

ORIGINAL

FILED

1 **OPPS**  
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8 Attorney for Plaintiff

OCT 22 1 28 PM '96

*Josephine...*  
CLERK

DISTRICT COURT  
CLARK COUNTY, NEVADA

8 THE STATE OF NEVADA,  
9 Plaintiff,  
10 -vs-  
11 ROBERT SCOTT LAZAR,  
12 #1228905  
13 Defendant(s).  
14

Case No. C94922  
Dept. No. X  
Docket K

STATE'S OPPOSITION TO DEFENDANT'S PETITION TO WITHDRAW

GUILTY PLEA AND FOR EVIDENTIARY HEARING

DATE OF HEARING: 11/6/96

TIME OF HEARING: 9:00

19 COMES NOW, the State of Nevada, by STEWART L. BELL, District Attorney, through  
20 LESTER QUAM, Deputy District Attorney, and files this STATE'S OPPOSITION TO  
21 DEFENDANT'S PETITION TO WITHDRAW GUILTY PLEA AND FOR EVIDENTIARY  
22 HEARING.

23 This Opposition is made and based upon all the papers and pleadings on file herein, the attached

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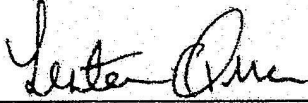
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1 points and authorities in support hereof, and oral argument at the time of hearing, if deemed necessary  
2 by this Honorable Court.

3 DATED this 21 day of October, 1996.

4 Respectfully submitted,

5 STEWART L. BELL  
6 DISTRICT ATTORNEY  
7 Nevada Bar #000477

8 BY   
9 LESTER QUAM  
10 Deputy District Attorney  
11 Nevada Bar #004364

12 **FACTS**

13 Defendant ROBERT SCOTT LAZAR entered a plea of guilty on June 18,1990, to a charge of  
14 pandering. Defendant successfully concluded probation and now seeks to withdraw his guilty plea in  
15 a prophylactic attempt to expunge his felony conviction on the grounds that the guilty plea was  
16 involuntary or that defendant did not have effective assistance of counsel or that the defendant was  
17 suffering from post traumatic stress syndrome from his work with extra-terrestrial aircraft at Area 51.

18 The defendant contends that the plea was deficient in one of the three aforementioned ways  
19 because the government prevented him from obtaining evidence material to his guilt and/or punishment.  
20 The defendant finds himself in this situation because in January, 1990, he began seeing a 46-year-old  
21 prostitute who performed various professional services on him, in return for money. After becoming  
22 more familiar with the prostitute, the defendant, who had a background in computer sciences,  
23 approached the prostitute about setting up a brothel and making it extraordinarily efficient via the use  
24 of his high-tech expertise. Subsequently, the prostitute rented an apartment at 5204 Tamaras, #D, Las  
25 Vegas, Nevada, and the defendant rented the apartment next door, 5204 Tamaras, #C, Las Vegas,  
26 Nevada. The defendant cut a hole in the adjoining wall of the apartments, installed video and audio  
27 surveillance equipment, and also set up computers to monitor the financial aspects of the business. The  
28 defendant was also able to install telephone lines and telephone answering machines within both  
apartments. In return for his high-tech expertise, the defendant was to receive 50% of the profits

1 incurred from the house of prostitution.

2 The aforementioned assertions are backed up by the fact that the defendant organized the house  
3 of prostitution. In fact, his name is found on a lease dated January 9, 1990, in addition to which a  
4 calendar found in the prostitution business office had January 12, 1990, marked on it as "opening day",  
5 and the annotations were in the defendant's handwriting.

6 Further, the defendant took cash payments from the prostitute and helped out in the day to day  
7 operations of the house of ill-repute.

8 Further, the defendant actively recruited other prostitutes to work there, including Judy Jones,  
9 who was a prostitute working at the Chicken Ranch at the time.

10 If that wasn't enough evidence as to the validity of the crimes and the subsequent guilty plea,  
11 the defendant himself has admitted his involvement in court and on television.

12 The defendant now seeks to expunge his criminal conviction by way of post-conviction relief  
13 since he has no other avenue in which to expunge his felony.

14 **POINTS AND AUTHORITIES**

15 **PREJUDICE TO THE STATE**

16 The defendant asserts in his petition that the Federal government has somehow conspired with  
17 the state government to hide evidence that would have exculpated the defendant at the time of his plea.  
18 The defendant contends that because a manifest injustice has occurred that he be allowed, after  
19 sentencing, and after his probation has expired, that in order to correct this terrible injustice he must be  
20 allowed to withdraw his felony conviction and evidently now seeks a jury trial.

21 Alternatively, the defendant contends that his guilt or innocence is not the issue, but rather that  
22 he involuntarily entered into the plea bargain and therefore the fundamental fairness in the Constitution  
23 requires that he be allowed, six years later, to withdraw it. Further, the defendant also contends that he  
24 was suffering from post-traumatic stress disorder after being exposed to extra-terrestrial aircraft in Area  
25 51 that this disorder existed at the time of his guilty plea and that it impaired his ability to make an  
26 appropriate judgment about the legal decision he faced.

27 Nowhere in the defendant's petition does he ever provide evidence or a foundation for the  
28 premise that leads to his conclusion that if he had been able to gain access to his history of work with

1 of the guilty plea, the State would respectfully request that this Court deny the Petitioner's Petition for  
2 Post-Conviction Relief, without an evidentiary hearing.

3 CONCLUSION

4 The defendant contends that this is not a case about the existence of flying saucers, but rather,  
5 a case about fundamental fairness and basic Constitutional rights. Such an assertion contradicts the  
6 defendant's statement that because of his work with what he believed were flying saucers the  
7 government prevented him from obtaining evidence material to his guilt or innocence, so yes, this is a  
8 case about flying saucers, however, the fact that flying saucers and little green men from Mars may or  
9 may not exist, and the possible fact that the defendant may or may not be one of the few Americans to  
10 be able to validate this assertion is all irrelevant to the fact that the defendant made thousands of dollars  
11 by creating a high-tech house of prostitution. The defendant pled guilty to that charge because he was  
12 guilty and because the State was promising probation. The defendant had a highly skilled attorney  
13 representing him, assuming *arguendo* that even if every scrap of evidence that is now available to the  
14 defendant indicating that he worked for Naval Intelligence and that he worked at Los Alamos, was taken  
15 into consideration in the best possible light for the defendant, including the fact that he could bring in  
16 a little green man from Mars to testify that, yes, he had tuned up his spaceship, still doesn't change the  
17 fact that the man set up a high-tech house of prostitution. That's what he pled guilty to, that's what he  
18 was on probation for, and that's what he has to live with.

19 We respectfully request that the felony conviction stand and this Court deny defendant's request  
20 for an evidentiary hearing.

21 DATED this 21 day of October, 1996.

22 Respectfully submitted,

23 STEWART L. BELL  
24 DISTRICT ATTORNEY  
25 Nevada Bar #000477

26 BY 

27 LESTER QUAM  
28 Deputy District Attorney  
Nevada Bar #004364

28 /lib

1                   18.    I retained William Smith, Esq. (Smith). I told Smith of the events  
2 described above and the failed efforts to obtain evidence which might help me. Smith said  
3 that I might as well plead guilty because "all you've got is your word." He explained that I  
4 had no chance of prevailing at trial without the background evidence I and others had tried  
5 to obtain. He also said that if I went to trial without the evidence, I could receive up to ten  
6 (10) years in prison. By then, I had lost the ability to think clearly, function in a normal  
7 manner or make decisions. Because of the events described above, I had basically given up.

8  
9                   19.    The evidence at trial also would have shown that I did not induce,  
10 persuade, encourage, inveigle, entice or compel Toni Bulloch to become a prostitute or to  
11 continue to be a prostitute. Neither did I entice, persuade, encourage or procure anyone to  
12 become a prostitute.

13  
14                   20.    The evidence would have also shown that Toni Bulloch had said that  
15 she had fallen in love with me and was angry when I told her that the feeling was not  
16 mutual.

17  
18                   21.    The court ordered that I undergo treatment with Dr. Suzanne Faust.  
19 In retrospect, I now realize that I was suffering from post traumatic stress syndrome at the  
20 time of my contact with Bulloch and entry of the plea.

21                   22.    Had I been able to obtain the evidence of my background we had  
22 sought, I would not have pled guilty.

23  
24                   23.    The fact that I have a felony conviction has had a profoundly  
25 negative impact on my life, for example: I invented an air proportional alpha-particle  
26 detector which uses a new technology to locate areas of alpha radiation contamination.  
27 Because of my conviction, I cannot obtain radio active materials to test the device. In  
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addition, I own a business that deals with real estate appraisers. In order to expand, I required a real estate appraisal license. Those guilty of a felony are not permitted to be issued a license. Further I would like to be able to get a license to manufacture small rocket motors. This involves the use of high-energy materials and chemicals. The BATF regulates this and it too requires the applicant not be guilty of a felony.

Further affiant saith not.

*Robert S Lazar*  
ROBERT SCOTT LAZAR

SUBSCRIBED and SWORN to before me by Robert Scott Lazar this 20<sup>th</sup> day of June, 1996.

*Kristina R. Rogers*  
Notary Public for said County and State

