

1 Code: 3645
2 **Carter R. King, Esq.**
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7 *Attorney for Defendant/Petitioner,*
8 *Michael Durand Schneider*

9
10 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
11
12 **IN AND FOR THE COUNTY OF WASHOE**

13 STATE OF NEVADA,

14 Plaintiff/Respondent,

Case No.: CR19-1821A

Dept. No.: 9

15 v.

16 MICHAEL DURAND SCHNEIDER,

17 Defendant/Petitioner.
18 _____ /

19 **PETITION FOR WRIT OF HABEAS CORPUS (PRE-TRIAL)**

20 COMES NOW, Defendant and Petitioner, MICHAEL DURAND SCHNEIDER, and
21 petitions this Honorable Court for a Writ of Habeas Corpus (Pre-Trial), freeing her from certain
22 bonds and restraints of the State of Nevada as follows:

23 I.

24 Petitioner was charged by Indictment on or about August 28, 2019 with four (4) counts of
25 practicing veterinary medicine without a license, Count I, II, III and IV, violating NRS 638.090 and
26 638.170(2), all Category D felonies.

27 II.

28 The evidence is insufficient to bind Petitioner over on these charges. Specifically:

1 1. Per NRS 638.015(5), Petitioner, as an owner of "Puppies Plus" and the inventory thereof,
2 including the dogs referenced in Counts I, II, and III of the Indictment, are exempt from prosecution
3 on these Counts.

4
5 2. As to Count IV, the evidence presented was that Petitioner had contact with veterinarians
6 and obtained the rabies vaccinations from veterinarians before administering vaccinations. Thus,
7 Petitioner acted as a veterinary technician, not as a veterinarian. As such, the proper charge is NRS
8 638.170(3), a gross misdemeanor, not NRS 638.170(2), a category D felony.

9
10 III.

11 Defendant/Petitioner is in the constructive custody of the State of Nevada, Washoe County,
12 as he has posted the bail. Petitioner has filed the within Petition timely relative to the 21-day period
13 of NRS 34.700(1) and (3).

14
15 IV.

16 Defendant/Petitioner waives the 60-day limitation for bringing him to trial. If the within
17 Petition is not decided within 15 days prior to the date set for trial, Defendant/Petitioner consents
18 that the Court may, without notice or hearing, continue the trial indefinitely or to a date designated
19 by the Court.

20 WHEREFORE, Defendant/Petitioner prays that the Court enter a finding that he is held under
21 illegal restraint or custody viz all counts of the Indictment, and thereupon discharge him from all
22 further custody relative to those counts; that said Indictment be dismissed with prejudice as to
23 Counts I, II, and III, and without prejudice as to Count IV.

24
25 //

26 /

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28 /

AFFIRMATION

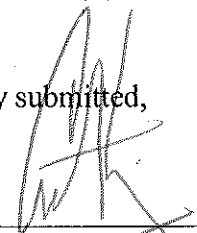
Pursuant to NRS 239B.030

This document does not contain the social security number of any person.

DATED this 17th day of September, 2019.

Respectfully submitted,

By: _____


Carter R. King, Esq.
200 S. Virginia St, 8th Floor
Reno, Nevada 89501

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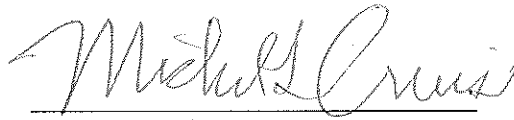
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CERTIFICATE OF SERVICE

The undersigned does hereby certify that they are an employee of Carter R. King, Esq., and that on the ___ day of September, 2019, they caused a true and correct copy of the preceding document to be served electronically upon the necessary parties in interest by way of the Court's E-Flex filing system, addressed as follows:

Christopher Day, Deputy DA
Washoe County District Attorney's Office
1 South Sierra Street
Reno, Nevada 89501
Attorney for the State of Nevada

Richard Cornell, Esq.
RICHARD F. CORNELL, P.C.
150 Ridge Street, 2nd Floor
Reno, Nevada 89501
*Attorney for Defendant/Petitioner
Michael Durand Schneider*


Employee of Carter R. King, Esq.

1
2 VERIFICATION

3 STATE OF NEVADA)
4)ss.
5 COUNTY OF WASHOE)

6 Under penalty of perjury, the undersigned declares that he is the Defendant/Petitioner
7 named in the foregoing PETITION FOR WRIT OF HABEAS CORPUS (PRE-TRIAL) and knows
8 the contents thereof; that the pleading is true to his own knowledge, except where stated on
9 information and belief, and that as to such matter she believes them to be true.

10 DATED this ___ day of September, 2019, and executed under penalty of perjury in Reno,
11 Washoe County.

12 
13 MICHAEL DURAND SCHNEIDER