

OFFICIAL RECORD

Requested By:
DC/DISTRICT ATTORNEY

Assessor's Parcel Number: 1420-26-301-020

Recording Requested By:

Name: Mark Jackson, Douglas County District Attorney

Address: PO Box 218

City/State/Zip: Minden, Nevada 89423

Douglas County - NV
Karen Ellison - Recorder

Page: 1 of 10 Fee: 0.00
BK-0908 PG- 4625 RPTT: 0.00



Mail Tax Statement to:

Name: _____

Address: _____

City/State/Zip: _____

Real Property Transfer Tax: \$0

X I the undersigned hereby affirm that this document submitted for recording does not contain the social security number of any person or persons. (Per NRS 239B.030)

Mark Jackson
Signature
(Print name under signature)

District Attorney
Title

WITHDRAWAL OF NOTICE OF LIS PENDENS
(Title of Document)

*This page added to provide additional information required by NRS 111.312 Sections 1-4.
(Additional recording fees apply).*

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Case No.07-CV-0010

Dept. No. II

This document does not contain
personal information of any person

IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF DOUGLAS

DOUGLAS COUNTY, a political subdivision
of the STATE OF NEVADA, and the
DOUGLAS COUNTY SHERIFF'S
DEPARTMENT,

Plaintiffs,

vs.

A single family residence located at 2861 East
Valley Road, Minden, Douglas County,
Nevada, Assessor's Parcel Number 1420-26-
301-020, \$2,136 in U.S. currency, a 1996
Toyota pickup with Nevada license 922 PEV,
V.I.N. 4TAPM62NXTZ147775,

Defendant Property,

and

THOMAS BARTOW MURRAY,
NADINE MURRAY

Real Parties in Interest

**WITHDRAWAL OF NOTICE
OF LIS PENDENS**

Based upon Conditional Withdrawal of Notice of Lis Pendens and the Guilty Plea
Agreement filed on December 4, 2007 in Case No. 07-CR-0146 and signed by the parties,
copies of which are attached, the Notice of Lis Pendens filed on January 12, 2007, is
withdrawn.

///
///

Douglas County District Attorney
Post Office Box 218
Minden, Nevada 89423
(775) 782-9800 Fax (775) 782-9807

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The premises affected by this action are in the County of Douglas, state of Nevada,
described as follows:

All that certain lot, piece or parcel of land situate in the County of Douglas, State of
Nevada, described as follows:

2861 East Valley Road, Minden, Douglas County, Nevada
Assessor's parcel number 1420-26-301-020

DATED this 19 day of September, 2008.

By Mark B. Jackson
MARK B. JACKSON
DISTRICT ATTORNEY
PO BOX 218
MINDEN, NV 89423
(775)782-9803
ATTORNEYS FOR PLAINTIFF

Douglas County District Attorney
Post Office Box 218
Minden, Nevada 89423
(775) 782-9800 Fax (775) 782-9807

1 Case No.07-CV-0010

2 Dept. No. II

3 This document does not contain
4 personal information of any person

5
6 IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
7 IN AND FOR THE COUNTY OF DOUGLAS

8
9 DOUGLAS COUNTY, a political subdivision
10 of the STATE OF NEVADA, and the
11 DOUGLAS COUNTY SHERIFF'S
DEPARTMENT,

12 Plaintiffs,
13 vs.

14 A single family residence located at 2861 East
15 Valley Road, Minden, Douglas County,
16 Nevada, Assessor's Parcel Number 1420-26-
301-020, \$2,136 in U.S. currency, a 1996
Toyota pickup with Nevada license 922 PEV,
V.I.N. 4TAPM62NXTZ147775,

17 Defendant Property,

18 and

19 THOMAS BARTOW MURRAY,
20 NADINE MURRAY

21 Real Parties in Interest

22
23 **CONDITIONAL**
24 **WITHDRAWAL OF NOTICE**
25 **OF LIS PENDENS**

26 Based upon the Guilty Plea Agreement filed on December 4, 2007 in Case No. 07-CR-
27 0146 and signed by the parties, a copy of which is attached, the Notice of Lis Pendens filed on
28 January 12, 2007, is withdrawn on the condition that Douglas County receives \$110,000.00 at
the close of escrow on September 19, 2008.

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Douglas County District Attorney
Post Office Box 218
Minden, Nevada 89423
(775) 782-9800 Fax (775) 782-9807

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The premises affected by this action are in the County of Douglas, state of Nevada,
described as follows:

All that certain lot, piece or parcel of land situate in the County of Douglas, State of
Nevada, described as follows:

2861 East Valley Road, Minden, Douglas County, Nevada
Assessor's parcel number 1420-26-301-020

DATED this 18 day of September, 2008.

By Mark B Jackson
MARK B. JACKSON
DISTRICT ATTORNEY
PO BOX 218
MINDEN, NV 89423
(775)782-9803
ATTORNEYS FOR PLAINTIFF

Douglas County District Attorney
Post Office Box 218
Minden, Nevada 89423
(775) 782-9800 Fax (775) 782-9807

1 Case No. 07-CR-0146
2 Dept. No. One

NO. _____
FILED 12/4/07 9:46 am
BARBARA J. GRIFFIN
COUNTY CLERK
BY [Signature]
DEPUTY

4 This document does not contain the personal information of any person.

6 **IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
7 **IN AND FOR THE COUNTY OF DOUGLAS**

9 THE STATE OF NEVADA,
10 Plaintiff,
11 vs.
12 W.D.
Thomas Barton Murray,
13 Defendant

GUILTY PLEA AGREEMENT

GUILTY PLEA AGREEMENT

15 I hereby agree to plead guilty to: Attempted Maintaining a Place for the Unlawful
16 Selling of Controlled Substances, a category C Felony in violation of NRS 193.330 and NRS
17 453.316, as more fully alleged in the Information which is attached hereto .

18 My decision to plead guilty is based upon the plea agreement in this case which is as
19 follows: In exchange for my plea of guilty to the above charge, the State has agreed to not
20 oppose probation if drug court is a condition of the probation. If I desire not to attend drug
21 court, the State will concur with the Department of Parole and Probation recommendation.

22 I also agree that on or before the date set for my sentencing, I will pay the Douglas
23 County Sheriff's Office the sum of \$110,000 in lieu of forfeiture proceedings on my real
24 property located at 2861 East Valley Road in Douglas County, Nevada. I also agree that I have
25 arranged for the sale of the property to be completed on or before the date set for my
26 sentencing, and that I will never reside at nor own, entirely or partially, the real property
27 described above at 2861 East Valley Road.

28

1 I understand that at the time of sentencing the State may present arguments, facts, and/or
2 witnesses in support of the plea agreement.

3
4 **CONSEQUENCES OF THE PLEA**

5 I understand that by pleading guilty I admit the facts which support all the elements of
6 the offenses to which I now plead as set forth in the Information. I admit that the State
7 possesses sufficient evidence which would result in my conviction.

8 I understand that as a consequence of my plea of guilty I may be imprisoned for a
9 period of not more than five years and that I may be fined up to \$10,000. I understand that the
10 law requires me to pay an administrative assessment fee.

11 I understand that, if appropriate, I will be ordered to make restitution to the victim(s) of
12 the offenses to which I am pleading guilty and to the victim(s) of any related offense(s) which
13 are being dismissed or not prosecuted pursuant to this agreement. I will also be ordered to
14 reimburse the State of Nevada for expenses related to my extradition, if any.

15 I understand that I am eligible for probation for the offense to which I am pleading
16 guilty. I understand that, except as otherwise provided by statute, the question of whether I
17 receive probation is in the discretion of the sentencing judge.

18 I understand that, except as otherwise provided by statute, if more than one sentence of
19 imprisonment is imposed the sentencing judge has the discretion to order the sentences to be
20 served concurrently or consecutively. My attorney has explained the terms concurrent and
21 consecutive and I understand their meaning as it relates to sentencing.

22 I understand and agree that the State, at their discretion, is entitled to either withdraw
23 from this agreement and proceed with the prosecution of the original charge(s) or be free to
24 argue for an appropriate sentence at the time of the sentencing hearing if I fail to appear at any
25 scheduled court proceeding in this matter, if I am arrested for a violation of law in any
26 jurisdiction prior to my sentencing hearing, if I violate any of my bail conditions, or if I have
27 misrepresented my criminal history. I represent that I have 2 prior felony convictions. I
28 understand and agree that the occurrence of any of these acts constitutes a material breach of



1 my guilty plea agreement with the State. I further agree to waive any right I may have to
2 remand this matter to Justice Court should this agreement be set aside for any reason.

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

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

9 I understand that the Division of Parole and Probation of the Department of Public
10 Safety may or will prepare a report for the sentencing judge before sentencing. This report will
11 include matters relevant to the issue of sentencing, including my criminal history. I understand
12 that this report may contain hearsay information regarding my criminal history and the facts
13 and circumstances related to the offense(s). My attorney and I will each have the opportunity
14 to comment on the information contained in the report at the time of sentencing.

15
16 **WAIVER OF RIGHTS**

17 By entering my plea of guilty, I understand that I have waived the following rights and
18 privileges:

19 1. The constitutional privilege against self-incrimination, including the right to refuse
20 to testify at trial, in which event the prosecution would not be allowed to comment to the jury
21 about my refusal to testify.

22 2. The constitutional right to a speedy and public trial by an impartial jury, free of
23 excessive pretrial publicity prejudicial to the defenses, at which trial I would be entitled to the
24 assistance of an attorney, either appointed or retained. At trial, the State would bear the burden
25 of proving beyond a reasonable doubt each element of the offense(s) charged.

26 3. The constitutional right to confront and cross-examine any witnesses who would
27 testify against me.

28 4. The constitutional right to subpoena witnesses to testify on my behalf.

- 1 5. The constitutional right to testify in my own defense,
- 2 6. The right to appeal the conviction, with the assistance of an attorney, either
- 3 appointed or retained, unless the appeal is based upon reasonable constitutional, jurisdictional
- 4 or other grounds that challenge the legality of the proceedings and except as otherwise provided
- 5 in subsection 3 of NRS 174.035.

6

7 **VOLUNTARINESS OF PLEA**

8 I have discussed the elements of all the original charges against me with my attorney

9 and I understand the nature of these charges against me.

10 I understand that the State would have to prove each element of the charge(s) against

11 me at trial.

12 I have discussed with my attorney any possible defenses and circumstances which

13 might be in my favor.

14 All of the foregoing elements, consequences, rights and waiver of rights have been

15 thoroughly explained to me by my attorney.

16 I believe that pleading guilty and accepting this plea bargain is in my best interest and

17 that a trial would be contrary to my best interest.

18 I understand that this plea and resulting conviction may have adverse effects upon my

19 residency in this country if I am not a United States citizen.

20 I am signing this agreement voluntarily, after consultation with my attorney and I am

21 not acting under duress or coercion or by virtue of any promises of leniency, except for those

22 set forth in this agreement.

23 I am not now under the influence of intoxicating liquor, a controlled substance or other

24 drug which would in any manner impair my ability to comprehend or understand this

25 agreement or the proceedings surrounding my entry of this plea.

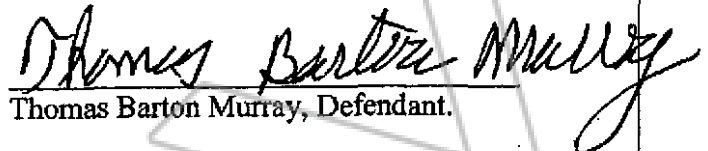
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1 My attorney has answered all my questions regarding this guilty plea agreement and its
2 consequences to my satisfaction and I am satisfied with the services provided by my attorney.

3 DATED this 12/4 day of 2007

4
5 
6 Thomas Barton Murray, Defendant.

7
8 Agreed to on this 4th day of December, 2007

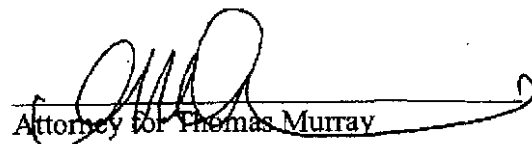
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11 Assistant District Attorney

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13 **CERTIFICATE OF COUNSEL**

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

- 16 1. I have fully explained to the defendant the allegations contained in the charges to
17 which guilty pleas are being entered.
- 18 2. I have advised the defendant of the penalties for each charge and the restitution that
19 the defendant may be ordered to pay.
- 20 3. All pleas of guilty offered by the defendant pursuant to this agreement are consistent
21 with all the facts known to me and are made with my advice to the defendant and are in the bet
22 interest of the defendant.

23 DATED this 5 day of December, 2007.

24
25 
26 Attorney for Thomas Murray