

1 RENE L. VALLADARES
 Federal Public Defender
 Nevada Bar No. 11479
 2 DAVID ANTHONY
 Assistant Federal Public Defender
 Nevada Bar No. 007978
 3 David_anthony@fd.org
 STACY M. NEWMAN
 Assistant Federal Public Defender
 Nevada Bar No. 14245
 4 Stacy_newman@fd.org
 411 E. Bonneville, Ste. 250
 5 Las Vegas, Nevada 89101
 (702) 388-6577
 6 (702) 388-5819 (fax)

9 Attorneys for Petitioner

10 UNITED STATES DISTRICT COURT
 11 DISTRICT OF NEVADA
 12

13 KEVIN JAMES LISLE,

14 Petitioner,

15 v.

16 WILLIAM GITTERE, Warden, Ely State
 Prison, AARON FORD, Nevada Attorney
 17 General,

18 Respondents.

Case No. 2:03-cv-01006-MMD-DJA

**STIPULATION AND PROPOSED
 ORDER**

(DEATH PENALTY CASE)

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1 On July 5, 2019, this Court accepted the parties' stipulation "regarding
2 various aspects of the process for a mental health examination of Mr. Lisle for the
3 purposes of determining whether Mr. Lisle is competent to make a waiver of further
4 proceedings and whether his waiver is knowing, intelligent, and voluntary." ECF
5 No. 363 at 6.

6 Paragraph 13 of that stipulation provided:

7 Subject to the availability of documents for the expert to
8 review and the expert's schedule, the parties anticipate
9 the expert could complete the report by December 31,
2019, with the Court scheduling a hearing after
conferring with the parties.

10 *Id.* at 5 ¶13.

11 On November 4, 2019, this Court appointed Dr. Melissa Piasecki to evaluate
12 Mr. Lisle. ECF No. 382.

13 The parties have been working together on complying with the July 5, 2019
14 stipulation, which also included details about how the documents would be
15 prepared, how those documents would be transmitted to the expert, and how the
16 expert's evaluation would be scheduled. *See* ECF No. 363 at 3–5 ¶¶6–12.

17 On December 20, 2019, the parties had a telephone conference with Dr.
18 Piasecki and reached consensus about scheduling the evaluation.

19 IT IS HEREBY STIPULATED AND AGREED that:

20 1. The parties anticipate that Dr. Piasecki will evaluate Mr. Lisle on or
21 around February 9, 2020, or February 10, 2020, depending upon the warden's
22 ability to ensure proper staffing for the evaluation. The parties anticipate that Dr.
23 Piasecki could complete the report by the end of February.

1 2. In all other respects, the parties will continue to comply with the July
2 5, 2019 stipulation.

3 DATED this 23rd day of December, 2019.

4 RENE L. VALLADARES
5 Federal Public Defender

AARON FORD
Nevada Attorney General

6
7 /s/ David Anthony
8 DAVID ANTHONY
9 Assistant Federal Public Defender

/s/ Michael Bonbard
MICHAEL BONGARD
Deputy Attorney General

10 /s/ Stacy M. Newman
11 STACY M. NEWMAN
12 Assistant Federal Public Defender
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1 **ORDER**

2 The parties have submitted a stipulation regarding the scheduling of the
3 mental health examination of Mr. Lisle for purposes of determining whether Mr.
4 Lisle is competent to make a waiver of further proceedings and whether his waiver
5 is knowing, intelligent, and voluntary.

6 Based on the stipulation and for good cause shown, it is hereby ordered that
7 the Court adopts the parties' proposed stipulation dated December 20, 2019.

8 Dated this 6th day of January, 2020.

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12 MIRANDA M. DU
13 UNITED STATES DISTRICT JUDGE
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