

SUPREME COURT OF NEVADA

Bolden v. State

2021 NV 28 · No. 79715 · Decided September 23, 2021

SUMMARY

The Nevada Supreme Court affirmed Jason J. Bolden's judgment of conviction in an authored opinion issued July 8, 2021. On September 23, 2021, the court amended the opinion and denied Bolden's petition for rehearing. The docket also reflects a subsequent petition for en banc reconsideration, for which briefing was pending in the provided record.

CASE DETAILS

COURT	Supreme Court of Nevada
WRITING FOR THE COURT	Justice Pickering; Justice Cadish; Justice Herndon
JURISDICTION	Nevada
DECIDED	September 23, 2021
DOCKET	79715
DISPOSITION	affirmed
PROCEDURAL POSTURE	Direct criminal appeal from a judgment of conviction in the Eighth Judicial District Court of Clark County, Nevada.
PRECEDENTIAL VALUE	published
PARTIES	Jason J. Bolden v. The State of Nevada

TOPICS

- criminal procedure
- appellate procedure

PRACTICE AREAS

- criminal law
- criminal procedure
- appellate practice

HOLDINGS

1. The Supreme Court of Nevada affirmed the judgment of conviction.

FACTUAL BACKGROUND

The supplied document contains docket information and disposition metadata but does not include the substantive opinion analysis or factual discussion. Accordingly, the material facts relied upon by the court cannot be reliably extracted.

PROCEDURAL HISTORY

Bolden appealed his judgment of conviction to the Supreme Court of Nevada. The court issued an authored opinion affirming the judgment of conviction on July 8, 2021. The court later amended the opinion and denied rehearing on September 23, 2021; the record also reflects a subsequent petition for en banc reconsideration.

DISPOSITION

affirmed

OPINION

PER CURIAM.

79715: Case View Nevada Appellate Courts Appellate Case Management System C-Track, the browser based CMS for Appellate Courts Case Search Participant Search Cases Case Search Participant Search 21-27482: This document is currently unavailable. If you need a copy of this document, please contact Clerk's Office at (775)684-1600. Disclaimer: The information and documents available here should not be relied upon as an official record of action.Only filed documents can be viewed.

Some documents received in a case may not be available for viewing.Some documents originating from a lower court, including records and appendices, may not be available for viewing.For official records, please contact the Clerk of the Supreme Court of Nevada at (775) 684-1600. Case Information: 79715 Short Caption:BOLDEN (JASON) VS. STATECourt:Supreme Court Related Case(s):82090, 82306 Lower Court Case(s):Clark Co. - Eighth Judicial District - C334635Classification:Criminal Appeal - Other - Direct Disqualifications:Case Status:En Banc Reconsider Filed Replacement:Panel Assigned: En Banc To SP/Judge:SP Status: Oral Argument:Oral Argument Location: Submission Date:How Submitted: + Party Information RoleParty NameRepresented By AppellantJason J. BoldenBenjamin J. Nadig (Law Office of Benjamin Nadig, Chtd.)

RespondentThe State of NevadaJohn T. Afshar (Clark County District Attorney) Alexander G. Chen (Clark County District Attorney) Aaron D. Ford (Attorney General/Carson City) Docket Entries DateTypeDescriptionPending?Document 10/01/2019Filing FeeAppeal Filing Fee waived. Criminal. (SC) 10/01/2019Notice of Appeal DocumentsFiled Notice of Appeal. Appeal docketed in the Supreme Court this day.

(Docketing statement and Notice of Briefing Schedule mailed to counsel for appellant.) (SC)19-40726 11/08/2019Notice/OutgoingIssued Notice to File Docketing Statement. Due date: 10 days. (SC)19-45954 11/18/2019Docketing StatementFiled Docketing Statement Criminal Appeals. (SC)19-47201 01/29/2020MotionFiled Appellant's Motion for Extension of Time to File Opening Brief and Appendix.

(SC)20-04051 02/03/2020MotionFiled Court Reporter's Motion for Extension of Time to File Transcript. (SC).20-04652 02/13/2020Order/ProceduralFiled Order Granting Motions. Court Reporter Brittany Amoroso's Certificate of Delivery of Transcripts due: March 23, 2020. Appellant's Opening Brief and Appendix due: April 28, 2020. (SC).20-05957 03/10/2020TranscriptFiled Notice from Court Reporter.

Brittany Amoroso stating that the requested transcripts were delivered. Dates of transcripts: 05/28/19, 0529/19, 05/30/19 and 07/23/19. (SC)20-09414 04/28/2020MotionFiled Appellant's Motion for Extension of Time to File Opening Brief and Appendix (Second Request). (SC).20-16076 05/08/2020Order/ProceduralFiled Order Granting Motion. Appellant's Opening Brief and Appendix due: June 29, 2020.

(SC).20-17506 07/27/2020Order/ProceduralFiled Order to File Documents. Appellant's Opening Brief and Appendix due: 14 days. (SC)20-27316 07/29/2020Letter/IncomingFiled Proper Person Letter Regarding Appellate Counsel. (SC)20-27676 07/29/2020Notice/OutgoingIssued Notice to Provide Proof of Service - Proper Person Letter Regarding Appellate Counsel Due date: 10 days.20-27680 08/07/2020Order/ProceduralFiled Order.

Appellant has filed a letter expressing concern that his appointed counsel has not communicated with him or filed the opening brief. This court entered an order on July 27, 2020, directing appellant's counsel Benjamin J. Nadig to file the opening brief and appendix within 14 days. This court trusts that Mr. Nadig will comply with this court's order. (SC)20-29158 08/10/2020BriefFiled Appellant's Opening Brief.

(SC)20-29405 08/10/2020AppendixFiled Appendix to Opening Brief - Vol. 2 of 3. (SC)20-29407 08/10/2020AppendixFiled Appendix to Opening Brief - Vol. 1 of 3. (SC)20-29408 08/10/2020AppendixFiled Appendix to Opening Brief - Vol. 3 of 3. (SC)20-29409 08/28/2020Notice/IncomingFiled Proper Person Appellant's Notice to the Court as to Assigned Appointmant of Counsel for Direct Appeal.

(SC)20-31801 08/28/2020Notice/OutgoingIssued Notice to Provide Proof of Service. Due date: 10 days. (SC)20-31804 09/08/2020Notice/IncomingFiled Notice of Appearance. Deputy District Attorney John T. Niman Appearing as Counsel for Respondent. (SC)20-33014 09/08/2020BriefFiled Respondent's Answering Brief. (SC)20-33017 09/08/2020AppendixFiled Appendix to Answering Brief.

(SC)20-33019 09/09/2020Order/ProceduralFiled Order. This court takes no action regarding appellant's "Notice to the Court as to Assigned Appointmant [sic] of Counsel for Direct Appeal."
(SC)20-33186 10/06/2020Letter/IncomingFiled Proper Person "Motion to Suspend Briefing and Direct Appeal, Dismiss Appellate Counsel and Appoint Alternative Appellate Counsel".

(SC)20-36670 10/14/2020Order/ProceduralFiled Order Denying Motion. Appellant has submitted a pro se motion that requests the discharge of his appointed counsel and the appointment of a new attorney. The motion is denied. (SC)20-37667 10/23/2020Case Status UpdateBriefing Completed/To Screening. No reply brief filed. (SC) 11/10/2020Letter/IncomingFiled Proper Person Appellant's Memorandum to the Supreme Court.

(SC)20-41188 11/10/2020Notice/OutgoingIssued Notice to Provide Proof of Service. Due date: 10 days. Memorandum to the Supreme Court.20-41190 11/18/2020Order/ProceduralFiled Order. Appellant has filed a memorandum informing this court that his counsel has not provided him with copies of the documents filed in this appeal or his client file. This court takes no action regarding the memorandum, but trusts that counsel will provide appellant with copies and the file as appropriate.

(SC)20-42040 11/24/2020Notice/IncomingFiled Proper Person Appellant's Certificate of Service - Memorandum to the Supreme Court. (SC)20-42904 07/08/2021Opinion/DispositionalFiled Authored Opinion. "Affirmed." Before: Cadish/Pickering/Herndon. Author: Pickering, J. Majority: Cadish/Pickering/Herndon. 137 Nev. Adv. Opn. No. 28. NNP21-EC/KP/DH. (SC).21-19528 07/14/2021Letter/IncomingFiled Proper Person Appellant's Letter Counsel.

(SC)21-20284 07/15/2021Order/ProceduralFiled Order. This court issued an opinion affirming the judgment of conviction on July 8, 2021. Appellant has filed a letter asserting that his attorney, Benjamin Nadig, has failed to communicate with him or to send him his files. This court trusts that Mr. Nadig will communicate with appellant as necessary and send appellant all necessary documents.

The clerk of this court shall provide appellant with a copy of this court's July 8, 2021, opinion. (SC)21-20414 07/21/2021Post-Judgment PetitionFiled Appellant's Petition for Rehearing. (SC)21-21132 08/02/2021Order/ProceduralFiled Order Directing Answer to Petition for Rehearing. Respondent's Answer due: 14 days. (SC)21-22339 08/11/2021Post-Judgment PetitionFiled State's Answer to Petition for Rehearing.

(SC)21-23318 09/23/2021Post-Judgment OrderFiled Order Denying Rehearing and Amending Opinion. On July 8, 2021, this court issued an opinion affirming the judgment of conviction in this matter, We now amend that opinion.

On page 8 of the advance opinion, 491 P.3d at 26, the paragraph before subsection II.B is amended to add, after the third sentence: This evidence "was sufficient to show that a crime had been

committed and that there were reasonable grounds to believe that [Bolden] had committed it." With these changes, we deny rehearing. NRAP 40(c). (SC).21-27479 09/23/2021Opinion/DispositionalFiled Amended Authored Opinion.

Before: Cadish/Pickering/Herndon. Author: Pickering, J. Majority: Cadish/Pickering/Herndon. 137 Nev. Adv. Opn. No. 28. NNP21-EC/KP/DH. (SC).21-27482 10/06/2021Order/Clerk'sFiled Order Granting Extension Per Telephonic Request. Appellant's petition for en banc reconsideration due: October 21, 2021. (SC)21-28721 10/21/2021Post-Judgment PetitionFiled Appellant's Petition for En Banc Reconsideration.

(SC)Y21-30376 10/28/2021MotionFiled Motion for Permission to File Brief of Amici Curiae in Support of Appellant's Petition for En Banc Reconsideration. (SC)Y21-31169 10/28/2021BriefFiled Amicus Brief of Amici Curiae Clark County Public Defender, Clark County SPD and NACJ in support of Appellant's Petition for En Banc Reconsideration. (SC)Y21-31171 11/02/2021Order/ProceduralFiled Order Directing Answer to Petition for En Banc Reconsideration.

Respondent's Answer due: 14 days. (SC)21-31542 11/03/2021MotionFiled State's Opposition to Amicus' Motion for Permission to File Brief of Amicus Curiae in Support of Appellant's Petition for En Banc Reconsideration. (SC)Y21-31648 11/08/2021MotionFiled Reply In Support of Motion for Leave to File Brief of Amici Curiae. (SC)Y21-32109 11/16/2021Post-Judgment PetitionFiled Answer to Petition for En Banc Reconsideration.

(SC)21-32915 Combined Case View