

AO 450 (Rev. 5/85) Judgment in a Civil Case ⊕

UNITED STATES DISTRICT COURT

***** DISTRICT OF NEVADA

RICKY NOLAN,

Petitioner,
V.

JUDGMENT IN A CIVIL CASE

CASE NUMBER: 3:09-CV-0188-RCJ-WGC

JACK PALMER, *et al.*,

Respondents.

___ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

___ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

X **Decision by Court.** This action came to be considered before the Court. The issues have been considered and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that the amended petition for a writ of habeas corpus (ECF No. 14) is **DENIED IN ITS ENTIRETY**.

IT IS FURTHER ORDERED that petitioner is **GRANTED A CERTIFICATE OF APPEALABILITY** on the following issues:

- (1) Whether the trial court's admission of Weishaar's posthypnotic testimony was constitutional error;
- (2) If the trial court's admission of Weishaar's posthypnotic testimony was constitutional error, whether the error was harmless; and
- (3) Whether petitioner's convictions for sexual assault and first-degree kidnapping from the Weishaar Trial are supported by sufficient evidence.

September 28, 2012

LANCE S. WILSON
Clerk

/s/ Jennifer Cotter
Deputy Clerk