could happen.

The lights flickering, that could have been a warning for all we know saying, hey, I can't stop, I'm coming right for you. We don't know any of that. There's lots of doubt about whether or not that occurred.

And I know, Judge, that this is a probable cause hearing. There's a preliminary hearing, the State's burden is very low. They still have to present some evidence that it was unlawful, that it was intentional and I don't think that they've done that today. They haven't presented enough evidence.

Again, they mentioned the amount of damage done to the car, that it was a total loss, that they went through a brick wall, incurred this incredible amount of force. We don't have any pictures. We haven't seen the damage to the car. We haven't seen that today. We haven't seen damage to either vehicle. We haven't seen what the brick wall looked like. We haven't seen how far the car was pushed from where they were parked into a brick wall.

We have testimony today from two witnesses that we tried to ascertain certain distances, how long everything was and quite frankly, Judge, they were all over the place.

What they were saying didn't make any sense whatsoever as far as time frame when this occurred, as far as

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distance that they traveled. None of that made any sense and quite frankly they lack a lot of credibility.

Even if their own stories, they don't jive together, Judge. Mr. Thornton testified they were sitting in the car, hanging out and then they decided, well, we're going to Walmart anyway. And he decided that he's going the same way as us, so since we're behind him, we might as well get his license plate and call 911.

That's not what Ms. Nino testified to. She took the stand and she said, no, no, we were all hanging out at the house. Alvin told us that's the guy, that's the guy that did it. So we hopped in the car and specifically went to pursue them. Sure, we're not police officers. We're not deputized. We don't have any experience in pursuing them, but we're going to go follow them. We're going to tailgate them. We're going to get as close as we can to their bumper so we can take that picture, but we're the ones in fear for our life, Judge.

The two counts of duty to stop at a scene, specifically with Alterion, Judge, he didn't suffer any injuries. We haven't seen one medical document today. And I know the State is going to say it's just personal injury. Ms. Nino at least testified that she did have some bruises. She did have some pain, she had the nerve pain. She had the tingling. So to that, I'll tell the State I would submit on

that one today that they had met their very low burden.

But with Count III as it regards -- as it references to Alterion, they did not meet their burden, Judge. They haven't presented anything that he had any sort of injury at all. Oh, he had some slight back pain. Well, did he go to the doctor? Don't know, doesn't sound like it.

Oh, he said he had a scar above his head. There was no scar. I'm looking at it right now. We've looked at him today, Judge. There's no scar above his head. So he had a tiny cut? That's not the injury that they're -- that they presume under the statute, Judge. It's just as simple as that. They have not met their burden there.

And, Judge, the two counts of assault with a deadly weapon. There's been a lot of testimony about the flicker of the headlights, but again, that needs to be something that is -- it needs to be an intentional act.

And as I go back to say that, oh, well, the headlights flickered on and off, and again, we go back to the credibility of the witnesses here. I understand that it's a traumatic situation getting hit from behind like that and everything goes very fast, and it's hard to remember things that happen that quickly.

That's also what makes these cases difficult for the State to say, I very clearly saw the flicker of the

headlight. Well, if that's just a car going over the bump -- over a bump, that could be the flicker of a headlight, not that the Defendant intentionally flicked the headlights on and off, letting him know, hey, I'm going to get you and I'm coming to hit you. There's no evidence that that's what happened, Judge.

And again, if there's something wrong with the vehicle and he can't stop and that's why he's intentionally doing it, again, it's not an intentional act that he's intending to harm them.

And lastly, Judge, the assault with a deadly weapon charge for flicking the headlights is -- it's part of the same occurrence, the same chain of event as the battery with a deadly weapon. It's an underlying offense to the battery with a deadly weapon charge. The Defendant cannot be convicted on both of those at the time of trial. It would be one or the other. They're not separate instances.

Judge, if you and I square up to fight and I throw a punch to you and I hit you, I can't be charged for a battery for hitting you and for the assault for throwing the punch. That's essentially what the State is trying to do here. They can't do that.

So for both of those reasons that there's no proof that it was intentional and it's an underlying offense,

their added Counts V and VI absolutely have to be dismissed today. And based on my arguments, Judge, I would move the Court to dismiss Count I, Count II and Count III as well. Thank you.

THE COURT: Okay. All right. All right. It appears to this court that namely Count I, battery with use of a deadly weapon in violation of NRS 200.481 --

MR. ALLMON: Your Honor, I'm sorry.

THE COURT: Yes, sir?

MR. ALLMON: Was I going to get a chance to -- if you're going to bind --

THE COURT: Go ahead. I'm sorry.

MR. ALLMON: If you're going to bind, I'll submit. But if --

THE COURT: I'm ready.

MR. ALLMON: Okay. But let me just lay this for the record. I just want to make sure there's some things depending on what goes here.

THE COURT: Okay.

MR. ALLMON: Okay. So, first off, Defense is raising some issues about, you know, my vehicle not working, on and on. Defenses are not to be considered at preliminary hearing.

Defenses to crimes are to be left to the trier of

fact and at a trial, State v Fuks 78 Nevada 63. It's a 1962 case. So I would ask that the Court not really consider those. It's not what a preliminary hearing is about. Fear for life is not an element, as I talk about, it's apprehension.

I never said scars, I said scratch. So that's sufficient there. The flicker of the headlights is not necessary to show reasonable apprehension. It's just describing the story as it happened.

That is what happened, that's how they noticed it. They just saw the headlights coming at them. That put them in reasonable apprehension. Same incident, underlying offense, that misstates the law.

So double jeopardy is not to be considered at preliminary hearing. The prosecution is not required to elect between the different offenses or counts set forth in the indictment or information.

We can also apply that to a criminal complaint. That's NRS 173.125 and I'm quoting verbatim there. There's an information of double jeopardy. The information must proceed as is, but the Defendant may be convicted of only one charge, Keith v. Sheriff of Washoe County, 93 Nevada 109. That's all I have, Your Honor.

THE COURT: And I apologize for cutting you off.

MR. MARTINEZ: My argument wasn't that the State says it this was a scar, that's what the witness testified to.

MR. ALLMON: Got you.

THE COURT: Okay. All right. Okay. All right. Again, it appears to this court that public offense namely Count I, battery with the use of a deadly weapon in violation of NRS 200.481 Section 2.1, a Category B felony.

Count II, battery with use of a deadly weapon in violation of NRS 200.481, 2.1, Category B felony.

Count III, duty to stop at an accident, a scene of an accident involving death or personal injury in violation of NRS 484 point -- I'm sorry, 484E.010 and a Category B felony.

Count IV, duty to stop at the scene of an accident involving death or personal injury in violation of NRS 484E.010, a Category B felony.

Count V, assault with a deadly weapon, and I believe it's NRS 200.471 has been committed and that the Defendant has committed the same.

It is therefore that the Defendant, Peter James Helfrich, be and is bound over to the Fifth Judicial District of the State of Nevada in for the County of Nye and there to be held to answer to said charges.

It is further ordered the Defendant -- the above

named Defendant appear before the Fifth Judicial District Court of Nye County courthouse in Pahrump, Nevada for arraignment.

Can I have an arraignment date, please?

THE CLERK: January 11th, 2021, at 9:00 a.m. in Department Two.

THE COURT: Any arguments about bail? Bail has been originally set at $20,000.

MR. ALLMON: Your Honor, Count VI, did you address your ruling on that?

THE COURT: I'm going to deny that.

MR. ALLMON: Thank you, Your Honor.

THE COURT: Again, argument on bail, $20,000?

MR. ALLMON: The State -- yeah, the State will make a brief argument on that, Your Honor.

THE COURT: Um-hum.

MR. ALLMON: So, first off, it's important to note that Mr. Helfrich is a sovereign citizen, sovereign national, whatever series of phrases --

THE DEFENDANT: Objection, objection. I'm not a citizen and I'm an American national. I'm not a sovereign anything. I'm an American national and it's on the record and I'm not a United States citizen. So that's all I wanted to say.

THE COURT: Okay.

THE DEFENDANT: For the record.

THE COURT: Okay. Go ahead.

MR. ALLMON: There you go. He's not a United States citizen by his own declaration. He subscribes to a series of beliefs that are commonly called sovereign citizen beliefs or sovereign citizen extremists ideology --

THE DEFENDANT: Objection. I take offense to that sovereign citizen and --

THE COURT: Mr. Helfrich, please.

THE DEFENDANT: I object --

THE COURT: -- I know, I know.

(Simultaneous speaking.)

THE DEFENDANT: -- Judge --

MR. MARTINEZ: -- (indiscernible) making bail arguments today. I think it should be based on the testimony that we heard here in court today. And I know that there's other stuff, there's other cases with the State, they try and argue this and we'll address those as we come to them.

But we're addressing bail on this case, this case only right now, and I think it should be limited to what we've heard today if bail is going to increase or decrease in any way.

THE COURT: It will be limited to what we heard

today.

MR. MARTINEZ: Thank you, Judge.

MR. ALLMON: Your Honor, for -- so for a bail hearing, there's no requirement that it be limited to admissible evidence. A prosecutor can proffer evidence --

THE COURT: Um-hum.

MR. ALLMON: -- relevant to that. And so I think it's important to understand the totality of the circumstances of who this Defendant is in considering his flight risk and his danger to the community.

MR. MARTINEZ: And, Judge, my response to that would be that the State -- the Court has already considered that in setting the bail where it's at today. So we don't need to rehash everything and make those -- and make everything on the record again, put all of that information on the record again.

Again, if we're making a bail argument today just based on what we heard today and whether or not what we've heard minimizes anything, aggravates anything to the point that bail needs to be increased or decreased. That's my stance, Judge.

MR. ALLMON: Okay. I'm -- if Your Honor knows that, then I'm fine with it.

THE COURT: Okay.

MR. ALLMON: It's important that the Court know that, that this case has received several judges. So I'm not sure what information you've received as far as bail arguments, Your Honor.

THE COURT: Nothing.

MR. ALLMON: And so that's why I think that describing just like I would at an initial appearance, my full proffer of his criminal history, who he is is important for the Court to consider. And I submit it on that, Your Honor.

THE COURT: Okay. All right. All right.

MR. ALLMON: And I'm sorry, I submit that argument. I still want to make a bail argument.

THE COURT: Okay. Let's go ahead.

MR. ALLMON: Would the Court rule on whether or not it'll let me make my proffer or not.

THE COURT: I want to hear everything you want to tell me.

MR. ALLMON: Okay. Thank you, Your Honor.

So the Defendant subscribes to a set of ideology in which he does not submit himself to the authority of the court. He does not submit himself to the laws of the United States. He says he's not an American citizen, he's not a U.S. citizen. He doesn't recognize these laws as legitimate.

And so because of that, he would not follow

orders by the Court to appear. He sees as basically a Kangaroo court. He's filed motions against Judge Chamlee accusing her of running a Kangaroo court. He said that --

THE DEFENDANT: Objection. I never said that. You're putting words into my mouth.

THE COURT: Okay. Okay.

THE DEFENDANT: And furthermore, I believe in the law.

THE COURT: Mr. Helfrich, please come on; okay?

THE DEFENDANT: I believe in the law, Judge; okay?

THE COURT: I understand.

THE DEFENDANT: I believe in your laws as long as it's common law.

THE COURT: And I understand exactly where you're coming from.

THE DEFENDANT: Okay. Thank you.

THE COURT: Okay. I know.

THE DEFENDANT: He's kind of fishy there. I just --

THE COURT: I'm keeping that in mind.

THE DEFENDANT: And I'm sorry.

THE COURT: Go ahead, Mr. Allmon.

MR. ALLMON: Thank you. And furthermore the

Defendant's a very violent man. The Defendant has been convicted of manslaughter charges for which he served time in the Nevada Department of Corrections in which he did kill another person. He did admit to those facts.

I think that he's a violent man and he's out committing more violent offenses. He -- so I think that this is evidence of a similar series of acts as -- if you let this Defendant out, if you let him roam these streets, I believe that he will commit more violent acts.

I think he's a danger to the community. I think bail is necessary. I think he's a flight risk because he does not submit to the will of the court and so I think that the bail staying at $20,000 is very reasonable.

THE COURT: Mr. Martinez.

MR. MARTINEZ: Judge, just a couple points for the record. Mr. Helfrich was convicted of a voluntary manslaughter. That was a case where he was briefly charged with a murder. It was a case where he invoked self-defense.

There was at least -- there was more than a colorable argument that it was self-defense, Judge, which I'm sure led to the plea negotiation that it did, that it would be dropped down to a voluntary manslaughter. But in any case, that's something that happened. That's something that he's pled to, he has served his time on.

The State talks about him being a violent offender, being a violent person and being out there. I know that Mr. Helfrich has other cases open. None of them are violent, Judge. It has to do with potential harassment for serving documents and things along those lines.

And the State may bring up YouTube videos in the future to say -- to present things that Mr. Helfrich has said. Saying things and acting on them are two completely different situations.

As we talk about this case and what we heard today, Judge, what I heard was two people who hopped in a car and decided to be vigilantes, to follow the Defendant even though Maria Sanchez rented the property from Alvin Thornton. They could have gotten her information, they could have called the police, they could have given a description of the van.

They didn't do that. They acted as vigilantes to go and try and get Mr. Helfrich themselves. They tailgated him, they had to speed to catch up to him. They tailgated him.

Whether or not he acted reasonably under the circumstances, that's something we're going to decide at trial. But given the totality of everything here today, Judge, I know that he's being held on other cases as well and we can address them when they come up. We can address the

bail then. I would ask the Judge to reduce -- or I would ask Your Honor to reduce bail down to $10,000 cash or bond.

THE COURT: Okay. Anything else, Mr. Allmon?

MR. ALLMON: No, Your Honor.

THE COURT: Okay. Bail having previously been set at $20,000, that will remain and because I added Count V in there, the assault with a deadly weapon, I'm going to increase the bail up to 25,000 cash or bond.

Until that amount is posted, he's remanded to the custody of the Nye County Sheriff's Office.

Thank you, gentlemen.

MR. MARTINEZ: Thank you, Judge.

MR. ALLMON: Thank you.

(Proceedings concluded.)

STATE OF NEVADA)
)
CARSON CITY)

I, SHELLIE LOOMIS, do hereby certify:

That on November 30, 2020, a preliminary hearing was held in the within-entitled matter at the Pahrump Justice Court, State of Nevada;

That said preliminary hearing was recorded on JAVS CD-ROM, and said JAVS CD-ROM was delivered to me for transcription;

That the foregoing transcript, consisting of pages 1 through 127, is a full, true and correct transcript of said recorded JAVS CD-ROM performed to the best of my ability.

Dated at Carson City, Nevada, this 21st day of December 21, 2020.

//Shellie Loomis//
Shellie Loomis, RPR

FILED
FIFTH JUDICIAL DISTRICT
JAN - 5 2021
Nye County Clerk
Deputy

Case No. CR20-0145A

Department 2

The undersigned affirms that this document does not contain the social security number of any person.

IN THE FIFTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF NYE

THE STATE OF NEVADA,

Plaintiff,

vs.

INFORMATION

PETER J HELFRICH,

Defendant. /

CHRIS ARABIA, District Attorney within and for the County of Nye, State of Nevada, informs the Court that **PETER J HELFRICH**, before the filing of this Information, did then and there, in Nye County, Nevada, commit the following offenses, to wit:

COUNT I

BATTERY WITH USE OF A DEADLY WEAPON, in violation of **NRS 200.481(2)(e)(1), A CATEGORY 'B' FELONY,** committed in the following manner, to wit: That **ON OR ABOUT MAY 27, 2020**, in Pahrump Township, Nye County, Nevada, said Defendant did willfully and unlawfully use force or violence upon the person of **ALTERIO THORNTON**, with a deadly weapon, by ramming a vehicle occupied by **ALTERIO THORNTON** with an Astro van;

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NYE COUNTY DISTRICT ATTORNEY
P.O. BOX 39
PAHRUMP, NEVADA 89041
(775) 751-7080

COUNT II

BATTERY WITH USE OF A DEADLY WEAPON, in violation of **NRS 200.481(2)(e)(1), A CATEGORY 'B' FELONY,** committed in the following manner, to wit: That **ON OR ABOUT MAY 27, 2020**, in Nye County, Nevada, said Defendant did willfully and unlawfully use force or violence upon the person of **ISELA DEL CARMEN JARA NINO**, with a deadly weapon, by ramming a vehicle occupied by **ISELA DEL CARMEN JARA NINO** with an Astro van;

COUNT III

DUTY TO STOP AT SCENE OF ACCIDENT INVOLVING DEATH OR PERSONAL INJURY, in violation of **NRS 484E.010 (cf former NRS 484.219), A CATEGORY 'B' FELONY,** committed in the following manner, to wit: That **ON OR ABOUT MAY 27, 2020**, in Nye County, Nevada, said Defendant, the driver of an Astro van, having been involved in an crash resulting in bodily injury to **ALTERIO THORNTON**, in the area of SR-372 and Charleston Park, being a highway or premises to which the public has access, did willfully and unlawfully fail to stop his vehicle immediately at the scene of said crash, or as close thereto as possible, or did not forthwith return to and remain at the scene of said accident until he had fulfilled the requirements of NRS 484.030;

COUNT IV

DUTY TO STOP AT SCENE OF ACCIDENT INVOLVING DEATH OR PERSONAL INJURY, in violation of **NRS 484E.010 (cf former NRS 484.219), A CATEGORY 'B' FELONY,** committed in the following manner, to wit: That **ON OR ABOUT MAY 27, 2020**, in Nye County, Nevada, said Defendant, the driver of an Astro van, having been involved in an crash resulting in bodily injury to **ISELA DEL CARMEN JARA NINO**, in the area of SR-372 and Charleston Park, being a highway or premises to which the public has access, did willfully and unlawfully fail to stop his vehicle immediately at the scene of said crash, or as close thereto as possible, or did not forthwith return to and remain at the scene of said crash until he had fulfilled the requirements of NRS 484.030;

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NYE COUNTY DISTRICT ATTORNEY
P.O. BOX 39
PAHRUMP, NEVADA 89041
(775) 751-7080

COUNT V

ASSAULT WITH A DEADLY WEAPON, in violation of **NRS 200.471(2)(b), A CATEGORY 'B' FELONY,** committed in the following manner, to wit: That **ON OR ABOUT MAY 27, 2020**, in Nye County, Nevada, said Defendant did willfully and unlawfully, with the use of a deadly weapon or the present ability to use a deadly weapon, intentionally place **ALTERIO THORNTON** in reasonable apprehension of immediate bodily harm, to wit: by driving directly at **ALTERIO THORNTON** and the car he was in for enough time that **ALTERIO THORNTON** was able to see the vehicle coming at him before being struck by the Defendant;

All of which is contrary to the form, force, and effect of the statutes in such cases made and provided, and against the peace and dignity of the State of Nevada.

Witnesses and their addresses known to the District Attorney of Nye County, State of Nevada, at the time of the filing of this Information:

SERGEANT KELLY JACKSON
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA

DEPUTY WES BEARD
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA

SERGEANT JOHN POWELL
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA

DETECTIVE MORGAN DILLON
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA

TONYLEE JANATSCH
1391 HARDY LANE
PAHRUMP, NEVADA 89048

DEPUTY MIKE A. CONNELLY
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA 89060

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NYE COUNTY DISTRICT ATTORNEY
P.O. BOX 39
PAHRUMP, NEVADA 89041
(775) 751-7080

FORMER DETECTIVE CHRISTOPHER A. SEHNERT
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA 89060

ALVIN THORNTON
2551 WEST WILSON ROAD
PAHRUMP, NEVADA 89048

DEPUTY ERIC ANDERSON
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA 89060

DEPUTY CHAD BARRETT
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA 89060

ISELA DELCARMEN JARA NINO
2551 WEST WILSON ROAD
PAHRUMP, NEVADA 89048

TROOPER JUSTIN BRANSKE
NEVADA HIGHWAY PATROL
4615 WEST SUNSET
LAS VEGAS, NEVADA 89118

ALTERIO D. THORNTON
2251 W WILSON RD.
PAHRUMP, NEVADA 89048

DATED this 4th day of January, 2021.

CHRIS ARABIA
NYE COUNTY DISTRICT ATTORNEY

By _____
MICHAEL D. ALLMON
Deputy District Attorney

NYE COUNTY DISTRICT ATTORNEY
P.O. BOX 39
PAHRUMP, NEVADA 89041
(775) 751-7080

CERTIFICATE OF SERVICE

I, Kasondra K. Ward, Executive Legal Secretary, of the Nye County District Attorney's Office, do hereby certify that I have served the following:

INFORMATION in
5TH JDC Case No(s). CR20-0145A
STATE v. PETER J HELFRICH

upon said Defendant(s) herein by delivering a true and correct copy thereof on 1/4/21 to the following:

DANIEL E MARTINEZ ESQ.

Via hand deliver at the Nye county District Attorney's Office in Pahrump Nevada.

Kasondra K. Ward

NYE COUNTY DISTRICT ATTORNEY
P.O. BOX 39
PAHRUMP, NEVADA 89041
(775) 751-7080

Case No. 20 CR 01449

CR20-0145

FILED
FIFTH JUDICIAL DISTRICT
JAN 05 2021
Nye County Clerk
Deputy

5th Judicial District Court
of Nye County, Nevada

State of Nevada Plaintiff v. ;peter-Jason;helfrich Private Attorney General	Affidavit of Judicial Notice of Plea Counter offer & mitigating facts in support of Alford Plea to Binding 2 to 5 & Request For Submission & Hearing on TBD ; at TBD am/pm in Dept 2 of said Court.

YOU WILL PLEASE TAKE JUDICIAL NOTICE THAT: ; Private Attorney General ;peter-Jason;helfrich declare under penalty of perjury the following:

•THAT on 12/25/2020 ; left a recorded message to Attorney Daniel Martinez regarding the Counter offer ; previously (that week) made and yet again relayed the plethora of mitigating factors in Support of a Binding Alford Plea to a 2 to 5 ; the events of May 27, 2020: ① Alvin Thornton gave Maria Sanchez permission for this Affiant to watch a movie at the house she was renting from Alvin ; yet upon our arrival Alvin Thornton (Google: "Alvin Thornton PV Times Domestic Battery with a Deadly Weapon Strangulation) threatened Maria and attacked her when she/we asked him to leave her rental after he barged in to alert Maria (quote) "I'm Kicking you outta my house and into the street as soon as possible" ; pepper sprayed Alvin before he could assault me and i drove Maria & her mentally challenged Son ("Autistic", drug addict) Josue to the 1520 E. Basin Ave Sheriff's station, 911 was called ; yet the Deputy *Refused* to allow Maria to file a report regarding the assault and told us to drive back to the Scene and wait across the street for a NCSO Deputy to file a report. Upon arriving, NO NCSO Car nor Deputy to be found. Alvin came out and stood near his drive way and a black VW car rolled out of his gated Property;

Notice:
Serenity Mental Health Records Prove my PTSD/Mental Health issues, which are also mitigating Factors

i did a U-Turn and the VW tailed us to 372 (left) Highway and my intent was to drive back to the Sheriff station for help.

The Astro Van i was operating was traveling at 55mph as the Black VW Tailgated us. Maria Sanchez, who is obviously mentally ill/mentally challenged (as is her son Josue) became frantically terrified; screaming incessantly, praying to God, Jesus (etc.) "i don't want to die; save us God" (etc.). Josue is heavily psy. drug medicated and a Meth, pot (etc.) addict who is autistic (etc.).

i demanded they call 911, yet both were too incompetent from fear to simply call 911. i tapped the brakes to get the VW off our tail, and the Black VW responded by passing the (left lane) double yellow lines, and were keeping along side of my left; Maria began screaming "he's got a gun" (etc.); i turned left to glance at a black male pointing a gun at me. i could not see the driver, nor could i tell if any passengers were in the back seats. The shock and terror of the situation nearly caused me to lose control of the vehicle; i lost concentration and the astro van swerved till i regained my wits. Maria's constant blood-curdling shrieks/screams aggrivated the situation. The VW passed our van and (after about 1 bus length) sped into our (right hand) driving lane and then stopped dead in about 500 feet, i sped up to about 75 mph and i passed the VW from the left lane and got back into the right lane after about 1 bus length. The VW repeated it's previous tactic of passing a double yellow, driving side by side our van and brandishing a pistol; & passing our van; & stopping again in our lane about 500 feet from us. i passed the VW again as i did

previously. i have PTSD, anxiety, bi-polar (disorder) (etc.), and the stress of these vigalantes, and Maria's psychotic screaming had me in total fight or Flight / Fear of my & my passengers lives. The VW sped past us again (left to right lane) at a high rate of speed (i was at 75 mph) and at about *1/4th of a mile drove off the road (to the right) and parked.* (Somewhere between them passing us and pulling over Maria screamed they are shooting at us; it was on or around the area 1/2 way to 3/4 way past our van and before they turned off.)* Not Knowing if the black male had tossed the gun yet; or if the un-known driver had a gun; taking a risk of passing by said VW and possibly being shot at, my (2005 boot camp) instinct told me it's safer to hit the back of the VW to disable it and hopefully NCSO actually shows up this time (unlike when Maria was attacked) to put a stop to these vigalante's retaliating against me (etc.) for pepper spraying Alvin Thornton. After the impact, the astro van was able to crawl slowly to behind the storeage building. i got out and looked towards the dust cloud around the VW to see (Alterio Thornton) the black male's shoulder's & head (60 to 80 feet away) (in the poof dirt cloud). i heard him say "Peter; I'm going to get you Peter" and he proceded in my direction; but i out ran him. i was in fear of my life.

MITIGATING FACTORS (1520 E. Basin Road)

- Alvin Thornton Attacked Maria Sanchez; NCSO Deputy (911) contacted yet refused to intervene, refused to write a report. Instead, he told us to go back to the scene to file a report with a Depaty, thus putting all of us in harms way.

[Take Note that neither alleged Victim's stories matched at the Preliminary Hearing; their credibility is lacking.]

[Name unknown]

NCSO Deputy had a duty to protect us. and should have had an ambulance check out Maria's injured Knee.

- Alterio Thornton and his fiancee took revenge (for his father's transgressions v.s. Maria and i) against me (maria, Josue) for pepper spraying his father; taking the law into his own hands, he and his fiancee terrorized myself and my passengers; putting us all in fear of our lives.
- Had the Sheriff's intervened initially, this event would never of happened. The 911 call after the accident (see Discovery) claimed "Shots fired"; proving Alterio had a gun.

i offer this Plea Agreement not because i am guilty of leaving the scene of an accident that i was chased from (Alterio admitted at the Preliminary Hearing that he chased me); not because i was not justifiably in fear of my life; but because the risk of a Trial could land me 50-60 years in prison thanks to two vigalantes seeking revenge for Alvin Thornton being pepper spraged for attacking a mentally ill anemic woman out of jealousy that his attraction for her was not mutual.

Had i not pepper sprayed Alvin, he would of attacked me. Mariag ig and Josue deserved NCSO's protection & intervention; not being Chased, threatened at gun point by Alterio Thornton. The taxpayers save $ instead of the $ costs of a trial and i save the risks of a trial.

28 USC 1746 (1); W/O USA, Without Prejudice nor Recourse

Dated: 12/26/2020 By: peter-j: helfrich; ucc1-207/1-308/3-402(b)

Certificate of Service

I, Peter-J. Helfrich, declare under penalty of perjury that: on 12/30, 2020; I mailed the foregoing Judicial Notice of Counter offer (Alford Plea; Binding 2-5) to:

Nye County Clerk of Court
1520 E. Basin Road
Pahrump, Nevada 89060
E-Filing & E-Service to all Parties required;
Complete Indigent File Stamped Copy Requested to be Mailed to: Pete-J. Helfrich
c/o 6 Cardone Lane
Yerrington, Nevada 89447

Beaause NCSO has a habit of giving my legal documents to inmate's other than myself. (some of my Discovery has been stolen)

28 USC 1746(1); w/o USA; By: Peter-J. Helfrich; UCC 1-207/1-308/3-402(b)
Without Prejudice

By Google searching "Alvin Thornton Domestic Battery PV Times" or "Alvin Thornton PV Times Battery Strangulation"; it proves NCSO Knew how dangerous Alvin Thornton was and that he has a history of attacking women; so why did the NCSO deputy refuse to protect and defend victim Maria Sanchez after she was assaulted by Alvin on May 27th, 2020?? The Oath he took applies to EVERY human being in Nye County; not just Citizen's, illegal alien's like Maria Sanchez had a Right to file a Police Report and file assault charges v.s. a Serial woman beater like Alvin Thornton. Alvin & his Son are the ones who took revenge & the law into thier own hands; I defended myself and my passengers. No one was seriously injured.

FILED
FIFTH JUDICIAL DISTRICT
JAN 05 2021
Nye County Clerk
Deputy

20CR01449
CASE#
CR20-0145

5th Judicial District court of Nevada
Nye County

State of Nevada Plaintiff	Affidavit of Judicial Notice: 12/27/2020 Phone call to
V.S.	Attorney doug davis = Maria Sanchez told Mr. davis
;peter;helfrich Private Attorney General (A.G)	that if she is forced to testify in this case; she shall
	lie, Slander, (etc.) peter helfrich because he broke
	up with her & she is afraid of Alvin Thornton (etc.)

YOU WILL PLEASE TAKE JUDICIAL NOTICE THAT: Pursuant to 28 USC 1746(1); w/o/usA i declare the following to be truth; THAT Private Deputy A.G. ;doug;davis (on 12/27/2020) made me aware in a phone conversation (around 4pm*) THAT: He recently spoke to Maria Sanchez in an attempt to reclaim some of the thousands of dollars in my property lost, or stolen/sold/or pawned off by Maria Sanchez (an illegal alien) in retaliation for (;peter;helfrich) me breaking up with her. doug mentioned (to Maria Sanchez) that NCSO, the DA, (etc.) are aware that she is avoiding service of Subpoena and that she will be served the same at Joy Divine Church because NCSO is aware of Maria's schedule. Maria's response is = ("Hostile Witness") [paraphrasing] that if she is forced to testify she will lie, slander (this affiant) (etc.) [in retaliation of this affiant breaking up with her]. This illegal alien of 30+ years has broken the Law by: ① Deliberately & actively avoiding service of Subpoena; ② Failing or refusing to become a US Citizen (30+ years); & ③ Her intent is to commit perjury (etc.) if forced to testify.

Maria's testimony Under Oath is on the Record in the Order of Protection Hearing v.s. Alvin Thornton, Alterio Thornton & his fiance. Maria testified that Alvin Thornton assauted her; that we went to NCSO substation for a Police Report & a deputy advised us to go back to the scene to take a report; & that we ended up being tailgaited & chased by Alterio Thornton and his fiance; Alterio brandished a pistol at us, (etc.)

Judicial Notice & Request for Submission & Hearing & Indigent File Stamped Copy

Maria made it clear that we were in danger May 27, 2020 on Highway 372 by the two vigalante's (Alterio & Izel) retaliating V.S. peter helfrich for pepper spraying Alvin Thornton after he assaulted Maria in the house she was renting from Alvin. Maria made it clear on the stand and under Oath that Alterio Thornton brandished a pistol at this affiant during their road rage car chase. Maria also was recorded by phone with Progressive Insurance in front of this Affiant to which she attested the truth of the above Facts and Progressive has her audio recordings on file.

For the Record Maria Sanchez is an illegal alien, she is breaking the Law by deliberately avoiding a subpoena to Testify as a Witness; She recently informed doug davis (775) 291-0522 by phone that she intends to commit perjury on the stand [in retaliation for this Affiant breaking up with her].

Hell hath NO FURY like a Woman Scorn.

The question is (?) why has ICE not been notified by the DA, NCSO regarding Maria deliberately avoiding a Subpoena (?); Why have charges not been filed against Maria Sanchez (?); Now that NCSO, the DA have Maria Sanchez's work schedule at Joy Divine Church (Fridays 9am-Noon; Sunday's 10-11am); Why has an illegal alien who stole/& sold $20,000(±) in this Affiant's property; & unlawfully avoided a Subpoena; & intends to commit perjury ?: Why is she not under arrest and awaiting ICE for deportation? Is Maria Sanchez above the Law? Does the Law get to pick & chose Who to apply the law to & Who to ignore the Law? At the very least, Daniel Martinez has merit to depose (impeach) Maria Sanchez for perjury at Trial.

Medical Request
12/29/2020; 22256029

..."Symptoms: night terrors, shaking, hyperventilating, high blood pressure, crying, terror, fear, paranoia, reliving trauma of Alterio Thornton & His GF road raging me, Maria Sanchez, and her Josue autistic/retarded son and brandishing a pistol on Hwy 372 on May 27, 2020; = fear of life event, 911 call "shots fired," chased from scene by Alterio in retaliation for pepper spraying his woman beating father Alvin "Domestic Battery With a Deadly Weapon/Strangulation" by Thornton after he assaulted Maria Sanchez. S.O.S. ....
"Major PTSD EPISODE 6:30Am; DEPUTY J. TUREK ADVISED TO GET COUNSELING ASAP. 911/PLEASE HELP... I HAVE NOT SLEPT IN 5 DAYS"

The Request Vanished the next day, after i hand transcribed it.

FYI: No charges filed by D.A. / N.C.S.O. on May 27, 2020 V.S. Alvin Thornton for assaulting Maria Sanchez. It appears Alvin Thornton is above the Law... His serial history of beating women continues.....

FYI: Video evidence at 1520 E. Basin Road NCSO Station shows (on May 27, 2020) that Maria Sanchez, Peter Helfrich (and Josue) talked to a N.U. Deputy as previously described. Said NCSO Deputy led us off into an ambush, and we could have died/or been seriously injured by the "Thornton Gang."

Notice: i am in Protective Segregation because Alterio Thornton is a Gang Member ~~for~~ for the RECORD

Lastly, Alvin Thornton is a member of Joy Divine Church as is Maria Sanchez and her son (autistic/mentally retarded) Josue. Given Alvin's history (Google Alvin Thornton PV Times Domestic Battery With a Deadly Weapon Strangulation) of Attacking Maria (May 27, 2020) it appears Maria is intimidated by Alvin Thornton (as well as being deported), and his gang member son Alterio. Now that Daniel Martinez is aware of this Judicial Notice he can be prepared to effectively defend me against Maria Sanchez's efforts to retaliate via perjury (etc.), Should she in fact change her previous testimony to Judge Lisa Chamlee's Court (Order of protection Hearing) & Progressive Insurance Agents on a recorded phone line regarding the car accident on May 27, 2020.

(ready to testify) (subpoena) doug davis (775-291-0522) is ready & waiting for Daniel Martinez & the D.A. (etc.) to contact him regarding Maria Sanchez's intent to commit perjury at Trial in this case at BAR. 28 USC 1746(1); W/o USA; BY: :peter-J.:helfrich; ucc1-207/1-308

NOTICE TO AGENT IS NOTICE TO PRINCIPAL
NOTICE TO PRINCIPAL IS NOTICE TO AGENT
Silence is acquiescence
You Have Ten (10) Days

Without Recourse
c/o 6 Cardone Lane
Yerrington, Nevada [89447]

Certificate of Service: i,: peter-J.: helfrich; declare that on 12/3/2020; i mailed a true copy of this Judicial Notice to: Nye County Clerk E-Filing & Service to all Parties requested & required. 1520 E. Basin Road Pahrump, Nevada

Indigent copy requested, by: :peter-J.:helfrich; ucc1-207/1-308
c/o :doug :davis → c/o 6 Cardone Lane 3-402(6)
Yerrington, Nevada [89447]

FILED
FIFTH JUDICIAL DISTRICT
JAN 06 2021
Nye County Clerk
Deputy

Case No. CR 20-0145A
Dept. 2

IN THE FIFTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA, IN AND FOR NYE COUNTY

THE STATE OF NEVADA,

Plaintiff,

vs.

PETER JASON HELFRICH,

Defendant.

ORDER OF RECUSAL

The above matter was bound over to the Fifth Judicial District Court on December 9th, 2020, and assigned to Judge Robert Lane. Judge Lane had previously recused himself from other matters involving Defendant. As such, after review of the matter, the Court finds it appropriate to recuse from this matter to avoid an appearance of bias or impropriety. Judge Lane has no actual bias in this matter; however, to avoid the appearance of bias or impropriety, the Court hereby assigns this matter to Department 1. Good cause appearing,

IT IS HEREBY ORDERED that the above matter is assigned to Department 1 of the Fifth Judicial District Court.

...

...

...

FIFTH JUDICIAL DISTRICT COURT
ESMERALDA AND NYE COUNTIES

IT IS FURTHER ORDERED that the hearing currently set for January 11, 2021, at 9:00 a.m. before Department 2 of the Fifth Judicial District Court is VACATED.

DATED this 12th day of January, 2021.

ROBERT W. LANE

FIFTH JUDICIAL DISTRICT COURT
ESMERALDA AND NYE COUNTIES

FIFTH JUDICIAL DISTRICT COURT
ESMERALDA AND NYE COUNTIES

CERTIFICATION OF SERVICE

The undersigned hereby certifies that on the 6th day of January 2021, he mailed copies of the foregoing Order of Recusal to the following:

NYE COUNTY DISTRICT ATTORNEY'S OFFICE
(HAND DELIVERED)

DANIEL E. MARTINEZ, ESQ.
552 E. CHARLESTON BLVD.
LAS VEGAS, NV 89104
(HAND DELIVERED)

DISTRICT COURT DEPT 1

Nancy K. Cratty for:
Jared K. Lam, Esq.
Law Clerk to Judge Robert W. Lane

AFFIRMATION

The undersigned hereby affirms that this Court Order does not contain the social security number of any person.

Nancy K. Cratty for:
Jared K. Lam, Esq.
Law Clerk to Judge Robert W. Lane

20CR01449
Case No.

CR20-0145

FILED
FIFTH JUDICIAL DISTRICT
JAN 11 2021
Nye County Clerk
Deputy

State of Nevada v. Peter J. Helfrich	Affidavit of Judicial Notice of Emergency Termination of Appointment of Power of Deputy Attorney General douglas davis due to Fraud, Gross Negligence, In-Effective Assistance & Demand For a Criminal Complaint to be filed by Nye County Sheriff's A.S.A.P. & Request for an Emergency Injunction V.S. doug davis (775)291-0522: 6 Cardone Lane, Yerrington, Nevada & Request For Submission & Hearing

YOU WILL PLEASE TAKE JUDICIAL NOTICE THAT: douglas davis of 6 Cardone Lane, Yerrington, Nevada 89447 is hereby terminated Nunc Pro Tunc October 20th, 2020 due to Fraud, Gross Negligence, In-Effective Assistance, etc.

Fraud nullifies all contracts.... doug davis's acts/omissions constitutes FRAUD & as such the Form-aka- Power of Attorney is hereby terminated from October 20th, 2020 and any money removed from my Social Security Debit Card by doug davis is considered unauthorized due to FRAUD (etc.). The only exception is the $100 doug davis put on this Affiant's books.

See attached Affidavit

Request For Submission & Hearing

THIS TERMINATION OF Power of Attorney is Now Public Record & a Fact on the Record

AFFIDAVIT OF NOTICE OF TERMINATION OF ATTORNEY douglas davis, for Fraud, gross negligence, in-effective assistance of counsel & Demand For Criminal Fraud Complaint

i, One, peter-jason:heffrich, terminate the 'Appointment' of Power of Attorney General 'Deputy' douglas:davis (hereinafter "doug") for fraud, gross negligence, in-effective assistance of counsel (etc.). doug charged my SSI debit card for color & b&w lazer toner cartridges in exchange for printing various GSA Forms (etc.) / legal documents (400 pages) (charges $ between) 11/30/2020 to present = 11/6/2021); yet failed or refused to mail me the same, nor provide the addresses to where said documents need to be mailed. Since October 20th, 2020 i have been incarcerated at Nye County Detention Center: 1521 East Siri Lane, Pahrump, Nevada. My adulterous Ex-Wife Maria Sanchez gave doug davis what little property of mine she did not sell or give away; = my SSI Debit Card, $1,000 laptop, Galaxy Tab A, food stamp card, passport ID & book. doug's paranoia has made something as simple as printing and mailing some documents a 4 month nightmare. My $ debit card (SSI) = $1085 per month X's 3 + $130 (left-fom October); - $100 doug put on my books; & - the lazer toner bought. doug's mental health issues and inability to follow simple directions are only part of the gross negligence. doug made me aware of Maria Sanchez's intent to lie on the stand regarding her being a witness to my criminal case in a recent phone conversation, yet refused to write an affidavit. david Straight was going to help me, yet it appears doug has sabotaged that help as well. doug hung up on me last week regarding these issues and refuses to answer my calls. i was willing to make amends and move forewards; yet doug's bi-polar disorder and inability to forgive (etc.) has caused me the need to terminate his appointment of Deputy Attorney General as doug davis is working against me / hindering me; it appears he has his motives ($ debit card, etc.). All Debit Card Charges from Oct. 20, 2020 to present are fraud except for the $100 on my books. 28 U.S.C. 1746(1); w/o U.S.A.

January 16th, 2020 ; By: peter-jason:heffrich ; UCC 1-207 / 1-308 / 3-402(b)

CERTIFICATE
OF SERVICE

I, Peter-Jason: Helfrich, declare under penalty of perjury that I mailed this Affidavit of Judicial Notice to: Clerk of Court
On 1/17/2021 1520 E. Basin Road
Pahrump, Nevada 89060

with Request of a Indigent File Stamped Copy
& E-Filing & E-Service to ALL Parties

By: Peter-Jason: Helfrich
PLEASE MAIL TO: c/o 1521 E. Siri Lane
Pahrump, Nevada 89060

1/17/2021

CASE#
20CR01449
CR20-0145

FILED
FIFTH JUDICIAL DISTRICT

5th Judicial District Court of Nye county, Nevada

JAN 20 2021

1-20-2021

Nye County Clerk

Deputy

Request For Submission

State of Nevada
Plaintiff

V.

HELFRICH PETER KOSHER
:peter-j.: helfrich
Private Attorney General

Affidavit of Judicial Notice: ~~Hand Transcribed~~ Spiral Discovery In support of Plea Counter offer 2 to 5 & Authorization to Release Protected Confidential Information Serenity Mental Health & Request For a Psy. Eval For Mitigation of Sentence & Notice that Discovery Documents Stolen; & Request For Hearing on T.B.D. at ___ AM PM In Dept. ___

YOU WILL PLEASE TAKE JUDICIAL NOTICE; THAT: Pursuant to 28 USC 1746(1); W/o USA i declare the following to be true & accurate; THAT:

See Deputy Report For case 20NY-1730 Page 6 of 8 at 20:31:12 5/27/2020

Rucker ss - From: McRae JC: "need ida unit/we have possible road rage and shots fired that occured during this

See Deputy Report For Case 20NY-1730 Page 4 of 11; 4th Paragraph

"I went to speak with Josue Flores regarding the accident..."

"He additionally stated that the female with him, by the name of Maria Sanchez told him that they were being shot at during the incident..." "Maria did in fact state that the vehicle was pulled off to the side of the road and that they saw what they believed to be a firearm..."

See Deputy Report For case 20NY-1730; 20:09:08, 5/27/2020 Earnest AT

"Judge Jasperson says the accident is on Charleston park"

See Deputy Report For Case 20NY-1730; 20:31:35, 5/27/2020- Rucker SS- From McRae JC

"unk who might have a firearm" = Alterio Thornton!!! = BINGO!!! (Gang member)

i need a PSY. Eval to prove my PTSD, etc., for mitigation in Sentencing & Support of a 2 to 5. i require an ORDER.

HELFRICH PETER
KOSHER
cell F 204

FYI: Beans & Rice Discovery Documents stolen

The Kitchen staff gain access to my cell when i'm in the Shower, etc. This is yet another way my Discovery, pens, etc. have been stolen.

FYI: Serenity Mental Health is now authorized to disclose my records (etc.) to Daniel Martinez. These records prove my PTSD (etc. Mr. Martinez can call (775) 751-5211 to obtain said documentation in mitigation for sentencing. The records support a previous counter offer. "Alford Plea 2 to 5" filed 1/5/2021, which is the hope of this Affiant at sentencing. This Affiant has never even had a traffic ticket in his life; the car crash was a desperate attempt to survive the Thornton's murder plot. 911 was called; "Shots Fired" at the scene of the accident. The gun vanished. Had the NLV Deputy at the Sheriff's station did the right thing; this incident would not have escalated from an assault case to a car chase. Hopefully, this Court rules in favor of a 2 to 5 given the mitigating factors.

i am on Psy. Meds for PTSD, anxiety, bi-polar disorder

Certificate of Service: i, peter-j. helfrich declare under penalty of perjury that on 1/15, 2021 i mailed the foregoing Judicial Notice to Nye County Clerk of Court

1520 E. Basin Road

Pahrump, Nevada 89060

E-Filing & E-Service to ALL Parties Requested

By: /s/ Peter-J. Helfrich; ucc 1-207/1-308

Private Attorney General (3-402(b))

:peter-jason. helfrich; c/o 1521 E. Siri Lane

Pahrump, Nevada [89060]

20CR01449
Case No.
CR20-0145

FILED
FIFTH JUDICIAL DISTRICT

5th Judicial District Court of Nye County, Nevada

JAN 25 2021

Nye County Clerk
Deputy

State of Nevada v. HELFRICH PETER KOSHER	Affidavit of Judicial Notice of Mitigating Facts Contained In Deputy Report For ~~Case#~~ 20NY0073 Pursuant to 28 U.S.C. 1746 (1); W/o U.S.A. Indigent File Stamped Copy Required/Requested & Request For Submission & Hearing (Sentence of 2 to 5 Requested)
:Peter-Jason:helfrich Private Attorney General	You WILL PLEASE TAKE JUDICIAL NOTICE THAT:

See Deputy Report Page 6 @ [redacted] 20:31:12 05/27/2020-RuckerSS - From: McRae JC "need ida unit/we have possible road rage and Shots Fired that occured during this....." 20:31:35 → "unk who might have a firearm" see also → 20:28:23 → "-RackerSS - From: Beard WR" believe that the parties involved in this accident were the ones i was enrt to on Wilson" ← Confirms we asked NCSO for help re: Alvin Thornton assaulting Maria Sanchez (Google: PV Times Alvin Thornton Domestic Battery With a Deadly Weapon Strangulation) See also Deputy Report page 4 paragraph 4 Narrative = Deputy Schnert "I went to speak ~~with~~ with Josue Flores and he" → "stated that the female with him, by the name of Maria Sanchez told him that they were being shot at during the incident....." Maria did in fact state that the vehicle was pulled off to the side of the road and that they saw what they believed to be a Firearm" → 28 U.S.C. 1746(1); W/o U.S.A. Alterio Thornton is a Gang Banger! Certificate of Service: I, :peter-Jason:helfrich mailed the Above Affidavit of Judicial Notice to Nye County Clerk of Court @ 1520 E. Basin Ave. - a.k.a. Road Pahrump, Nevada 89060 on 1/21/2021... By: Peter-J.:helfrich, UCC1-207/1-308/ 3-402(b)
c/o 1521 E. Sini Lane
Pahrump, Nevada

FILED
FIFTH JUDICIAL DISTRICT
FEB - 4 2021
Nye County Clerk
Deputy

Case No. CR20-0145

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF NYE

STATE OF NEVADA

Plaintiff,

vs.

ORDER OF RECUSAL

PETER JASON HELFICH,

Defendant.
_____/

Judge's Kimberly Wanker and Robert Lane decline to hear this case based on the allegations made by the defendant in civil matters against the Judges. To avoid the appearance of impropriety, the Judges request a Senior Judge be appointed to hear this case.

DATED this 4th day of February 2021.

DISTRICT JUDGE

Fifth Judicial District Court
Esmeralda and Nye Counties

CERTIFICATION OF SERVICE

The undersigned hereby certifies that on the 4th day of February 2021, she mailed (or hand delivered) copies of the foregoing Order to the following:

Daniel Martinez, Nye County Public Defender
552 E. Charleston Blvd.
Las Vegas, Nv. 89104

Michael Allmon
Deputy District Attorney
Pahrump, Nv. 89048

Melissa Stepp
Secretary to DISTRICT JUDGE

FIFTH JUDICIAL DISTRICT COURT
ESMERALDA AND NYE COUNTIES

Case#
20-NY1730/20CR01449
CR20-0145

FILED
FIFTH JUDICIAL DISTRICT
FEB 22 2021
Nye County Clerk
Deputy

5th Judicial District Court of Nye County, Nevada

State of Nevada
Plaintiff
v.
PETER J. HELFRICH©
:peter-jason:helfrich
Private Attorney General

Affidavit of Judicial Notice of Conspiracy to Commit Fraud/Theft of $/¢ Property by Witness Maria Sanchez & Con Artist Doug Davis="s $1,295.59¢ Stolen from SSI/SSD Debit Card & over $20,000(+) in Property Since October 20th, 2020 & Request for Submission & Indigent File Stamped Copy & Hearing on _____, 2021 in Dept. ___ at ___ AM/PM

YOU WILL PLEASE TAKE JUDICIAL NOTICE THAT: On 2/11/2021 (on or between 8:30-10:00 am) i spoke to Social Security Agents & Direct Express Agents regarding Maria Sanchez & Doug Davis's ongoing fraud & theft. These con artists have managed to steal $1,295.59¢ from this Affiant's SSI/SSD Account; taking advantage of a 100% disabled man while incarcerated for self-defense; not to mention other "Property"= over $20,000(+), including but not limited to: Passport Book & ID, 3 Laptops & thousands of $'s in software, Legal Templates/documents, etc.; Galaxy Tab A, 3 $200 smart phones & data, gold, Silver, copper, $300(+) in tools, $300-500 in clothes, Legal Boxes=priceless, etc. (teardrop camper, etc.) Upon information & belief, Illegal Alien Maria Sanchez & Con artist Douglas Davis have conspired to defraud this affiant out of thousands of $ dollars in $/¢/or property, which explains why Maria Sanchez has vowed to Lie under Oath & slander this affiant re.: Alvin & Alterio Thornton's Attempted→ Conspiracy to Murder this affiant on 5/27/2020; & it explains why Doug Davis has hindered, vexed & harassed this affiants efforts in this instant case; while pretending to loyally assist me. They both had much to gain; & much to lose if i ever got out of Prison ALIVE. See ALL ATTACHMENTS:

28 USC 1746(1); W/o U.S.A.; YOU HAVE TEN(10) DAYS!!!

By: :peter-jason:helfrich
UCC1-207/1-308/3-402(b)

Certificate of Service

I, One :Peter-J.:Helfrich declare that on 2/17/2020 I mailed the Affidavit of Judicial Notice to

Nye County Clerk
1520 E. Basin Road
Pahrump, Nevada 89060

Indigent file Stamped Copy Requested

28 USC 1746(1); w/o U.S.A.

:Peter Jason:Helfrich
UCC 1-207/1-308/3-402(6)

DIRECTEXPRESS®

Customer Statement of Disputed Transaction

Please provide the information in below sections where applicable. Use a separate form or additional pages to document each dispute.

- Mail: **Direct Express Disputes Processing - PO BOX 540190 Omaha, NE 68154-0190**
- Fax: **+1-650-242-4112**
- Email: **disputes@my.usdirectexpress.com**

If you have any questions, please call the number printed at the back of your card.

If this form is received within **10 business days** from the date of your initial call, and the investigation is not complete, a provisional credit will be issued to your Card account on the **10th business day**.

We will complete our investigation within **45 days**, unless the alleged error involves a foreign transaction or a point-of-sale transaction, in which case the investigation may take up to **90 days**.

Your Name Peter Jason Helfrich SSI/ Account 092-60-3484

Total Amount $ 1,295.59 Transaction Date $ Oct. 20, 2020 to present Post Date $ Oct. 20, 2020 to present

Reference Number Phone call to Direct Express on 2/11/2021 *located on your statement or the cardholder website*

Transaction Description(s) *as appears on your statement or the cardholder website* see Attached

I demanded a paper statement(s), but SSA &/or Direct Express did not provide. Please provide paper statements as promised!

01. I certify that the charge(s) listed above was (were) not made by me nor a person authorized by me to use my card. I did not receive any goods or services from this transaction nor did any person authorized by me.

Please have the FBI & ICE call con artist & compulsive liar & Illegal Alien Maria Sanchez at (702) 542-4244

My card was (please select one)

☐ IN MY POSSESSION ☐ LOST ☒ STOLEN

Do you know who made these transactions? Maria Sanchez & Doug Davis = con artists & compulsive liars

☒ YES ☐ NO

If YES, who do you think made or authorized these transactions? See Attached Affidavit

What is your relationship to this person? _____

Please list other items that were lost or stolen (if any): Over $20,000 in property See Attached Affidavit = Nye County Sheriffs refuse to file a Criminal Complaint. Please report Maria Sanchez (Illegal Alien) to ICE.

c/o Joy Divine Church Fridays 9:30am-Noon
1161 S. Loop Road Sundays 10-11am
Pahrump, NV 89048

could answer the questions

When was the last time you used your card? I last had my wallet

Date: Oct. 20, 2020 Time: 3pm Merchant Name or ATM Location I need the requested transaction statement to answer this question

Amount: $ _____ Where do you normally store your card? In my wallet

Where do you normally store your pin number? It's the last 4 of my SSI card #=3484
Maria Sanchez lifted my wallet & must have guessed the Pin #

Have you given permission to anyone to use your card? (Select one)

☐ YES ☒ NO Maria Sanchez = 's ex girlfriend = 's Illegal Alien
Please report her to ICE. = Maria Sanchez
c/o Joy Divine Church
1161 S. Loop Road
Pahrump, NV 89048

Available Fridays 9:30 AM - Noon
Sundays 10am - 11am

(If Yes, complete the following)

Name _____ Relationship _____

Maria Sanchez works at Joy Divine Church = Please alert the FBI & ICE!!!

02. Although I did engage in the above transaction (complete ONE of the following statements and provide as much detail as possible to support your statement):

☐ I requested $ _____ from the ATM however I received $ _____
I am disputing the amount of $ _____ as this amount was not received.

☐ The dollar amount of the sale was increased from $ _____ to $ _____
I am enclosing a copy of my debit card sales receipt, which reflects the correct dollar amount.

☐ I dispute the entire charge or a portion of it in the amount of $ _____ I have contacted the merchant and a credit has been applied to my account. (Please provide details of the circumstances surrounding this transaction and your calculations used to derive the correct amount, if amount is less than the total billed to your account - use separate page)

☐ I have never received the merchandise. I expected to receive it during the week of _____ (Date)
I have since contacted the merchant and asked that a credit beapplied to my account.

☐ All or part of the shipped or delivered merchandise was defective or damaged when received. I returned the merchandise on _____ (Date), but have not received a credit for the amount of $ _____
I am enclosing a detailed statement describing the defects of the merchandise and am enclosing a copy of my proof of return list of the merchandise received, theitems returned, and the cost of each item.

☐ I am enclosing a detailed explanation of the reason(s) the merchant was not able or willing to provide the requested merchandise/services. I am also providing details of my attempts to resolve this matter with the merchant, including date(s) and the merchant's response(s).

☐ The above transaction is a duplication of an authorized transaction that took place on _____
The reference number of the authorized transaction as shown on my card statement is _____

☐ I am enclosing a detailed explanation of the reason(s) the merchant was not able or willing to provide the requested merchandise/services. I am also providing details of my attempts to resolve this matter with the merchant, including date(s) and the merchant's response(s).

☐ I received a credit slip, but it was applied to my account as a charge. I am enclosing a copy of this credit slip.

☐ I received a credit slip, but it has not yet been applied to my account. I am enclosing a copy of this credit slip.

☐ I guaranteed a hotel reservation for late arrival and subsequently cancelled it on _____(Date)

☐ at _____(AM/PM.) I was given the following cancellation Number _____

☐ Other reason: My Ex-girlfriend Maria Sanchez & Doug Davis robbed me while i was in carcerated =`s October 20, 2020 to Present

03. I give my consent to receive the correspondence regarding this dispute case via following channels:

☐ ELECTRONIC MAIL ☒ PHYSICAL MAIL Tonopah Jail #22870
P.O. Box 831
Tonopah, NV 89049

Cardholder Signature : peter Jason helfrich Date 2/ /2021

Daytime Contact Number I am in Jail; i have no Phone #.

28 USC 1746(1)
W/o U.S.A.



My ID was stolen by Maria Sanchez & Doug Davis my thumb seal is my only Proof of identity.

Thumb Seal

i demand a NEW DEBIT CARD be issued & mailed to peter helfrich #22870
P.O. Box 831
Tonopah, Nevada 89048

20CR01449
Case No. Dated: 12/8/2020 Police Cam Recorded

FILED
FIFTH JUDICIAL DISTRICT
MAR 29 2021
Nye County Clerk
Deputy

CR20-0145 5th Judicial District Court of Nye County, Nevada

State of Nevada	Affidavit of Judicial Notice of
v.	Invoking The Right to Speedy Trial
PETER HELFRICH ©	Pursuant to the 6th Amendment
:peter-Jason:helfrich	& 28 U.S.C. 1746(1); W/o U.S.A. &
Private Attorney General	Request for Submission /&/ Hearing /&/

Indigent File Stamped Copy REQUIRED

YOU WILL PLEASE TAKE JUDICIAL NOTICE THAT:

i hereby INVOKE THE RIGHT TO A 60 DAY SPEEDY TRIAL PURSUANT TO U.S.C.A. 6, etc. Nunc Pro Tunc May 28, 2020

SECOND ATTEMPT TO FILE SINCE 12/8/2020

28 U.S.C. 1746(1); W/o U.S.A.

SEE ATTACHED "Affidavit of Truth"

By: :peter-Jason:helfrich
UCC1-207/1-308/3-402(b)

CERTIFICATE OF SERVICE

i, :peter-Jason:helfrich, declare under penalty of perjury that i mailed a true copy of the above Affidavit to: Clerk of Court on 12/8/2020

Nye County Court
1520 E. Basin Road
Pahrump, Nevada 89060

28 USC 1746(1); W/o U.S.A.

CC: D.O.J., FBI

By: :peter-J.:helfrich

SECOND ATTEMPT TO FILE → REFUSAL TO FILE THIS = FELONY = No More Clown Games!

CLERK MUST FILE; OR = Felony!!!

Federal Crime FOR FAILURE TO FILE

AFFIDAVIT OF SERVICE
TO DEPUTY Marty ON VIDEO;
Police Cam Recorded
ON 3/24 2021 at

i handed said NCSO Deputy the foregoing Affidavit of Judicial Notice of Invoking the Right to Speedy Trial Pursuant to the 6th Amendment Second Attempt to File Since 12/8/2020. "Deemed Filed" = The moment a Deputy/ Officer receives said Affidavit, it is Deemed Filed pursuant to the US Supreme Court. Therefore; if the Clerk again refuses to file it, the proof is on video; the Affidavit is deemed filed & if the right to Speedy trial is denied, it is a fast track appeal ground = case dismissed.

Mailed Postage pre-paid to
Nye County Clerk
1520 E Basin Road
Pahrump, Nevada 89060

28 USC 1746 (1)
BY: Peter-Dirk Christ

UCC 1-207, UCC 1-308, 3-402(b)

11:50-Noon

Affidavit of Truth Re.: (3/2/2021) Police Cam Recorded Interview With L.T. Gray Re: Alvin Thornton Assaulting Maria Sanchez May 27, 2020, etc.
(Google: Alvin Thornton Domestic Battery with a Deadly Weapon/Strangulation

On 3/2/2021, between 11:50am-Noon, I spoke to L.T. Gray regarding the May 27, 2020 incident (on Wilson Road) when Alvin Thornton assaulted Maria Sanchez & we went to (1520 E. Basin Road, Pahrump) the NCSO Sheriff's station; called 911; & spoke to a deputy; requested medical attention (for Maria's injured knee) & requested a Police Report be filed v.s. Alvin Thornton. → The deputy refused our request(s) & told us to drive back to the scene of the incident & wait for a deputy to file a report. → The L.T. advised me to (Paraphrasing) never go back to the scene of such an incident; → if a NCSO Deputy tells you to go back to the scene of such an incident and wait for a deputy; (L.T. Gray) said → NEVER follow such an order; go home / stay away from the scene..... L.T. Gray's advice/opinion is further evidence in mitigation favoring this affiant because if this an opinion of a NCSO L.T., then it shows that said Deputy should have never given such an order; which led to this situation getting out of hand.

28 USC 1746; W/o U.S.A.

Certificate of Service: On 3/24 2021 this affidavit was mailed to Nye County Clerk 1520 E. Basin Road, Pahrump, Nevada 89060 IN THE SAME ENVELOPE AS Affidavit of Judicial Notice of Invoking the Right to a Speedy Trial

28 USC 1746 (1)

By: Peter Vihelpick

UCC 1-207, UCC 1-308, UCC 3-402(6)

ORIGINAL

Case No. CR20-0145A

Department 1

The undersigned affirms that this document does not contain the social security number of any person.

FILED
FIFTH JUDICIAL DISTRICT
APR 06 2021
Nye County Clerk
Deputy

IN THE FIFTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF NYE

THE STATE OF NEVADA,

Plaintiff,

vs.

AMENDED INFORMATION

PETER J HELFRICH,

Defendant. /

CHRIS ARABIA, District Attorney within and for the County of Nye, State of Nevada, informs the Court that **PETER J HELFRICH**, before the filing of this Information, did then and there, in Nye County, Nevada, commit the following offenses, to wit:

BATTERY WITH USE OF A DEADLY WEAPON, in violation of **NRS 200.481(2)(e)(1), A CATEGORY 'B' FELONY,** committed in the following manner, to wit: That **ON OR ABOUT MAY 27, 2020**, in Pahrump Township, Nye County, Nevada, said Defendant did willfully and unlawfully use force or violence upon the person of **ALTERIO THORNTON**, with a deadly weapon, by ramming a vehicle occupied by **ALTERIO THORNTON** with an Astro van;

///

///

///

///

NYE COUNTY DISTRICT ATTORNEY
P.O. BOX 39
PAHRUMP, NEVADA 89041
(775) 751-7080

All of which is contrary to the form, force, and effect of the statutes in such cases made and provided, and against the peace and dignity of the State of Nevada.

Witnesses and their addresses known to the District Attorney of Nye County, State of Nevada, at the time of the filing of this Information:

SERGEANT KELLY JACKSON
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA

DEPUTY WES BEARD
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA

SERGEANT JOHN POWELL
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA

DETECTIVE MORGAN DILLON
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA

TONYLEE JANATSCH
1391 HARDY LANE
PAHRUMP, NEVADA 89048

DEPUTY MIKE A. CONNELLY
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA 89060

FORMER DETECTIVE CHRISTOPHER A. SEHNERT
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA 89060

ALVIN THORNTON
2551 WEST WILSON ROAD
PAHRUMP, NEVADA 89048

DEPUTY ERIC ANDERSON
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA 89060

DEPUTY CHAD BARRETT
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA 89060

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PAHRUMP, NEVADA 89048

TROOPER JUSTIN BRANSKE
NEVADA HIGHWAY PATROL
4615 WEST SUNSET
LAS VEGAS, NEVADA 89118

ALTERIO D. THORNTON
2251 W WILSON RD.
PAHRUMP, NEVADA 89048

DATED this 6th day of April, 2021.

CHRIS ARABIA
NYE COUNTY DISTRICT ATTORNEY

By _____
MICHAEL D. ALLMON
Deputy District Attorney

NYE COUNTY DISTRICT ATTORNEY
P.O. BOX 39
PAHRUMP, NEVADA 89041
(775) 751-7080

CERTIFICATE OF SERVICE

I, Renne McKeen, Paralegal, of the Nye County District Attorney's Office, do hereby certify that I have served the following:

INFORMATION in
5TH JDC Case No(s). CR20-0145A
STATE v. PETER J HELFRICH

upon said Defendant(s) herein by delivering a true and correct copy thereof on 4/6/21 to the following:

DANIEL E MARTINEZ ESQ.

Via hand deliver at the Nye county District Attorney's Office in Pahrump Nevada.

K Ward for
Renne McKeen

NYE COUNTY DISTRICT ATTORNEY
P.O. BOX 39
PAHRUMP, NEVADA 89041
(775) 751-7080

ORIGINAL

FILED
FIFTH JUDICIAL DISTRICT
APR 07 2021
Nye County Clerk
Deputy

Case No. CR20-0145A

Department 1

The undersigned affirms that this document does not contain the social security number of any person.

IN THE FIFTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF NYE

THE STATE OF NEVADA,

Plaintiff,

v.

PETER J HELFRICH,

Defendant. /

NO CONTEST PLEA AGREEMENT

NYE COUNTY DISTRICT ATTORNEY
P.O. BOX 39
PAHRUMP, NEVADA 89041
(775) 751-7085

COMES NOW, THE STATE OF NEVADA ("Plaintiff"), by CHRIS ARABIA, Nye County District Attorney, through MICHAEL D. ALLMON, and PETER J HELFRICH, ("Defendant"), represented by Attorney DANIEL MARTINEZ, Esq., and files this No Contest Plea Agreement in the above-entitled case(s).

I, **PETER J HELFRICH,** hereby agree to plead **No Contest**, pursuant to *North Carolina v. Alford*, 400 U.S. 25 (1970), to **Count I,** a charge of **BATTERY WITH USE OF A DEADLY WEAPON,** in violation of **NRS 200.481(2)(e)(1), A CATEGORY 'B' FELONY,** as more fully alleged in the charging document attached hereto as Exhibit 1. My decision to plead no contest is based upon the plea agreement in this case, which is as follows:

1. In exchange for pleading no contest as set forth above, and no contest to Count I of Pahrump Justice Court case 20TR01961 (Assault, a misdemeanor), the

INI P.H.

prosecution will not pursue any other charges related to this case. Additionally, the State will dismiss the following charges: 20TR01961 Counts II-V (Certain Unlawful Acts, Driving Without a License, Security for Payment of Tort Liabilities, Harassment, and Eluding a Peace Officer, all misdemeanors), 20CR01738 (Charged as Simulation of Legal Document, NRS 207.337, D Felony and was to be amended to Harassment, a misdemeanor), 20CR01739 (Harassment, a misdemeanor). Furthermore, the State will deny 20NY-3974 (referred for a charge of Simulation of Legal Document, NRS 207.337, D Felony).

2. Both parties agree that in 20TR01961, the Defendant will enter a no-contest plea to Count I (Assault). As part of a global negotiation with this case, in Justice Court, both parties will recommend that the Defendant will be sentenced to a term of confinement in the Nye County Detention Center, that begins with the Defendant being remanded to the custody of the Sheriff, and ends with the Defendant entering his plea of no-contest in District Court as part of this guilty plea agreement. The sentence for that offense is dependent on the timing of this case. Meaning that credit for time served will all be applied to 20TR01961 and the time served in this case will not begin until the Defendant enters a plea of no contest in the district court as outlined in this agreement, or when the Defendant has served 180 days, the maximum allowable, on 20TR01961.

3. At sentencing, both parties will retain the full right to argue on this charge.

4. I agree to forfeit any and all weapons and evidence, or any interest in any weapons or evidence seized or otherwise impounded in connection with the

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instant case or any other case negotiated or resolved in whole or in part as a result of this negotiation.

I acknowledge and accept that should I fail to interview with the Department of Parole and Probation; fail to appear at any subsequent hearings in this case; escape custody if applicable; provide a sample of breath, blood or urine that tests positive for the unlawful use of a controlled substance, dangerous drug(s), or alcohol at any point after my preliminary hearing at the justice court level, a test for which I willingly and voluntarily consent and agree to submit to, or an independent magistrate, by affidavit review, confirms probable cause against me for new criminal charges discovered or committed after the day I enter my plea pursuant to this agreement, but excluding case minor traffic violations (that for purposes of this agreement are offenses below reckless driving), I agree that the prosecution will be free to either withdraw from the plea agreement; argue for any legal sentence and term of confinement possible pursuant to the charges set forth in the charging document to which I have pleaded guilty or no contest, to include any increased punishment if enhancements are applicable, such as but not limited to Habitual Criminal treatment; and that a failure to appear after the day I enter my plea pursuant to this agreement can be the basis for a new and separate criminal prosecution. In the event that any of the above described circumstances come to pass, I understand and agree that the prosecution could adopt any sentencing posture legally allowed for the charges I have pleaded guilty or no contest to, and still pursue charges that had been agreed to be dismissed because of my breach of the agreement reached. Lastly, any breach of the agreement reached, including a failed, faked, adulterated, refused, or otherwise invalid test to ascertain the presence of drugs or alcohol in my system after pleading guilty or no contest pursuant

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to this agreement will immediately (and *ex parte*) be considered a basis for revoking my own recognizance (OR) release if in fact I have been released to my OR pending sentencing or any other court date or appearance after entry of plea. As an example, if I have been enrolled in drug court as a condition of an OR release, and fail, fake, refuse, or otherwise provide an invalid test I agree that the court may immediately revoke my OR release until such time as I may seek to thereafter have my OR restored.

CONSEQUENCES OF THE PLEA

I understand that my decision to plead No Contest does not require me to admit that I am guilty, but is based upon my belief that the State would present sufficient evidence at trial that a jury would return a verdict of guilty that supports all the elements of an offense that is equal to or greater than the offense to which I now plead, as set forth in Exhibit 1.

I understand that as a consequence of my plea of no contest, on the charge of **BATTERY WITH USE OF A DEADLY WEAPON,** in violation of **NRS 200.481(2)(e)(1), A CATEGORY 'B' FELONY,** I am subject to imprisonment in the state prison for a minimum term of **not less than 2 years and a maximum term of not more than 10 years**, and may be further punished by a **fine of not more than $10,000**. I understand that certain Administrative Assessment Fees are mandatory and applicable and that I will be court ordered to pay them.

I understand that, if appropriate, I will be ordered to make restitution to the victim of the offense(s) to which I am pleading no contest and to the victim of any related offense(s) being dismissed or not prosecuted pursuant to this agreement. I also understand that any victim to any offense I have plead no contest to, or any victim

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included for the purposes of restitution, may take the stand and testify at sentencing. I will also be ordered to reimburse the State of Nevada for expenses related to my extradition, if any.

I understand that **I am eligible for probation** for the offense(s) to which I am pleading no contest. I understand that, except as otherwise provided by statute, the question of whether I receive probation is in the discretion of the sentencing judge.

I understand that if more than one sentence of imprisonment is imposed and I am eligible to serve the sentences concurrently, the sentencing judge has the discretion to order the sentences served concurrently or consecutively, irrespective of any parties' recommendation.

I understand that information regarding charges not filed, dismissed charges or charges to be dismissed pursuant to this agreement may be considered by the judge at sentencing.

I have not been promised or guaranteed any particular sentence by anyone. I know that my sentence will be determined by the Court within the limits prescribed by statute. I understand that if my attorney or the State of Nevada or both recommend any specific punishment to the court, the court is not obligated to accept the recommendation.

I understand if the offense(s) to which I am pleading no contest to was committed while I was incarcerated on another charge or while I was on probation or parole that I am not eligible for credit for time served toward the instant offense(s)

I understand that the Division of Parole and Probation of the Department of Public Safety may prepare a written report for the sentencing judge before sentencing. This report will include matters relevant to the issue of sentencing, including my

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criminal history. I understand that this report may contain hearsay information regarding my background and criminal history. My attorney and I will each have the opportunity to comment on the information contained in the report, if any, at the time of sentencing. Unless the prosecutor has specifically agreed to stand silent at sentencing, the prosecutor will likewise retain the right to fully address any and all matters contained within the report.

I understand that pleading no contest may have adverse consequences to my citizenship or immigration status.

WAIVER OF RIGHTS

By entering my plea of no contest, I understand that I have waived the following rights and privileges:

By entering my plea of no contest, I understand that I have waived the following rights and privileges:

1. The constitutional privilege against self-incrimination, including the right to refuse to testify at trial, in which event the State would not be allowed to comment to the jury about my refusal to testify.
2. The constitutional right to a speedy and public trial by an impartial jury, free of excessive pretrial publicity prejudicial to the defense, at which trial I would be entitled to the assistance of an attorney, either appointed or retained. At trial, the State would bear the burden of proving beyond a reasonable doubt each element of each offense charged.
3. The constitutional right to confront and cross-examine any witnesses who would testify against me.
4. The constitutional right to subpoena witnesses to testify on my behalf.

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INI p.h.

5. The constitutional right to testify in my own defense.

6. The right to appeal the conviction, with the assistance of an attorney, either appointed or retained, unless the appeal is based upon reasonable constitutional, jurisdictional or other grounds that challenge the legality of the proceedings and except as otherwise provided by subsection 3 of NRS 174.035.

VOLUNTARINESS OF PLEA

I have discussed the elements of all the original charges against me with my attorney and I understand the nature of these charges.

I understand that the State would have to prove each element of each charge against me at trial.

I have discussed with my attorney any possible defenses and circumstances that might be in my favor.

All of the foregoing elements, consequences, rights and waiver of rights have been thoroughly explained to me by my attorney.

I believe that pleading no contest and accepting this plea bargain is in my best interests and that a trial would be contrary to my best interests.

I am signing this agreement voluntarily after consultation with my attorney and am not acting under duress or coercion or by virtue of any promises of leniency, except for those set forth in this agreement.

I am not now under the influence of intoxicating liquor, a controlled substance or other drug(s) that would in any manner impair my ability to comprehend or understand this agreement or the proceedings surrounding my entry of this plea.

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NYE COUNTY DISTRICT ATTORNEY
P.O. BOX 39
PAHRUMP, NEVADA 89041
(775) 751-7085

INI

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My attorney has answered to my satisfaction all of my questions regarding this No contest Plea Agreement and its consequences, and I am satisfied with the services provided by my attorney.

DATED this ____ day of _____, 2021.

Peter J. Helfrich, UCC1-207-308
PETER J HELFRICH 3-402(b)

AGREED to on this 6 day of April 2021.

CHRIS ARABIA
NYE COUNTY DISTRICT ATTORNEY

By _____
MICHAEL D. ALLMON
Deputy District Attorney

NYE COUNTY DISTRICT ATTORNEY
P.O. BOX 39
PAHRUMP, NEVADA 89041
(775) 751-7085

INI p.h.

CERTIFICATE OF COUNSEL

I, the undersigned, as the attorney for the defendant named herein and as an officer of the court hereby certify that:

1. I have fully explained to the defendant the allegations contained in the charge(s) to which the no contest plea(s) is/are being entered.

2. I have advised the defendant of the penalties for each charge and the restitution that the defendant may be ordered to pay.

3. I have inquired of Defendant facts concerning Defendant's immigration status and explained to Defendant that if Defendant is not a United States citizen any criminal conviction will most likely result in serious negative immigration consequences including but not limited to: removal from the United States through deportation; an inability to reenter the United States; the inability to gain United States citizenship or legal residency; an inability to renew and/or retain any leant residency status; and/or an indeterminate term of confinement, with the United States Federal Government based on my conviction and immigration status. Moreover, I have explained that regardless of what Defendant may have been told by any attorney, no one can promise Defendant that this conviction will not result in negative immigration consequences and/or impact Defendant's ability to become a United States citizen and/or legal resident.

4. All pleas of no contest offered by the defendant pursuant to this agreement are consistent with all the facts known to me and are made

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with my advice to the defendant and are in the best interest of the defendant.

5. To the best of my knowledge and belief, the defendant:

(a) Is competent and understands the charge(s) and the consequences of pleading no contest as provided in this agreement;

(b) Executed this agreement and will enter all no contest pleas pursuant hereto voluntarily; and

(c) Was not under the influence of intoxicating liquor, a controlled substance or other drug at the time of the execution of this agreement.

DATED this 7th day of April, 2021.

DANIEL MARTINEZ, Esq.

NYE COUNTY DISTRICT ATTORNEY
P.O. BOX 39
PAHRUMP, NEVADA 89041
(775) 751-7085

INI p.h.

NYE COUNTY DISTRICT ATTORNEY
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(775) 751-7085

EXHIBIT 1

INI

Case No. CR20-0145A

Department 1

The undersigned affirms that this document does not contain the social security number of any person.

FILED
FIFTH JUDICIAL DISTRICT
APR 06 2021
Nye County Clerk
Judy Ayotte Deputy

IN THE FIFTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF NYE

THE STATE OF NEVADA,

Plaintiff,

vs.

AMENDED INFORMATION

PETER J HELFRICH,

Defendant. /

CHRIS ARABIA, District Attorney within and for the County of Nye, State of Nevada, informs the Court that **PETER J HELFRICH**, before the filing of this Information, did then and there, in Nye County, Nevada, commit the following offenses, to wit:

BATTERY WITH USE OF A DEADLY WEAPON, in violation of **NRS 200.481(2)(e)(1), A CATEGORY 'B' FELONY,** committed in the following manner, to wit: That **ON OR ABOUT MAY 27, 2020**, in Pahrump Township, Nye County, Nevada, said Defendant did willfully and unlawfully use force or violence upon the person of **ALTERIO THORNTON**, with a deadly weapon, by ramming a vehicle occupied by **ALTERIO THORNTON** with an Astro van;

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NYE COUNTY DISTRICT ATTORNEY
P.O. BOX 39
PAHRUMP, NEVADA 89041
(775) 751-7080

All of which is contrary to the form, force, and effect of the statutes in such cases made and provided, and against the peace and dignity of the State of Nevada.

Witnesses and their addresses known to the District Attorney of Nye County, State of Nevada, at the time of the filing of this Information:

SERGEANT KELLY JACKSON
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA

DEPUTY WES BEARD
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA

SERGEANT JOHN POWELL
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA

DETECTIVE MORGAN DILLON
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA

TONYLEE JANATSCH
1391 HARDY LANE
PAHRUMP, NEVADA 89048

DEPUTY MIKE A. CONNELLY
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA 89060

FORMER DETECTIVE CHRISTOPHER A. SEHNERT
NYE COUNTY SHERIFF'S OFFICE
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ALVIN THORNTON
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PAHRUMP, NEVADA 89048

DEPUTY ERIC ANDERSON
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA 89060

DEPUTY CHAD BARRETT
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA 89060

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PAHRUMP, NEVADA 89048

TROOPER JUSTIN BRANSKE
NEVADA HIGHWAY PATROL
4615 WEST SUNSET
LAS VEGAS, NEVADA 89118

ALTERIO D. THORNTON
2251 W WILSON RD.
PAHRUMP, NEVADA 89048

DATED this 6th day of April, 2021.

CHRIS ARABIA
NYE COUNTY DISTRICT ATTORNEY

By _____
MICHAEL D. ALLMON
Deputy District Attorney

NYE COUNTY DISTRICT ATTORNEY
P.O. BOX 39
PAHRUMP, NEVADA 89041
(775) 751-7080

CERTIFICATE OF SERVICE

I, Renne McKeen, Paralegal, of the Nye County District Attorney's Office, do hereby certify that I have served the following:

INFORMATION in
5TH JDC Case No(s). CR20-0145A
STATE v. PETER J HELFRICH

upon said Defendant(s) herein by delivering a true and correct copy thereof on 4/6/21 to the following:

DANIEL E MARTINEZ ESQ.

Via hand deliver at the Nye county District Attorney's Office in Pahrump Nevada.

K Ward for
Renne McKeen

NYE COUNTY DISTRICT ATTORNEY
P.O. BOX 39
PAHRUMP, NEVADA 89041
(775) 751-7080

No. CR20-0145

Dept. No. 1

FILED
FIFTH JUDICIAL DISTRICT
APR 09 2021
Nye County Clerk
Deputy

IN THE FIFTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF NYE

THE HONORABLE DAVID GAMBLE, SENIOR DISTRICT JUDGE

-oOo-

ORIGINAL

THE STATE OF NEVADA,
Plaintiff,
vs.
PETER JASON HELFRICH,
Defendant.

TRANSCRIPT OF PROCEEDINGS
ARRAIGNMENT HEARING

APRIL 8, 2021
10:00 A.M.
PAHRUMP, NEVADA

APPEARANCES:

For the State: KIRK D. VITTO, ESQ.
CHIEF DEPUTY DISTRICT ATTORNEY
Nye County Courthouse
Pahrump, Nevada 89060

For the Defendant: DANIEL MARTINEZ, ESQ.
DEPUTY PUBLIC DEFENDER
552 East Charleston Boulevard
Las Vegas, Nevada 89104

State Parole and Probation Officer: (NOT PRESENT)

The Defendant: PETER JASON HELFRICH

Reported by: CECILIA D. THOMAS, RPR, CCR No. 712

PAHRUMP, NYE COUNTY, NEVADA, THURSDAY, APRIL 8, 2021

10:00 A.M.

-oOo-

P R O C E E D I N G S

THE COURT: Okay. The record will reflect that we're in session. This is Case No. CR20-0145A, State of Nevada versus Peter J. Helfrich. Show the appearance of Mr. Helfrich, together with Counsel Daniel Martinez who is here present. Also show the appearance of Mr. Allmon.

Mr. Allmon, would you say something so the camera will go over to you?

MR. VITTO: Your Honor, hi. This is Kirk Vitto from the DA's Office standing instead of Mr. Allmon.

THE COURT: All right. Your last name again, sir? I missed it.

MR. VITTO: Vitto, V, as in "Victor," -i-t-t-o.

THE COURT: Oh, of course. Okay. Thank you, Mr. Vitto. It's good to see you again.

MR. VITTO: Absolutely.

THE COURT: There has been an Amended Information filed in this case, filed on April 6th of

2021, containing one count and that is -- the count is Battery With Use of a Deadly Weapon.

Mr. Martinez, have you received a copy of that Information?

MR. MARTINEZ: I do have a copy, Judge.

THE COURT: And have you had a chance to review it with Mr. Helfrich?

MR. MARTINEZ: I have, Judge.

THE COURT: All right. Mr. Helfrich, have you had a chance to read it with Mr. Hernandez (sic) -- or with Mr. Martinez?

THE DEFENDANT: Yes, sir.

THE COURT: And it's my understanding that you intend to plead no contest to this charge; is that correct?

THE DEFENDANT: That's correct, Your Honor.

THE COURT: Okay. Mr. Helfrich, would you please stand?

Peter J. Helfrich, to the charge contained in the Amended Information, Battery With Use of a Deadly Weapon, a category B felony, how do you plead -- guilty? not guilty? or no contest?

THE DEFENDANT: No contest, sir.

THE COURT: Okay. Thank you. Go ahead and have a seat, Mr. Helfrich.

In addition to the Amended Information, there has also been filed a No Contest Plea Agreement. Do you have a copy of that in front of you, Mr. Helfrich?

THE DEFENDANT: Yes.

THE COURT: And have you gone over that with Mr. Martinez?

THE DEFENDANT: The other day we did, sir.

THE COURT: And do you feel like you are fully versed in what it says? Do you feel like you understand it?

THE DEFENDANT: It's pretty -- it's pretty straightforward, Judge. I have some legal --

THE COURT: Right.

THE DEFENDANT: -- legal experience, sir. Yes. It's pretty straightforward.

THE COURT: Okay. We're going to go over it in more detail in a minute.

THE DEFENDANT: All right.

THE COURT: Directing your attention to page 10 -- sorry.

MR. MARTINEZ: Judge, if you're looking for --

THE COURT: I'll find it. Page 8.

Mr. Helfrich, directing your attention to

page 8, it appears that you signed that document. Did you in fact sign it?

THE DEFENDANT: Yes.

THE COURT: Mr. Helfrich, I understand that you're pleading no contest. And I want you to understand that for all purposes today, I will be treating it -- and sentencing, for that matter -- I will be treating it as a guilty plea; although, I recognize that it is no contest. I just want to tell you that if I accidentally say "guilty plea" at some point during this, it is accidental, and I understand that you're pleading no contest; okay?

THE DEFENDANT: Okay.

THE COURT: So before I can accept your plea, I need to make sure that you understand what you're doing. If I say something to you in this following portion, please let me know if you don't understand or if you need some time or if you have a question. And you can either direct your question to me or to Mr. Martinez; do you understand?

THE DEFENDANT: Yes, sir.

THE COURT: First of all, do you understand that you don't have to, you're not required to enter a no contest plea to this Information.

THE DEFENDANT: Okay. Yes.

THE COURT: You don't have to, in other words. You're not being forced to; right?

THE DEFENDANT: Yes.

THE COURT: If you decided you didn't want to plead no contest, you could plead not guilty. And I can set this case for a jury trial in front of 12 jurors within 60 days of today's date; do you understand that?

THE DEFENDANT: Um.

MR. MARTINEZ: Court's indulgence, Your Honor.

THE COURT: Sure.

THE DEFENDANT: Yes. I understand.

MR. MARTINEZ: Thank you, Your Honor.

THE COURT: You're welcome. There's got to be like a hundred of these questions, Mr. Helfrich. So I want you to know that I understand that you want to plead no contest and we're going to do that, but before I can do that, I need to make absolutely sure that you understand what you're doing and that you're doing what you want to do; okay?

THE DEFENDANT: Yes, sir.

THE COURT: Okay. So at the time of that jury trial if you pled not guilty, you could not be convicted of this offense unless the State proves each

element of it beyond a reasonable doubt. That means that the State would have to prove that on or about May 27th of 2020, in Pahrump Township, Nye County, Nevada, you willfully and unlawfully used force or violence upon the person of Alterio Thornton by ramming a vehicle occupied by Alterio Thornton with an Astro van. Do you understand those elements that they would have to prove?

THE DEFENDANT: Yes.

THE COURT: And they would have to prove them beyond a reasonable doubt?

THE DEFENDANT: Yes.

THE COURT: You understand that?

THE DEFENDANT: Yes, I understand.

THE COURT: Okay. Also, at the time of that trial, if you pled not guilty -- I'm going back too if you pled not guilty; okay? Also, at the time of that trial, if you pled not guilty, you would have various rights that you're giving up today by entering this no contest plea.

If you went to trial -- if you had pled not guilty and went to trial, you would have the right to confront the witnesses against you; you would have the right to call witnesses on your own behalf and have me force them to appear by subpoena; you'd have the right

to testify for yourself; and you'd also have the right to not testify. And if you decided not to testify, no one could use that decision against you in any way. You would also have the right to appeal the result of -- whatever the result was of that jury trial.

Do you understand that series of rights?

THE DEFENDANT: Yes, sir.

THE COURT: And do you understand that you're giving all those up by pleading no contest today?

THE DEFENDANT: Yes. I just had one question, Judge.

THE COURT: Sure.

THE DEFENDANT: What are the advantages of -- between no contest and pleading just straight guilty? Is there a difference?

THE COURT: Well, there's not a great --

MR. MARTINEZ: If I can, Judge.

THE COURT: -- you should ask Mr. Martinez that. But just from my perspective, it doesn't really make much difference. You're pleading according to Alford versus North Carolina, which we'll also talk about, and it makes a small bit of difference there. And it also makes a difference in some civil proceedings that could follow up on this criminal

proceeding.

But why don't you take a minute, and I know Mr. Martinez has already told you this stuff, but I'm going to ask him to just go over it with you again so you're comfortable. There's not -- from my perspective, Mr. Helfrich, there's not a huge difference, but that's me and not you. So you need to know from your own perspective.

MR. MARTINEZ: Court's indulgence for a moment, Your Honor.

THE COURT: Sure.

(Defense counsel and client confer.)

MR. MARTINEZ: Thank you, Your Honor.

THE COURT: Okay. Thank you.

Mr. Helfrich, I think you answered that question, but you understand that series of rights that I described to you?

THE DEFENDANT: Yes, Judge.

THE COURT: And understanding those, do you still want to plead no contest?

THE DEFENDANT: Yes, sir.

THE COURT: Okay. Now, the State has agreed not to file or pursue any other charges arising out of this offense. There's a really -- well, I shouldn't say it that way. On page 2 of the

Agreement, there's an entry under paragraph 1 and 2 about dismissal of certain charges and about potential time that you have served and/or will serve on Case No. 20TR01961. And I believe that's in Justice Court, Counsel; is that correct?

MR. MARTINEZ: That's correct, Judge.

THE COURT: And these all really have to do with the misdemeanors. And I just want to make sure that you understand all of the things that the State has agreed to there. Do you feel like you do?

THE DEFENDANT: I believe so, Judge.

THE COURT: Okay.

MR. MARTINEZ: And, Your Honor, for the Court's edification, we were in Justice Court yesterday and went through with that first part of the deal. He did enter his no contest plea to the misdemeanor there, and he was given his six months credit on that case. So the remaining counts that were still out there will all be dismissed pursuant to these negotiations.

THE COURT: Okay, great. So all of that stuff that you're agreeing to has already been accomplished anyway, Mr. Helfrich; right?

THE DEFENDANT: Correct, Judge.

THE COURT: Okay. Now, so we're talking

about what the State has promised you. And there are also some commitments that you have made, and that is -- that includes, that you will meet with the Department of Parole and Probation as they prepare a Presentence, and you won't miss any meetings with them, and you won't commit any future offenses between now and sentencing, and you won't use any narcotics between now and sentencing, unprescribed narcotics.

And the result of your failure on any of those items could result in the State being able to ignore this Agreement and proceed against you full fledged with regard to sentencing; do you understand that?

THE DEFENDANT: Yes. I just got one quick question for Mr. Martinez.

THE COURT: Sure.

(Counsel and client confer.)

MR. MARTINEZ: Thank you, Judge.

THE COURT: Okay. Mr. Helfrich, other than the promises that you've made and that the State has made that I've talked to you about, all the promises made by either side are contained in this Plea Agreement. And you've told me that you understand that; is that correct?

THE DEFENDANT: Yes, Judge.

THE COURT: Can you tell me what you understand the maximum penalty is in this offense that we're working on today?

THE DEFENDANT: Like from what I comprehend, Your Honor, it can be anywheres between two and ten years, but it also could be probationable. It runs a gamut, I guess.

THE COURT: Right. And also, it also includes a potential maximum $10,000 fine and restitution also; do you understand that?

THE DEFENDANT: Well, like -- okay. I guess -- yeah.

THE COURT: Why don't you go to page 4 with me, Mr. Helfrich.

THE DEFENDANT: Okay. Okay. No more than $10,000.

THE COURT: Right. And then in the next paragraph, it talks about the restitution that you can be required to pay; do you understand that.

THE DEFENDANT: Yeah.

THE COURT: So you're right, a little later on it talks about, in the next paragraph on page 5, this crime is probationable; you can be placed on probation. So you're correct about that. So it does run a gamut from probation to ten years, $10,000 in

restitution. And I just want to make sure that you understand that before we go forward.

THE DEFENDANT: Okay, yes.

THE COURT: Now, the State and you have also agreed to make certain recommendations to me about sentencing. But on the sentence on this case, no one has committed to any particular promise that they intend to make so that both sides will be able to argue fully at the time of sentencing about what they think the appropriate sentence is; do you understand that?

THE DEFENDANT: Yes, sir. And at the end, I may be able to say something too, sir? I mean at the end, at sentencing?

THE COURT: Oh, of course. Of course.

THE DEFENDANT: Okay.

THE COURT: So you understand that?

THE DEFENDANT: Yes, sir.

THE COURT: Okay. Keeping in mind that that maximum sentence of ten years, $10,000 fine, and restitution, along with some administration fees, do you understand that no matter what anybody recommends to me, if I decide that sentence is appropriate, I can impose it?

THE DEFENDANT: Yes, Judge. I'm indigent,

but yes, I understand that.

THE COURT: Yeah. It's really important going forward here, as we are today, Mr. Helfrich, that you understand that no matter what anybody recommends to me, the maximum legal sentence in this case is available to me as one of my choices. I'm not telling you I'm going to do that at all. I'm not telling you that I'm not at all. I'm simply telling you that that's the maximum so that you understand.

THE DEFENDANT: Okay. Yes.

THE COURT: Okay. Now, the Agreement indicates to me that you're continuing to deny criminal liability in this case; although, you've agreed to plead no contest because you believe that the State would be able to prove the case against you under North Carolina versus Alford; is that correct? Do you understand what I'm talking about?

THE DEFENDANT: Yes. There's a potential there that they could present the case and prevail. So there's a risk there, yes, sir.

THE COURT: Okay. Mr. Vitto, would you describe for me the proof the State would have from which Mr. Helfrich could reasonably draw that conclusion?

MR. VITTO: Yes, Your Honor. Obviously, if

we went to trial on this charge, the State would call all of the witnesses necessary, including the victim, law enforcement, percipient witnesses, any photographic evidence, scientific evidence, anything necessary and everything at the Prosecution's disposal to prove to a jury beyond a reasonable doubt that in fact on or about May 27, 2020, that the defendant did commit the crime of Battery With Use of a Deadly Weapon in Pahrump Township, Nye County, Nevada, willfully and unlawfully using force or violence upon the person of Alterio Thornton with a deadly weapon by ramming a vehicle occupied by Alterio Thornton with an Astro van.

THE COURT: And that would obviously include the evidence that was presented at the preliminary hearing; is that correct?

MR. VITTO: Yes, Your Honor.

We did have a preliminary hearing?

MR. MARTINEZ: Uh-huh.

MR. VITTO: I didn't preside -- or preside? -- I wasn't present presenting the prosecution at that preliminary hearing, but yes, absolutely 100 percent.

THE COURT: Well, if you were presiding, it wouldn't have been good for you to present any

evidence so.

MR. VITTO: That's correct. I don't do any presiding.

THE COURT: Okay. Well, I find that it is reasonable for Mr. Helfrich to be concerned about the ability of the State to prove the case beyond a reasonable doubt based on the evidence that I've seen and on Mr. Vitto's recitation, and also my knowledge of Mr. Helfrich who is not a bad judge of what the State holds against him.

So I guess I should have started out at the beginning by saying that I've previously presided over cases of Mr. Helfrich's, and we are acquainted with each other from a bench/table perspective; right, Mr. Helfrich?

THE DEFENDANT: Oh, yes, sir. You were kind enough to let me present pro se at one of the hearings, and I appreciate that.

THE COURT: Okay. Thank you.

Mr. Helfrich, in spite of the fact that you're pleading no contest, I would ask you to briefly, if you will, describe for me what events caused you to be charged with this offense.

THE DEFENDANT: The events?

THE COURT: Mr. Martinez, I'm going to give

you a chance to ask me not to do that. Would you rather me wait for sentencing?

MR. MARTINEZ: I would rather we wait for sentencing, Judge. I know we're going to go into that, and I know that it will not be brief; so I ask that we wait for sentencing before we do that.

THE COURT: Okay. That's fine. I will hear you out, Mr. Helfrich, at sentencing; okay.

THE DEFENDANT: All right. I didn't know it was going to be a bad thing.

THE COURT: No. It's not a bad thing. It's not a bad thing. Do you want to describe to me any more about what evidence there is that caused you to choose the Alford plea, or are you satisfied that I've recited it all?

THE DEFENDANT: Yeah. I'm -- I'm fine -- I'm fine with that. It's just -- I just think it's -- I just think it's for the best given my situation with my ex-wife and stuff that it would just be taken care of in this manner.

THE COURT: Okay, okay. Counsel, I don't take pleas everyday anymore. So, Mr. Vitto, have I covered the plea sufficiently for your satisfaction?

MR. VITTO: Yes, Your Honor. I'm very pleased with the canvass. I want to thank

Mr. Helfrich. I do want to ask one thing, having done quite a few post conviction matters.

On page 8, you will notice, Your Honor, that although signed by the defendant, it is not dated. I would ask that at least the Court's copy that the date be interlineated to reflect the date that Mr. Helfrich actually signed this document.

MR. MARTINEZ: That sounds great, Judge. I went through it and signed it with him yesterday, April 7th, 2021, which is the same date reflected on page 10 where I signed the Guilty Plea Agreement.

THE COURT: Okay. I'm going to authorize and direct the clerk to interlineate the date of April 7th, 2021, on line 7 of page 8 of the presentence -- of the Plea Agreement.

MR. VITTO: Thank you very much, Your Honor.

THE COURT: Mr. Martinez, are you satisfied with the canvass and the entry of the plea?

MR. MARTINEZ: I am, Judge. Just one -- I think we should put one more thing on the record just to be in an abundance of caution, even though it's not particularly relevant. Just make sure that Mr. Helfrich puts on the record he is a U.S. citizen; so there wouldn't be any potential immigration

consequences.

THE COURT: That's correct. You are a U.S. citizen; is that correct, Mr. Helfrich?

THE DEFENDANT: I'm an American national, sir.

THE COURT: Yeah, I know that. You were born here, though; right?

THE DEFENDANT: Yeah, on the soil.

THE COURT: You were born within the confines of the U.S.?

THE DEFENDANT: On the soil, yeah.

THE COURT: Yeah; okay.

THE DEFENDANT: But I'm not a citizen per se, but an American national. It's a little different.

MR. MARTINEZ: Where were you born?

THE COURT: Yeah. I understand that. But you haven't -- you're not a citizen of any other nation either, are you?

THE DEFENDANT: No. Not yet, Judge, no.

THE COURT: Okay. I'm going to -- first, I'm going to accept that Mr. Helfrich is, according to the law of the State of Nevada and the Constitution and laws of the United States, would be deemed to be a U.S. citizen as opposed to a citizen of any other

nation.

And I'm also going to accept that the plea has been freely, voluntarily, and intelligently made and order that entered on the record. And I would like to set this over for sentencing. Do we have P and P here with us?

MR. MARTINEZ: Of course not.

THE BAILIFF: No, Your Honor.

THE COURT: Is there a recognized time frame for getting a PSI?

THE CLERK: Usually about 60 days.

THE COURT: Okay. So go ahead and set a sentencing date then.

THE CLERK: I guess it would be at your indulgence, I would guess.

MR. MARTINEZ: Sixty days.

THE BAILIFF: Sixty days out, Your Honor.

THE COURT: I'm very indulging so... So that would be?

THE CLERK: End of June, beginning of July.

THE COURT: How about the second week of June?

THE BAILIFF: We're looking at June 23rd, 2021, Your Honor. Is that good for you?

THE COURT: I don't know. Let me look.

Yeah, that's fine. June 23rd?

THE BAILIFF: Yes, Your Honor.

THE COURT: At 10:00 a.m.?

THE CLERK: Yes. That's fine.

THE BAILIFF: That's fine, Your Honor.

MR. VITTO: Thank you.

THE COURT: Okay. That will be the order.

And, Mr. Helfrich, as you know, you've already committed to cooperating with the Department of Parole and Probation as they prepare a Presentence Investigation. I know that you already know the importance of that, and so I'm just trusting you to do that. Okay?

THE DEFENDANT: Okay. If I have any questions, I will ask you.

THE COURT: Right, right. Okay. Anything further, Counsel?

MR. VITTO: Thank you, Your Honor.

MR. MARTINEZ: I don't believe so, Judge. Thank you.

THE COURT: Thank you. We'll be in recess.

MR. MARTINEZ: I'm sorry, Judge, there is one thing further.

THE COURT: Oh, sure.

MR. MARTINEZ: I apologize, Your Honor. As

the standard --

THE COURT: Too late.

MR. MARTINEZ: -- that I do in this situation, I know that bail was previously set. Since he has entered his plea here and it disposes of most of the charges, I was just going to ask the Court to reduce the bail at this time down to the what the standard bail would be for this charge.

THE COURT: What is -- what would the standard -- what is the bail now, and what would the standard be?

MR. MARTINEZ: Your Honor, if I'm not mistaken, bail is currently set at $27,000 cash or bond. So I would ask the Court to reduce it down to $10,000 cash or bond.

THE COURT: Mr. Vitto?

MR. VITTO: Your Honor, it's my understanding having pled to the charge and sentencing being set, that bail is no longer mandatory. I frankly don't think it's in Mr. Helfrich's best interest to reduce the bail further. I don't think the $27,000 under the facts and circumstances of the case is untoward, and I would ask that the motion -- the oral motion to reduce bail be denied.

THE COURT: I also want to make sure I'm

correct in this. Mr. Helfrich was previously out, either on his own recognizance or some bail amount, and was thereafter re-arrested for a couple of different release violations. And based upon that and -- based upon that alone really, I'm going to leave bail where it is. The motion for reduction of bail will be denied.

MR. MARTINEZ: Thank you, Your Honor.

THE COURT: Anything further, Counsel?

MR. MARTINEZ: No, Judge.

THE COURT: Mr. Martinez, Mr. Vitto, thank you very much. Mr. Helfrich, thank you. It's nice to see you again.

MR. VITTO: Thank you, Your Honor.

MR. MARTINEZ: Your Honor, thank you.

THE COURT: Thank you.

THE BAILIFF: All rise.

(The proceedings concluded at 10:30 a.m.)

(Senior Judge Gamble having appeared on video via BlueJeans. All other parties present in the courtroom.)

REPORTER'S CERTIFICATE

STATE OF NEVADA)
) ss
COUNTY OF NYE)

I, Cecilia D. Thomas, official reporter of the Fifth Judicial District Court of the State of Nevada, in and for the County of Nye, do hereby certify:

That I reported the taking of the proceedings at the time and place aforesaid;

That I thereafter transcribed my said shorthand notes into typewriting, and that the typewritten transcript of said proceedings is a complete, true, and accurate record of statements provided by the parties at said time, to the best of my ability.

I further certify that I am not a relative, employee, or independent contractor of counsel of any of the parties involved in said action; nor a person financially interested in the action; nor do I have any other relationship with any of the parties or with counsel of any of the parties involved in the action that may reasonably cause my impartiality to be questioned.

IN WITNESS WHEREOF, I have hereunto set my hand in the County of Nye, State of Nevada, this 9th day of April 2021.

Cecilia D. Thomas

Cecilia D. Thomas,
RPR, CCR No. 712

20CR01449 CR20-0145

5th Judicial District Court of Nye County, Nevada

Indigent File Stamped Copy Required & Requested

FIFTH JUDICIAL DISTRICT
APR 21 2021
Nye County Clerk
Deputy

State of Nevada

v.

PETER HELFRICH©
:peter-j:helfrich
Private Attorney General

Affidavit of Judicial Notice of Mitigating Facts Contained in Preliminary Hearing Transcripts case# 20CR01449

YOU WILL PLEASE TAKE JUDICIAL NOTICE THAT

1: The Key EXCUSE Alterio Thornton & Isela Nino used to Justify taking the LAW into their own hands (May 27, 2020) by tailgaiting (the Astro Van); attempting to force the Astro Van to stop via intimidating us with a gun; etc., was simply to allegedly obtain the License Plate Number of Maria Sanchez's Astro Van. Maria lived /parked said Astro Van at Alvin Thornton's (Google: PV Times Alvin Thornton Domestic Battery with a Deadly Weapon /Strangulation) Wilson Road property; they had the opportunity to obtain said License Plate Number without engaging in a TAILGAITING/HIGHWAY CHASE. A NCSO Deputy told Maria Sanchez & this Affiant to drive back to Said Scene (Wilson Road) and park across the street & wait for a Deputy to file Assault Charges Vs. Alvin Thornton for attacking Maria.

See P. 12, line(s) 1: Alterio Thornton A. "I don't see the effing cops, who the ef is that"

Alterio referring to this Affiant freaking out because the NCSO Deputy promised us a Deputy would BE AT THE SCENCE; instead we were AMBUSHED!

See P. 12, line(s) 10: "he hit the u-turn and he [Pete Helfrich] was driving away."

See P. 12 lines 16-19: Q. Did you know - and you asked your dad if he knew the license plate number..... (@ Lines 18-19) A. "it was actaally the lady's van"... So why did Alterio need to chase us and road rage us? See P. 13 Lines 14-16: A. "I just got into the car to take a picture of the licence plates and was going to leave from there, was going to go to Walmart and go back home" ← Why not drive to NCSO station? Isela Nino claimed (P. 82 lines 4-10) Alvin Thornton called the Sheriff's; So why [?] did She need to conduct a high speed chase to get the License Plates of Marias Astro van?... See P. 82 Lines 4-10:

1