

SUPREME COURT OF NEVADA

Porter (Daniel) v. State

Porter · No. 81276 · Decided November 10, 2021

SUMMARY

The Nevada Supreme Court issued an order of affirmance in Daniel Sylvester Porter's criminal appeal from the Eighth Judicial District Court in Clark County. The court affirmed the district court's judgment on November 10, 2021; the matter was submitted on the record and briefs.

CASE DETAILS

COURT	Supreme Court of Nevada
WRITING FOR THE COURT	Mark Gibbons, Senior Justice
JURISDICTION	Nevada
DECIDED	November 10, 2021
DOCKET	81276
DISPOSITION	affirmed
PROCEDURAL POSTURE	Criminal appeal from a post-conviction proceeding in the Eighth Judicial District Court, Clark County.
PRECEDENTIAL VALUE	published
PARTIES	Daniel Sylvester Porter v. The State of Nevada

TOPICS

- post-conviction relief
- criminal procedure
- appellate procedure
- appellate jurisdiction

PRACTICE AREAS

- criminal procedure
- post-conviction relief
- appellate procedure

QUESTIONS PRESENTED

- Whether the district court's judgment should be affirmed in the criminal post-conviction appeal.

HOLDINGS

- The Supreme Court of Nevada affirmed the judgment of the district court.

KEY QUOTATIONS

“ORDER the judgment of the district court AFFIRMED.”

FACTUAL BACKGROUND

The available source is a docket record and does not provide the underlying factual background or the substance of the post-conviction claims.

PROCEDURAL HISTORY

Porter appealed from the judgment of the Eighth Judicial District Court in Clark County. After briefing and submission on the record and briefs, the Supreme Court of Nevada entered an order affirming the district court's judgment.

DISPOSITION

affirmed

OPINION

PER CURIAM.

81276: 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 21-32365: 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: 81276 Short Caption:PORTER (DANIEL) VS. STATECourt:Supreme Court Related Case(s):70663, 70663-COA, 70964 Lower Court Case(s):Clark Co. - Eighth Judicial District - C313082Classification:Criminal Appeal - Life - Post-Conviction Disqualifications:Case Status:Disposition Filed Replacement:Panel Assigned: Panel To SP/Judge:SP Status: Oral Argument:Oral Argument Location: Submission Date:03/15/2021How Submitted:On Record And Briefs + Party Information RoleParty NameRepresented By AppellantDaniel Sylvester PorterLucas J. Gaffney (Gaffney Law) RespondentThe State of NevadaAlexander G. Chen (Clark County District Attorney) Aaron D. Ford (Attorney General/Carson City) Jonathan VanBoskerck (Clark County District Attorney) + Due Items Due DateStatusDue ItemDue From 12/06/2021OpenRemittitur Docket Entries DateTypeDescriptionPending?Document 06/04/2020Filing FeeAppeal Filing Fee Waived.

Criminal. (SC) 06/04/2020Notice 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)20-21077 06/19/2020Transcript RequestFiled Request for Transcript of Proceedings. Transcripts requested: 3/12/19, 4/2/19, and 3/5/20.

To Court Recorder: Robin Page. Filed in district court o 6/9/20. (SC)20-22914 06/24/2020Docketing StatementFiled Docketing Statement. (SC)20-23535 07/10/2020TranscriptFiled Notice from Court Recorder Robin Page stating that the requested transcripts were delivered. Dates of transcripts: 3/12/19, 4/2/19, and 3/5/20. (SC)20-25570 10/02/2020Order/Clerk'sFiled Order Granting Extension Per Telephonic Request.

Appellant's opening brief and appendix due: October 16, 2020. (SC)20-36319 10/16/2020MotionFiled Appellant's Motion to Extend Time to File Opening Brief and Appendix. (SC)20-38199 10/26/2020Order/ProceduralFiled Order. Appellant has filed a motion for a second extension of time to file the opening brief and appendix.

The motion is granted. Opening brief and appendix due: November 2, 2020. (SC)20-39175 11/02/2020BriefFiled Appellant's Opening Brief. (SC)20-39929 11/02/2020AppendixFiled Appellant's Appendix to Opening. Vol. 1 (SC)20-39933 11/02/2020AppendixFiled Appellant's Appendix to Opening Brief. Vol. 2 (SC)20-39930 11/02/2020AppendixFiled Appellant's Appendix to Opening Brief.

Vol. 3 (SC)20-39934 11/02/2020AppendixFiled Appellant's Appendix to Opening Brief. Vol. 4 (SC)20-39932 11/02/2020AppendixFiled Appellant's Appendix to Opening Brief. Vol. 5 (SC)20-39931 11/24/2020Notice/IncomingFiled Respondent's Notice of Appearance (Jonathan Vanboskerck). (SC)20-42769 11/24/2020BriefFiled Respondent's Answering Brief. (SC)20-42770 12/23/2020Order/Clerk'sFiled Order Granting Extension Per Telephonic Request.

Appellant's reply brief due: January 7, 2021. (SC)20-46351 01/06/2021MotionFiled Appellant's Motion to Extend Time to File Reply Brief. (2nd Request) (SC)21-00342 01/15/2021Order/ProceduralFiled Order Granting Motion. Appellant shall have until March 8, 2021, to file and serve the reply brief. (SC)21-01392 03/08/2021MotionFiled Appellant's Motion to Enlarge Time to File Reply Brief.

(SC)21-06747 03/13/2021BriefFiled Appellant's Reply Brief. (SC)21-07342 03/15/2021Order/ProceduralFiled Order Granting Motion. Appellant's motion for a third extension of time to file the reply brief is granted. The reply brief was filed on March 13, 2021. (SC)21-07445 03/15/2021Case Status UpdateBriefing Completed/Submitted For Decision/To Screening. (SC) 11/10/2021Order/DispositionalFiled Order of Affirmance.

"ORDER the judgment of the district court AFFIRMED." fn2[The Honorable Mark Gibbons, Senior Justice, participated in the decision of this matter under a general order of assignment.]

JH/LS/MG (SC)21-32365 Combined Case View

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