

DEPARTMENT 12  
**CASE SUMMARY**  
**CASE NO. C-11-276163-1**

State of Nevada  
vs  
**Bennett Grimes**

§ Location: **Department 12**  
§ Judicial Officer: **Leavitt, Michelle**  
§ Filed on: **09/13/2011**  
§ Cross-Reference Case **C276163**  
§ Number:  
§ Defendant's Scope ID #: **2762267**  
§ Lower Court Case # Root: **11F13012**  
§ Lower Court Case Number: **11F13012A**  
§ Supreme Court No.:

Electronically Filed  
Mar 19 2015 01:24 p.m.  
~~Tracie K. Lindeman~~  
Clerk of Supreme Court

CASE INFORMATION

Offense	Deg	Date	Case Type: <b>Felony/Gross Misdemeanor</b>
1. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON IN VIOLATION OF TEMPORARY PROTECTIVE ORDER	F	07/22/2011	Case Flags: <b>Appealed to Supreme Court Custody Status - Nevada Department of Corrections</b>
2. BURGLARY WHILE IN POSSESSION OF A FIREARM IN VIOLATION OF PROTECTIVE ORDER	F	07/22/2011	
3. BATTERY WITH USE OF A DEADLY WEAPON CONSTITUTING DOMESTIC VIOLENCE RESULTING IN SUBSTANTIAL BODILY..	F	07/22/2011	

**Statistical Closures**

03/04/2013 Jury Trial - Conviction - Criminal

DATE

CASE ASSIGNMENT

**Current Case Assignment**

Case Number	C-11-276163-1
Court	Department 12
Date Assigned	09/13/2011
Judicial Officer	Leavitt, Michelle




PARTY INFORMATION

<b>Defendant</b>	<b>Grimes, Bennett</b>	<i>Lead Attorneys</i> <b>Public Defender</b> <i>Public Defender</i> 702-455-4685(W)
<b>Plaintiff</b>	<b>State of Nevada</b>	<b>Wolfson, Steven B</b> 702-671-2700(W)


DATE

EVENTS & ORDERS OF THE COURT


INDEX


08/25/2011	Bail Set <i>\$1,015,000.00</i>	
09/13/2011	 Criminal Bindover	
09/14/2011	 Information <i>Information</i>	
09/14/2011	 Notice of Change of Hearing	


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09/20/2011  **Initial Arraignment** (1:30 PM) (Judicial Officer: Togliatti, Jennifer)  
Events: 09/13/2011 Criminal Bindover


09/20/2011 **Plea** (Judicial Officer: Leavitt, Michelle)  
1. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON IN VIOLATION OF TEMPORARY PROTECTIVE ORDER  
Not Guilty  
2. BURGLARY WHILE IN POSSESSION OF A FIREARM IN VIOLATION OF PROTECTIVE ORDER  
Not Guilty  
3. BATTERY WITH USE OF A DEADLY WEAPON CONSTITUTING DOMESTIC VIOLENCE RESULTING IN SUBSTANTIAL BODILY..  
Not Guilty


09/21/2011  Amended Information  
*Amended Information*


09/21/2011  Addendum  
*Criminal Bindover Receipts*


10/04/2011  Reporters Transcript  
Filed By: Plaintiff State of Nevada  
*Reporter's Transcript of Preliminary Hearing - Heard 08-25-11*


10/12/2011  Petition for Writ of Habeas Corpus  
Filed by: Defendant Grimes, Bennett  
*Petition for Writ of Habeas Corpus*

10/14/2011  Order for Petition for Writ of Habeas Corpus  
*Order*

10/14/2011  Writ of Habeas Corpus


10/25/2011  Information  
*Second Amended Information*


10/26/2011  Return  
*Return to Writ of Habeas Corpus*

11/03/2011  **Petition for Writ of Habeas Corpus** (8:30 AM) (Judicial Officer: Leavitt, Michelle)  
Events: 10/12/2011 Petition for Writ of Habeas Corpus  
*Petition for Writ of Habeas Corpus*


12/06/2011 **CANCELED Calendar Call** (8:30 AM) (Judicial Officer: Leavitt, Michelle)  
*Vacated*


12/13/2011 **CANCELED Jury Trial** (1:30 PM) (Judicial Officer: Leavitt, Michelle)  
*Vacated*


01/31/2012  Notice of Witnesses and/or Expert Witnesses  
*Notice of Expert Witnesses*


01/31/2012  Notice of Witnesses and/or Expert Witnesses  
*Notice of Witnesses*

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02/09/2012  Order  
Filed By: Plaintiff State of Nevada  
*Order Releasing Medical Records*


02/09/2012  Ex Parte Motion  
*Ex Parte Motion For Release Of Medical Records*

02/22/2012  Notice of Witnesses and/or Expert Witnesses  
*Supplemental Notice of Expert Witnesses*


02/27/2012  Motion to Continue Trial  
Filed By: Defendant Grimes, Bennett  
*Motion to Continue Trial Date*


03/20/2012 **Calendar Call (8:30 AM)** (Judicial Officer: Leavitt, Michelle)


03/20/2012 **Motion to Continue Trial (8:30 AM)** (Judicial Officer: Leavitt, Michelle)  
Events: 02/27/2012 Motion to Continue Trial  
*Motion to Continue Trial Date*


03/20/2012  **All Pending Motions (8:30 AM)** (Judicial Officer: Leavitt, Michelle)


03/27/2012 **CANCELED Jury Trial (1:30 PM)** (Judicial Officer: Leavitt, Michelle)  
*Vacated - per Judge*


05/25/2012  Motion for Discovery  
*Motion For Discovery*


05/29/2012  Notice of Witnesses and/or Expert Witnesses  
*Second Supplemental Notice of Expert Witnesses*

06/05/2012  Motion  
*Defendant's Motion to Dismiss For Failure to Gather Evidence*


06/05/2012  Response  
*State's Response to Defendant's Motion for Discovery*


06/07/2012  **Motion for Discovery (8:30 AM)** (Judicial Officer: Leavitt, Michelle)  
*Defendant's Motion for Discovery*

06/12/2012  **Calendar Call (8:30 AM)** (Judicial Officer: Leavitt, Michelle)

06/12/2012  Motion to Continue Trial


06/19/2012 **CANCELED Jury Trial (1:30 PM)** (Judicial Officer: Leavitt, Michelle)  
*Vacated - per Judge*

07/18/2012  Opposition  
*State's Opposition to Defendant's Motion to Dismiss for Failure to Gather Evidence*


07/19/2012  **Motion to Dismiss (8:30 AM)** (Judicial Officer: Leavitt, Michelle)  
**07/19/2012, 07/31/2012, 08/14/2012, 08/23/2012, 09/13/2012**


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*Defendant's Motion to Dismiss for Failure to Gather Evidence*


08/21/2012	<b>CANCELED Calendar Call</b> (8:30 AM) (Judicial Officer: Leavitt, Michelle) <i>Vacated - per Judge</i>
08/28/2012	<b>CANCELED Jury Trial</b> (1:30 PM) (Judicial Officer: Leavitt, Michelle) <i>Vacated - per Judge</i>
09/19/2012	 Notice of Witnesses and/or Expert Witnesses <i>Supplemental Notice of Expert Witnesses (NRS 174.234 (2))</i>
10/02/2012	 Notice of Witnesses and/or Expert Witnesses <i>Defendant's Notice Of Witnesses, Pursuant To NRS 174.234</i>
10/02/2012	 <b>Calendar Call</b> (8:30 AM) (Judicial Officer: Leavitt, Michelle)
10/02/2012	 Motion Filed By: Defendant Grimes, Bennett <i>Defendant's Motion In Limine To Preclude Introduction Of Temporary Protective Order At Trial</i>
10/04/2012	 Notice of Witnesses and/or Expert Witnesses <i>Supplemental Notice of Witnesses</i>
10/09/2012	<b>CANCELED Jury Trial</b> (1:30 PM) (Judicial Officer: Leavitt, Michelle) <i>Vacated - per Judge</i>
10/10/2012	 <b>Jury Trial</b> (10:30 AM) (Judicial Officer: Leavitt, Michelle) <b>10/10/2012-10/12/2012, 10/15/2012</b>
10/10/2012	<b>Motion in Limine</b> (10:30 AM) (Judicial Officer: Leavitt, Michelle) <i>Defendant's Motion in Limine to Preclude Introduction of Temporary Protective Order at Trial</i>
10/10/2012	<b>All Pending Motions</b> (10:30 AM) (Judicial Officer: Leavitt, Michelle)
10/10/2012	 Amended Information Filed By: Plaintiff State of Nevada <i>Third Amended Information</i>
10/10/2012	 Jury List <i>Jury</i>
10/15/2012	 Amended Jury List <i>Amended Jury</i>
10/15/2012	 Instructions to the Jury <i>Instructions to the Jury (Instruction No. 1)</i>
10/15/2012	 Verdict Party: Plaintiff State of Nevada
10/22/2012	 Motion for New Trial <i>Motion For New Trial</i>


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10/23/2012  Notice  
*Notice of Intent to Seek Punishment as a Habitual Criminal*

11/05/2012  Opposition  
*State's Opposition to Defendant's Motion for a New Trial*

11/06/2012  **Motion for New Trial** (8:30 AM) (Judicial Officer: Leavitt, Michelle)  
*Defendant's Motion for New Trial*

12/12/2012  PSI

12/18/2012  **Sentencing** (8:30 AM) (Judicial Officer: Leavitt, Michelle)  
**12/18/2012, 02/07/2013, 02/12/2013**  
*SENTENCING (JURY VERDICT)*

12/18/2012  PSI - Misc  
*Defendant's Statement*

02/12/2013 **Disposition** (Judicial Officer: Leavitt, Michelle)  
1. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON IN VIOLATION OF TEMPORARY PROTECTIVE ORDER  
Guilty  
2. BURGLARY WHILE IN POSSESSION OF A FIREARM IN VIOLATION OF PROTECTIVE ORDER  
Guilty  
3. BATTERY WITH USE OF A DEADLY WEAPON CONSTITUTING DOMESTIC VIOLENCE RESULTING IN SUBSTANTIAL BODILY..  
Guilty

02/12/2013 **Sentence** (Judicial Officer: Leavitt, Michelle)  
1. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON IN VIOLATION OF TEMPORARY PROTECTIVE ORDER  
Adult Adjudication  
Sentenced to Nevada Dept. of Corrections  
Term: Minimum:8 Years, Maximum:20 Years  
Consecutive Enhancement:for Use of Deadly Weapon, Minimum:5 Years, Maximum:15 Years

02/12/2013 **Sentence** (Judicial Officer: Leavitt, Michelle)  
2. BURGLARY WHILE IN POSSESSION OF A FIREARM IN VIOLATION OF PROTECTIVE ORDER  
Adult Adjudication  
Sentenced to Nevada Dept. of Corrections  
Term: Minimum:8 Years, Maximum:20 Years  
Concurrent: Charge 1  
Comments: Deft Sentenced Under the Small Habitual Criminal Statute

02/12/2013 **Sentence** (Judicial Officer: Leavitt, Michelle)  
3. BATTERY WITH USE OF A DEADLY WEAPON CONSTITUTING DOMESTIC VIOLENCE RESULTING IN SUBSTANTIAL BODILY..  
Adult Adjudication  
Sentenced to Nevada Dept. of Corrections  
Term: Minimum:8 Years, Maximum:20 Years  
Consecutive: Charge 1 & 2  
Credit for Time Served: 581 Days  
Comments: Deft Sentenced Under the Small Habitual Criminal Statute  
Fee Totals:  
Administrative  
Assessment Fee --- 25.00  
Crim fee sch

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DNA Analysis Fee	
--- Crim fee sch -	150.00
\$150	
Fee Totals \$	175.00














- 02/21/2013  Judgment of Conviction  
*Judgment Of Conviction (Jury Trial)*
- 03/04/2013  Criminal Order to Statistically Close Case  
*Criminal Order To Statistically Close Case*
- 03/18/2013  Notice of Appeal (criminal)  
*Notice of Appeal*
- 03/18/2013  Case Appeal Statement  
*Case Appeal Statement*
- 03/18/2013  Request  
*Request for Rough Draft Transcript*
- 04/09/2013  Recorders Transcript of Hearing  
*Recorder's Transcript of Hearing Re: Arraignment September 20, 2011*
- 04/16/2013  Recorders Transcript of Hearing  
*Recorder's Transcript Re: Status Check: The Defendant's Motion to Dismiss for Failure to Gather Evidence Thursday, August 23, 2012*
- 04/19/2013  Recorders Transcript of Hearing  
*Transcript of Proceedings: Sentencing -- Thursday, February 7, 2013*
- 04/24/2013  Recorders Transcript of Hearing  
*Recorder's Transcript Re: Defendant's Petition for Writ of Habeas Corpus 11/03/11*
- 04/24/2013  Recorders Transcript of Hearing  
*Recorder's Transcript Re: Defendant's Motion to Dismiss for Failure to Gather Evidence 07/19/12*
- 04/26/2013  Recorders Transcript of Hearing  
*Rough Draft Recorder's Transcript of Defendant's Motion for Discovery June 7, 2012*
- 04/26/2013  Recorders Transcript of Hearing  
*Rough Draft Recorder's Transcript of Calendar Call June 12, 2012*
- 04/26/2013  Recorders Transcript of Hearing  
*Rough Draft Recorder's Transcript of Defendant's Motion to Dismiss for Failure to Gather Evidence*
- 04/26/2013  Recorders Transcript of Hearing  
*Rough Draft Recorder's Transcript of Defendant's Motion to Dismiss for Failure to Gather Evidence September 13, 2012*
- 04/26/2013  Recorders Transcript of Hearing  
*Rough Draft Recorder's Transcript of Sentencing December 18, 2012*

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- 04/26/2013  Recorders Transcript of Hearing  
*Recorder's Transcript RE: Defendant's Motion to Continue Trial Date March 20, 2012*
- 04/26/2013  Recorders Transcript of Hearing  
*Recorder's Transcript RE: Defendant's Motion to Dismiss for Failure to Gather Evidence July 31, 2012*
- 04/26/2013  Recorders Transcript of Hearing  
*Recorder's Transcript RE: Calendar Call*
- 04/26/2013  Recorders Transcript of Hearing  
*Recorder's Transcript RE: Defendant's Motion for New Trial November 6, 2012*
- 05/07/2013  Recorders Transcript of Hearing  
*Transcript of Proceedings: Sentencing -- 2-12-13*
- 06/04/2013  Recorders Transcript of Hearing  
*Transcript of Proceedings Jury Trial - Day 2 October 11, 2012*
- 06/04/2013  Recorders Transcript of Hearing  
*Transcript of Proceedings Jury Trial - Day 3 October 12, 2012*
- 06/04/2013  Recorders Transcript of Hearing  
*Transcript of Proceedings Jury Trial - Day 4 October 15, 2012*
- 06/04/2013  Recorders Transcript of Hearing  
*Transcript of Proceedings Jury Trial - Day 1 October 10, 2012*
- 09/09/2013  Motion  
*Defendant's Motion To Correct Illegal Sentence*
- 09/23/2013  Opposition to Motion  
*State's Opposition to Defendant's Motion to Correct Illegal Sentence*
- 09/24/2013  Motion  
*Defendant's Motion To Strike As Untimely The State's Opposition To Defendant's Motion To Correct Illegal Sentence*
- 09/26/2013 **Motion to Correct Sentence** (8:30 AM) (Judicial Officer: Leavitt, Michelle)  
**09/26/2013, 10/03/2013**  
*Defendant's Motion To Correct Illegal Sentence*
- 09/26/2013 **Motion to Strike** (8:30 AM) (Judicial Officer: Leavitt, Michelle)  
**09/26/2013, 10/03/2013**  
*Defendant's Motion To Strike As Untimely The State's Opposition To Defendant's Motion To Correct Illegal Sentence*
- 09/26/2013  **All Pending Motions** (8:30 AM) (Judicial Officer: Leavitt, Michelle)
- 10/03/2013  **All Pending Motions** (8:30 AM) (Judicial Officer: Leavitt, Michelle)
- 10/03/2013  Reply in Support

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*DEFT'S REPLY IN SUPPORT OF MOTION TO CORRECT ILLEGAL SENTENCE*

10/03/2013	 Reply <i>State's Surreply in Support of Opposition to Defendant's Motion to Correct Illegal Sentence</i>
03/27/2014	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>Nevada Supreme Court Clerk's Certificate Judgment - Affirmed</i>
11/21/2014	 Order <i>Order for Transcript</i>
12/19/2014	 Recorders Transcript of Hearing <i>Thursday, October 3, 2013 Recorder's Transcript Re: Defendant's Motion to Correct Illegal Sentence Defendant's Motion to Strike as Untimely the State's Opposition to Defendant's Motion to Correct Illegal Sentence October 3, 2013</i>
02/10/2015	 <b>Request</b> (8:30 AM) (Judicial Officer: Leavitt, Michelle) <b>02/10/2015, 02/17/2015</b> <i>Defendants Status Check on Court's Order (Defendant's Motion to Correct Illegal Sentence)</i>
02/20/2015	 Inmate Filed - Petition for Writ of Habeas Corpus Party: Defendant Grimes, Bennett <i>Petition for Writ of Habeas Corpus (Post Conviction)</i>
02/20/2015	 Motion for Appointment of Attorney Filed By: Defendant Grimes, Bennett <i>Motion to Appoint Counsel</i>
02/26/2015	 <b>Minute Order</b> (3:00 AM) (Judicial Officer: Leavitt, Michelle)
03/02/2015	 Motion <i>Motion to Withdraw Due to Conflict and Motion to Appoint New Counsel</i>
03/16/2015	 Notice of Appeal (criminal) <i>Notice of Appeal</i>
03/16/2015	 Case Appeal Statement <i>Case Appeal Statement</i>
03/16/2015	 Request <i>Request for Rough Draft Transcript</i>
03/18/2015	 Recorders Transcript of Hearing <i>Recorder's Rough Draft Transcript Re: Defendant's Status Check on Court's Order Tuesday, February 10, 2015</i>
03/19/2015	<b>Motion to Withdraw as Counsel</b> (8:30 AM) (Judicial Officer: Leavitt, Michelle) <i>Defendant's Motion to Withdraw Due to Conflict and Motion to Appoint New Counsel</i>

**DATE**

**FINANCIAL INFORMATION**

<b>Defendant</b> Grimes, Bennett	
Total Charges	175.00
Total Payments and Credits	0.00
<b>Balance Due as of 3/19/2015</b>	<b>175.00</b>



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