSITORY. THE USE OF THIS INFORMATION IS REGULATED BY LAW. IT IS PROVIDED FOR OFFICIAL USE AND MAY ONLY BE USED FOR THE PURPOSE REQUESTED. NEVADA AGENCIES - REFER TO NRS CHAPTER 179A.

***** END OF CRIMINAL HISTORY RECORD *****