

SUPREME COURT OF NEVADA

Samuel Howard v. State

Howard, 2021 NV 48 (Nev. 2021) · No. 81278, consolidated with 81279 · Decided September 16, 2021

SUMMARY

This is an authored, en banc opinion of the Supreme Court of Nevada in consolidated post-conviction death-penalty appeals involving Samuel Howard. The court reversed and remanded the lower-court decision.

OPINION

PER CURIAM.

81278: 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 21-26895: 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: 81278 Short Caption:HOWARD (SAMUEL) VS. STATE (DEATH PENALTY-PC) C/W 81279Court:Supreme Court Consolidated:81278*, 81279Related Case(s):42593, 57469, 73223, 73462, 81279 Lower Court Case(s):Clark Co. - Eighth Judicial District - A780434, C053867Classification:Criminal Appeal - Death Penalty - Post-Conviction Disqualifications:Case Status:Remittitur Issued/Case Closed Replacement:Panel Assigned: En Banc To SP/Judge:SP Status: Oral Argument:Oral Argument Location: Submission Date:09/24/2020How Submitted:On Briefs + Party Information RoleParty NameRepresented By AppellantSamuel HowardDeborah A. Czuba (Federal Defender Services of Idaho) Lance J. Hendron (Lance J. Hendron, Attorney at Law, LLC) Jonah J. Horwitz (Federal Defender Services of Idaho) Samuel Richard Rubin (Federal Defender Services of Idaho) RespondentThe State of NevadaAlexander G. Chen (Clark County District Attorney) Aaron D. Ford (Attorney General/Carson City) Jonathan VanBoskerck (Clark County District Attorney) 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 mailed to counsel for appellant.) (SC)20-

21092 06/10/2020Docketing StatementFiled Docketing Statement. (SC)20-21719
06/11/2020MotionFiled Appellant's Motion to Consolidate. (SC)20-21928 06/22/2020Transcript
RequestFiled Certificate of No Transcript Request.

Nos. 81278/81279. (SC)20-23013 06/24/2020BriefFiled Appellant's Opening Brief
(CORRECTED VERSION FILED ON 6/25/20). (SC) 06/25/2020BriefFiled Appellant's Opening
Brief. (SC)20-23624 06/25/2020AppendixFiled Joint Appendix Volume 1. (SC)20-23625
06/25/2020AppendixFiled Joint Appendix Volume 2. (SC)20-23626 06/25/2020AppendixFiled
Joint Appendix Volume 3. (SC)20-23627 06/30/2020Order/ProceduralFiled Order Granting
Motions to Consolidate.

Respondent's Single Answering Brief due: July 27, 2020. Nos. 81278/81279. (SC)20-24156
07/27/2020Notice/IncomingFiled Notice of Appearance (Jonathan E. VanBoskerck). Nos.
81278/81279. (SC)20-27150 07/27/2020MotionFiled Respondent's Motion for Enlargement of
Time (First Request) (Answering Brief). Nos. 81278/81279. (SC)20-27151
07/28/2020MotionFiled Appellant's Response to Motion for Extension.

Nos. 81278/81279. (SC)20-27458 08/04/2020Order/ProceduralFiled Order Granting Motion.
Respondent shall have until August 26, 2020, to file and serve the answering brief. Nos.
81278/81279. (SC)20-28409 08/25/2020BriefFiled Respondent's Answering Brief. Nos.
81278/81279. (SC)20-31337 08/25/2020AppendixFiled Appendix to Answering Brief. (SC)20-
31338 09/03/2020MotionFiled Appellant's Motion to Extend Time for Reply Brief (First
Request)Nos.

81278/81279 (SC)20-32530 09/21/2020Order/ProceduralFiled Order Granting Motion.
Appellant's reply brief due: October 26, 2020. Nos. 81278/81279 (SC)20-34618
09/24/2020BriefFiled Appellant's Reply Brief. Nos. 81278/81279 (SC)20-35139 09/24/2020Case
Status UpdateBriefing Completed/Submitted For Decision. Nos. 81278/81279. (SC)
10/01/2020MotionFiled Appellant's Unopposed Motion to Expedite.

Nos. 81278/81279. (SC)20-35948 10/01/2020MotionFiled Respondent's Motion Non-Opposition
to Motion to Expedite and Waiver of Oral Argument. Nos. 81278/81279 (SC)20-36072
10/02/2020MotionFiled Appellant's Reply in Support of Motion to Expedite. Nos. 81278/81279
(SC)20-36197 10/13/2020Order/ProceduralFiled Order Partially Granting Motion. Appellant has
filed an unopposed motion asking that this court expedite this appeal and enter a disposition by
January 23, 2021.

The motion is granted to the following extent. This court will expedite resolution of this appeal to
the extent permitted by this court's docket. Nos. 81278/81279. (SC)20-37495
03/24/2021MotionFiled Appellant's Renewed Motion to Expedite. Nos. 81278/81279 (SC)21-

08375 03/24/2021MotionFiled Respondent's Non-Opposition to Renewed Motion to Expedite.
Nos. 81278/81279 (SC)21-08421 04/12/2021Order/ProceduralFiled Order Denying Motion.

Appellant has filed a renewed motion to expedite these appeals. This court has already agreed to expedite resolution of this appeal to the extent permitted by this court's docket. To the extent appellant requests that resolution be expedited any further, the motion is denied. Nos. 81278/81279. (SC)21-10370 09/16/2021Opinion/DispositionalFiled Authored Opinion.

"Reversed and remanded." Before the Court En Banc. Author: Herndon, J. Majority: Hardesty/Parraguirre/Stiglich/Cadish/Silver/Pickering/Herndon. 137 Nev. Adv. Opn. No. 48. En Banc. Nos. 81278/81279. (SC).21-26895 10/11/2021RemittiturIssued Remittitur. Nos. 81278/81279. (SC)21-29134 10/11/2021Case Status UpdateRemittitur Issued/Case Closed. Nos. 81278/81279. (SC) 10/19/2021RemittiturFiled Remittitur.

Received by District Court Clerk on October 12, 2021. Nos. 81278/81279. (SC)21-29134
Combined Case View