

DISTRICT COURT
CLARK COUNTY, NEVADA

FILED

AUG 28 10 18 AM '06

STATE OF NEVADA

Plaintiff,

vs.

ERICK M. BROWN

Defendant

) Case No.: C189658

) Dept. No.: XIV

) Docket No.: 47856

FILED

AUG 31 2006

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY U. Alvarado
DEPUTY CLERK

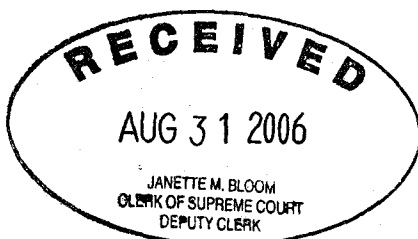
Notice of "Direct" Appeal

Notice is here by Given that ERICK M. BROWN
Defendant Above Named, here by APPEALS to the
Supreme Court of NEVADA, from the final
Judgement/from the order [describing it] Entered
in this Action on the 23rd day of August 2006.

Dated this 25th day of August 2006.

Michael V. Cristalli Esq
N.S.B # 006266
732 S. Sixth St, Suite 100
LV, NV 89101
(702) 386-2180

RECEIVED



06-18132

CLERK

AUG 28 2006

1 Please WAVE District court filing fee
2 Defendant not Applicable.

3
4 D.C. CASE # C189658

5
6 Partys ERICK M. BROWN V. NEVADA

7
8 For the State: Timothy FATTIG, ESQ

9
10 For Defendant Michael Cristalli, ESQ

11
12 Trial Judge: DONALD Mosley

13
14 Counsel for Defendant was Appointed

15
16 Date of proceeding's June 26th thr June 30th

17
18 Case statement: Defendant did not recieve A fair
19 trial and my Constitutional rights were Blatantly violated,
20 with no respect to the Law.

1 ASTA

FILED

2006 AUG 28 P 12:40

4 DISTRICT COURT
5 CLARK COUNTY, NEVADA

Shirley E. Paragon
CLERK

7 STATE OF NEVADA)

8 Plaintiff(s),)

9 vs.)

10 ERICK MARQUIS BROWN,)

11 Defendant(s),)

) Case No: C189658

) Dept No: XIV

13
14 CASE APPEAL STATEMENT

15 1. Appellant(s): ERICK M. BROWN

16 2. Judge: DONALD M. MOSLEY

17 3. All Parties, District Court:

18 Plaintiff, THE STATE OF NEVADA

19 Defendant(s), ERICK MARQUIS BROWN; ALFRED M. BLACKWELL

20 4. All Parties, Appeal:

21 Appellant(s), ERICK M. BROWN

22 Respondent, THE STATE OF NEVADA

23 5. Appellate Counsel:

24 *Appellant/Proper Person*
25 Erick M. Brown #1895908
26 330 S. Casino Center
Las Vegas, NV 89101

Respondent
David Roger, District Attorney
200 Lewis Ave.
Las Vegas NV 89101
(702) 671-2700

1 6. District Court Attorney, Appointed

2 7. On Appeal, N/A

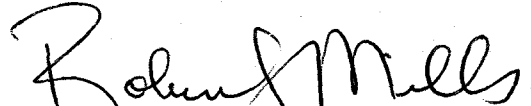
3 8. Forma Pauperis, N/A

4 9. Date Commenced in District Court: January 28, 2003

5 Dated This 28 day of August 2006.

6 Shirley B. Parraguirre, Clark County Clerk

7
8 By:



9 Robin J. Mills, Deputy Clerk

10 200 Lewis Ave

11 PO Box 551601

12 Las Vegas, Nevada 89155-1601

13 (702) 671-0512

DATE: 08/28/06
CASE NO. 03-C-189658-C

I N D E X

TIME 10:48 AM
JUDGE: Mosley, Donald M.

STATE OF NEVADA

[] vs Brown, Erick M

[E]

0001 D1 Erick M Brown
330 S Casino Center
Las Vegas, NV 89101

006266 Cristalli, Michael V.
NO. 1 3960 Howard Hughes Pkwy 5th Fl
Las Vegas, NV 89109

0002 D Alfred M Blackwell
P O Box 607
Carson City, NV 89702-0607

?????? ## UNKNOWN ##

NO.	FILED/REC	CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0001	01/28/03	INFO/INFORMATION	Fee \$0.00			01/28/03	
0002	01/28/03	ARRN/INITIAL ARRAIGNMENT		AL		02/05/03	
0003	01/30/03	NOEV/NOTICE OF EXHIBIT(S)	IN THE VAULT			01/30/03	
0004	01/30/03	CBO /CRIMINAL BINDOVER		0001		01/30/03	
0005	01/30/03	CBO /CRIMINAL BINDOVER		0002		01/30/03	
0006	01/30/03	CBOR/CRIMINAL BINDOVER RECEIPT		AL			
0007	02/05/03	ARRN/ARRAIGNMENT CONTINUED		AL		02/10/03	
0008	02/10/03	CALC/CALENDAR CALL		AL		04/08/03	
0009	02/10/03	JURY/TRIAL BY JURY	(VJ 4/8/03)	AL	VC	04/14/03	
0010	02/28/03	TRAN/REPORTER'S TRANSCRIPT PRELIMINARY	HEARING	AL		02/28/03	
0011	03/17/03	LIST/NOTICE OF EXPERT WITNESS		0002			
0012	03/17/03	LIST/NOTICE OF ALIBI WITNESS		0002			
0013	03/21/03	LIST/NOTICE OF ALIBI WITNESS		0001			
0014	03/21/03	LIST/NOTICE OF EXPERT WITNESS		0001			
0015	03/24/03	MOT /DEFT'S MTN TO SUPPRESS PHOTO LINE-UP/	IN-COURT ID/5	0002	DN	04/04/03	
0016	03/26/03	PET /PTN FOR WRIT OF HABEAS CORPUS		0001	DN	04/17/03	
0017	03/26/03	ROC /RECEIPT OF COPY		0001		03/26/03	
0018	03/27/03	ORDR/ORDER		0001		03/27/03	
0019	04/02/03	OPPS/OPPOSITION TO MOTION TO SUPPRESS PHOTO	LINEUP AND IN COURT IDENTIFICATION	0002			
0020	04/08/03	HEAR/TRIAL SETTING		AL	GR	04/17/03	
0021	04/08/03	WRIT/RETURN TO WRIT OF HABEAS CORPUS		0001			
0022	04/17/03	MOT /ALL PENDING MOTIONS 4/17/03		AL		04/17/03	
0023	04/17/03	CALC/CALENDAR CALL		AL		06/24/03	
0024	04/17/03	JURY/TRIAL BY JURY	VJ 6/24/03	AL	VC	06/30/03	
0025	04/22/03	MOT /DEFT'S MTN TO REDUCE BAIL/11		0002	DN	04/29/03	
0026	04/22/03	ORDR/ORDER DENYING DEFENDANTS MOTION TO	SUPPRESS PHOTO LINEUP AND IN COURT	0001	HG	04/04/03	Y
		IDENTIFICATION					
0027	04/28/03	MOT /DEFT'S MTN FOR BAIL HEARING/12		0001	DN	05/07/03	
0028	04/25/03	REQT/MOTION AND ORDER ALLOWING PRIVATE	INVESTIGATOR JIM THOMAS TO HAVE CONTACT	0001			Y
		VISITS					
0029	04/28/03	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION	TO REDUCE BAIL	0002			
0030	04/30/03	ROC /RECEIPT OF COPY		0001		04/30/03	
0031	05/06/03	OPPS/OPPOSITION TO MOTION FOR BAIL HEARING		0001			
0032	05/12/03	ORDR/ORDER DENYING DEFENDANTS MOTION FOR BAIL		0001	HG	05/07/03	
0033	06/03/03	MOT /DEFT'S MTN TO COMPEL DISCOVERY/13		0001	MR	06/23/03	

(Continued to page 2)

03-C-189658-C		(Continuation	Page	2)
NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC SCH/PER C
0034	06/03/03	MOT /DEFT'S MTN TO SEVER TRIAL/14	0001	DN 06/23/03
0035	06/03/03	ROC /RECEIPT OF COPY	0001	06/03/03
0036	06/03/03	ROC /RECEIPT OF COPY	0001	06/03/03
0037	06/06/03	REQT/MOTION FOR FARETTA HEARING	0001	
0038	06/06/03	REQT/MOTION FOR ARRAIGNMENT TRANSCRIPTS	0001	
0039	06/06/03	REQT/MOTION FOR DISCOVERABLE EVIDENCE	0001	
0040	06/06/03	PET /PETITION FOR WRIT OF HABEAS CORPUS	0001	
0041	06/06/03	REQT/MOTION FOR EVIDENTIARY HEARING	0001	
0042	06/06/03	REQT/MOTION LIMINE PETROCELLI HEARING	0001	
0043	06/06/03	REQT/MOTION FOR LATENT PRINTS	0001	
0044	06/10/03	LIST/NOTICE OF WITNESSES	0001	
0045	06/17/03	PET /PTN FOR WRIT OF HABEAS CORPUS	0001	DN 08/19/03
0046	06/17/03	LIST/DEFENDANTS WITNESS LIST	0002	
0047	06/17/03	PPOW/ORDER FOR PETITION FOR A WRIT OF HABEAS CORPUS	0001	SC 08/19/03
0048	06/18/03	MOT /ALL PENDING MOTIONS 6/18/03	0001	06/18/03
0049	06/20/03	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION TO SEVER TRIAL	0001	
0050	06/23/03	MOT /ALL PENDING MOTIONS 6/23/03	0001	06/23/03
0051	06/24/03	CALC/CALENDAR CALL	AL	07/15/03
0052	06/24/03	JURY/TRIAL BY JURY	0002	07/24/03
0053	06/30/03	MOT /DEFT'S MTN TO TAKE A WITNESS OUT OF ORDER/ALT CONTINUE TRIAL/20	0002	GR 07/10/03
0054	06/27/03	OTTE/ORDER TO TRANSPORT TO POLYGRAPH	0001	SC 07/02/03
0055	07/15/03	OCAL/FARETTA CANVASS	0001	07/16/03
0056	07/16/03	CALC/CALENDAR CALL (#2 ON STACK)	0001	12/02/03
0057	07/16/03	JURY/TRIAL BY JURY (#2 ON STACK) (VJ 12/2/03)	0001	VC 12/08/03
0058	07/22/03	INFO/AMENDED INFORMATION	0002	07/22/03
0059	07/22/03	JLST/DISTRICT COURT JURY LIST	0002	
0060	07/28/03	SENT/SENTENCING	0002	GR 09/23/03
0061	07/24/03	MEMO/GUILTY PLEA MEMORANDUM/AGREEMENT	0002	
0062	07/24/03	INFO/SECOND AMENDED INFORMATION	0002	07/24/03
0063	07/28/03	MOT /DEFT'S PRO PER MTN FOR COURT RECONSIDERATION/25	0001	DN 08/07/03
0064	07/21/03	TRB /TRIAL BEGINS	0002	
0065	07/24/03	TRE /TRIAL ENDS	0002	
0066	08/04/03	MOT /DEFT'S PRO PER MTN PRODUCTN DISCOVERABLE EVID/26	0001	GR 08/19/03
0067	08/05/03	NOEV/NOTICE OF EXHIBITS IN THE VAULT		07/21/03
0068	08/06/03	MOT /DEFT'S PRO PER MTN TO DISMISS INFORMATION FAILURE TO DISCLOSE EVID/27	0001	DN 08/19/03
0069	08/06/03	MOT /DEFT'S PRO PER MTN FOR ALL HEARING TRANSCRIPTS STARTING ON 1-22-03/28	0001	DN 08/19/03
0070	08/06/03	MOT /DEFT'S PRO PER MTN FOR INDIGENT STATUS/29	0001	GR 08/19/03
0071	08/19/03	MOT /ALL PENDING MOTIONS (8/19/03)	0001	08/19/03
0072	08/27/03	SUBP/SUBPOENA DUCES TECUM	0001	09/05/03
0073	09/18/03	SUBP/SUBPOENA DUCES TECUM	0001	SV 08/26/03
0074	09/23/03	SRCC/SENTENCE TO RUN CONCURRENT TO CALIFORNIA CASE	0002	SV 09/18/03
0075	10/01/03	JMNT/ADMINISTRATION/ASSESSMENT FEE	0002	10/02/03

(Continued to page 3)

NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0076	10/01/03	JMNT/GENETIC TESTING FEE	0002		10/02/03	
0077	10/01/03	JMNT/JUDGMENT OF RESTITUTION	0002		10/02/03	
0078	10/01/03	JUDG/JUDGMENT OF CONVICTION - PLEA OF GUILTY	0002		10/01/03	
0079	10/10/03	SUBP/SUBPOENA DUCES TECUM	0001	SV	10/09/03	
0080	10/15/03	SUBP/SUBPOENA DUCES TECUM	0001	SV	10/15/03	
0081	10/24/03	NOAS/DESIGNATION OF RECORD ON APPEAL	0002			
0082	10/24/03	NOAS/NOTICE OF APPEAL	0002	AP	10/24/03	
0083	10/24/03	STAT/CASE APPEAL STATEMENT	0002			
0084	11/05/03	CASO/CASE (RE)OPENED			11/05/03	
0085	11/05/03	MOT /DEFT'S PRO PER MTN TO WITHDRAW COUNSEL /31	0002	OC	11/18/03	
0086	11/05/03	MOT /DEFT'S PRO PER MTN PRODUCTN DOCUMNTS/PAPE/32	0002	OC	11/18/03	
0087	11/05/03	MOT /DEFT'S PRO PER MTN TRANSCRIPT STATE EXP/33	0002	OC	11/18/03	
0088	11/05/03	NOTC/NOTICE OF MOTION	0002			
0089	11/25/03	MOT /ALL PENDING MOTIONS 11/18/03	0002		11/18/03	
0090	11/24/03	APPL/EX PARTE APPLICATION TO APPOINT ARCHIE VON AHN AS INVESTIGATOR AND FOR FEES	0001			Y
		IN EXCESS OF STATUTORY MAXIMUM				
0091	12/02/03	CALC/CALENDAR CALL (#1 ON STACK)	0001		11/16/04	
0092	12/02/03	JURY/TRIAL BY JURY (#1 ON STACK) (VJ 11/16/04)	0001	VC	11/22/04	
0093	12/03/03	REQT/REQUEST FOR ROUGH DRAFT TRANSCRIPT	0002			
0094	12/18/03	TRAN/REPORTER'S TRANSCRIPT OF JURY TRIAL CHANGE OF PLEA	0002		07/24/03	
0095	01/15/04	TRAN/REPORTER'S TRANSCRIPT OF PROCEEDINGS	0002		09/23/03	
0096	03/17/04	ORDR/ORDER AUTHORIZING CONTACT VISIT	0001		03/17/04	
0097	04/05/04	MOT /DEFT'S MTN TO DISMISS /37	0001	DN	05/12/04	
0098	04/12/04	APCL/APPEAL TO SUPREME COURT: CLOSED 42273			04/07/04	
0099	04/20/04	ROC /RECEIPT OF COPY	0001		04/19/04	
0100	05/07/04	JMNT/CLERK'S CERTIFICATE JUDGMENT AFFIRMED	0002		05/10/04	
0101	05/11/04	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION TO DISMISS	0001			
0102	05/13/04	SUBP/SUBPOENA DUCES TECUM	0001	SH	05/17/04	
			0001	SV	05/11/04	
0103	05/18/04	MOT /DEFT'S MTN TO SUPPRESS PHOTO LINE-UP/38	0001	OC	09/16/04	
0104	05/14/04	SUBP/SUBPOENA DUCES TECUM	0001	SH	05/17/04	
			0001	SV	05/11/04	
0105	05/14/04	SUBP/SUBPOENA DUCES TECUM	0001	SH	05/17/04	
			0001	SV	05/07/04	
0106	05/17/04	SUBP/SUBPOENA DUCES TECUM	0001	SH	05/17/04	
			0001	SV	05/12/04	
0107	05/19/04	SUBP/SUBPOENA DUCES TECUM	0001	SH	05/17/04	
			0001	SV	05/11/04	
0108	06/29/04	MOT /PUBLIC DEFENDER'S MOTION TO WITHDRAW AS ATTORNEY OF RECORD/39	0002	GR	07/08/04	
0109	07/06/04	OPPS/STATES OPPOSITION TO DEFENDANTS MOITON TO SUPPRESS PHOTO LINE-UP AND IN-COURT	0001			Y
		IDENTIFICATION				
0110	08/30/04	MOT /DEFT'S MTN FOR DISCOVERY/40	0001	GR	09/16/04	
0111	09/13/04	MOT /ALL PENDING MOTIONS 9-13-04	0001		09/13/04	
0112	09/20/04	TRAN/REPORTER'S TRANSCRIPT OF PROCEEDINGS	0001		09/16/04	

(Continued to page 4)

NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0113	09/23/04	APPL/EX PARTE APPLICATION TO APPOINT PHILLIP NEEDHAM AS INVESTIGATOR AND FOR FEES	0001			Y
		IN EXCESS OF STATUTORY MAXIMUM	0001			
0114	09/16/04	MOT /ALL PENDING MOTIONS 9-16-04	0001		09/16/04	
0115	11/04/04	LIST/NOTICE OF EXPERT WITNESSES	0001			
0116	11/04/04	LIST/NOTICE OF WITNESSES	0001			
0117	11/16/04	CALC/CALENDAR CALL (#1 ON STACK)	0001		03/29/05	
0118	11/16/04	JURY/TRIAL BY JURY (#1 ON STACK)	0001	VC	04/04/05	
		VJ 3-29-05	0001			
0119	11/09/04	PET /PETITION FOR WRIT OF HABEAS CORPUS POST CONVICTION	0002			
			0002			
0120	11/19/04	ORDR/ORDER FOR PRODUCTION OF INMATE	0001	SH	11/22/04	
0121	12/03/04	ORDR/ORDER APPROVING EX PARTE APPLICATION TO APPOINT PHILIP NEEDHAM AS THE	0001		12/03/04	Y
		INVESTIGATOR AND APPROVAL OF FEES IN EXCESS OF THE STATUTORY MAXIMUM	0001			
0122	12/13/04	MOT /DEFT'S MOTION FOR REASONABLE BAIL/45	0001	DN	12/16/04	
0123	12/13/04	PET /DEFT'S PTN FOR WRIT OF HABEAS CORPUS/46	0002	DN	03/10/06	
0124	12/13/04	PPOW/ORDER FOR PETITION FOR A WRIT OF HABEAS CORPUS	0002	SH	02/14/05	
			0002			
0125	12/15/04	OPPS/STATES OPPOSITION TO DEFENDANTS PETITION FOR WRIT OF HABEAS CORPUS	0002			
			0002			
0126	12/28/04	REQT/REQUEST FOR ROUGH DRAFT TRANSCRIPT	0001			
0127	01/05/05	AFFT/AFFIDAVIT IN RESPONSE TO POST-CONVICTION WRIT OF HABEAS CORPUS	0002			
			0002			
0128	01/20/05	ORDR/ORDER DENYING DEFENDANTS MOTION FOR REASONABLE BAIL	0001	HG	12/16/04	
			0001			
0129	01/24/05	NOTC/NOTICE OF HEARING	0002	SH	03/25/05	
0130	01/26/05	AFFT/SUPPLEMENTAL AFFIDAVIT IN RESPONSE TO POST CONVICTION WRIT OF HABEAS CORPUS	0002			
			0002			
0131	02/01/05	ORDR/ORDER FOR PRODUCTION OF INMATE	0002	SH	03/25/05	
0132	02/02/05	TRAN/REPORTER'S TRANSCRIPT OF PROCEEDINGS	0001		12/16/04	
0133	02/15/05	MOT /DEFT'S PRO PER MTN TO TRANSPORT & PRODUCE INMATE/47	0002	GR	02/28/05	
			0002			
0134	02/15/05	HEAR/DEFT'S REQUEST FOR APPOINTMENT OF COUNSEL/48	0002	DN	02/28/05	
			0002			
0135	02/15/05	NOTC/NOTICE OF HEARING	0002	SH	03/25/05	
0136	02/15/05	NOTC/NOTICE OF MOTION	0002			
0137	02/28/05	MOT /ALL PENDING MOTIONS 2/28/05	0002		02/28/05	
0138	03/03/05	ORDR/ORDER FOR PRODUCTION OF INMATE	0002	SH	04/04/05	
0139	03/07/05	ORDR/ORDER DENYING DEFENDANTS MOTION TO APPOINT COUNSEL	0002		03/07/05	
			0002			
0140	03/18/05	OPPS/STATES OPPOSITION TO DEFENDANTS REQUEST FOR APPOINTMENT OF COUNSEL	0002			
			0002			
0141	03/22/05	REQT/REQUEST FOR ROUGH DRAFT TRANSCRIPT	0002			
0142	03/22/05	REQT/REQUEST FOR ROUGH DRAFT TRANSCRIPT	0001			
0143	03/29/05	CALC/CALENDAR CALL (#1)	0001		02/14/06	
0144	03/29/05	JURY/TRIAL BY JURY (#1) (VJ 2/14/06)	0001	VC	02/21/06	
0145	03/31/05	TRAN/REPORTER'S TRANSCRIPT OF PROCEEDINGS	0001		04/17/03	
0146	04/08/05	ORDR/ORDER GRANTING DEFENDANTS MOTION TO INSPECT FILES	0001		04/08/05	
			0001			
0147	04/19/05	NOTC/NOTICE OF HEARING	0002	SH	07/15/05	
0148	04/20/05	TRAN/REPORTER'S TRANSCRIPT OF JURY TRIAL	0002		07/22/03	

(Continued to page 5)

NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0149	04/20/05	TRAN/REPORTER'S TRANSCRIPT OF JURY TRIAL	0002		07/23/03	
0150	04/21/05	ORDR/ORDER FOR PRODUCTION OF INMATE	0002	SH	07/15/05	
0151	04/25/05	RPLY/REPLY TO STATES OPPOSITION TO	0002			Y
		PETITIONERS REQUEST FOR APPOINTMENT	0002			
OF COUNSEL						
0152	11/15/05	ORDR/EX PARTE MOTION AND ORDER ALLOWING	0001		11/15/05	Y
		RICHARD FRANKY LPI AND/OR AN AGENT OF	0001			
RDF INVESTIGATIVE AGENCY SPECIFICALLY INVESTIGATOR LIZA GRIPENTROG TO HAVE						
CONTACT VISITS IN THE CLARK COUNTY DETENTION CENTER						
0153	11/15/05	NOTC/NOTICE OF HEARING	0002	SH	12/09/05	
0154	11/18/05	ORDR/ORDER FOR PRODUCTION OF INMATE	0002	SH	12/09/05	
0155	12/01/05	MOT /DEFT'S PRO PER MTN FOR APPOINTMENT OF	0002	VC	12/20/05	
		COUNSEL FOR WRIT OF HABEAS CORPUS /52	0002			
0156	12/07/05	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION	0002			
		FOR APPOINTMENT OF COUNSEL	0002			
0157	12/20/05	ORDR/ORDER GRANTING DEFENDANTS MOTION TO	0001		12/20/05	
		INSPECT FILES	0001			
0158	12/29/05	APPL/EX PARTE APPLICATION FOR ADDITIONAL	0001			
		FEES IN EXCESS OF STATUTORY MAXIMUM	0001			
0159	01/06/06	HEAR/AT REQUEST OF COURT: APPLICATION FOR	0001	GR	01/10/06	
		FEES	0001			
0160	01/10/06	ORDR/STIPULATION AND ORDER FOR RELEASE OF	0001		01/10/06	
		EVIDENCE	0001			
0161	01/12/06	LIST/NOTICE OF WITNESSES	0001			
0162	01/18/06	ROP /RECEIPT OF EXHIBITS	0001		01/18/06	
0163	01/18/06	LIST/NOTICE OF EXPERT WITNESSES	0001			
0164	01/20/06	ORDR/ORDER APPROVING EX PARTE APPLICATION FOR	0001		01/20/06	
		FEES IN EXCESS OF THE STATUTORY MAXIMUM	0001			
0165	01/20/06	ORDR/ORDER APPROVING EX PARTE APPLICATION FOR	0001		01/20/06	
		FEES IN EXCESS OF THE STATUTORY MAXIMUM	0001			
0166	01/24/06	ORDR/ORDER FOR TRANSCRIPT	0002		01/24/06	
0167	02/02/06	ORDR/ORDER FOR PRODUCTION OF INMATE	0002	SH	02/21/06	
0168	02/06/06	ORDR/ORDER GRANTING DEFENDANTS MOTION TO	0001		02/06/06	
		PRODUCE PRINTS	0001			
0169	02/14/06	CALC/CALENDAR CALL (#2)	0001		06/21/06	
0170	02/14/06	JURY/TRIAL BY JURY	0001		06/30/06	
0171	02/14/06	REQT/NOTICE OF MOTION AND MOTION TO CONTINUE	0001	SH	02/14/06	
0172	03/13/06	NOEV/NOTICE OF EXHIBIT(S) IN THE VAULT			03/10/06	
0173	04/04/06	JUDG/FINDINGS OF FACTS, CONCLUSIONS OF LAW	0002	HG	03/10/06	
		AND ORDER	0002			
0174	04/04/06	NOAS/NOTICE OF APPEAL	0002	AP	04/04/06	
0175	04/05/06	LIST/NOTICE OF EXPERT WITNESS	0001			
0176	04/06/06	STAT/CASE APPEAL STATEMENT	0002			
0177	04/06/06	NOED/NOTICE OF ENTRY OF DECISION AND ORDER	0002		04/04/06	
0178	05/05/06	ORDR/ORDER FOR PRODUCTION OF INMATE ALFRED	0001	SH	06/27/06	
		BLACKWELL	0001			
0179	05/22/06	ORDR/ORDER GRANTING DEFENDANTS HANDWRITING	0001		05/22/06	
		EXPERT ACCESS TO CERTAIN EVIDENCE	0001			
0180	06/20/06	SUBP/SUBPOENA DUCES TECUM	0001	SH	05/25/06	
			0001	SV	05/12/06	
0181	06/20/06	SUBP/SUBPOENA DUCES TECUM	0001	SH	03/16/06	
			0001	SV	03/03/06	

(Continued to page 6)

NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0182	06/20/06	SUBP/SUBPOENA DUCES TECUM	0001	SH	04/05/06	
			0001	SV	03/24/06	
0183	06/20/06	SUBP/SUBPOENA DUCES TECUM	0001	SH	04/05/06	
			0001	SV	03/24/06	
0184	06/20/06	SUBP/SUBPOENA DUCES TECUM	0001	SH	05/25/06	
			0001	SV	05/12/06	
0185	06/20/06	SUBP/SUBPOENA DUCES TECUM	0001	SH	03/15/06	
			0001	SV	03/06/06	
0186	06/20/06	SUBP/SUBPOENA DUCES TECUM		SH	05/15/06	
				SV	04/27/06	
0187	06/20/06	SUBP/SUBPOENA DUCES TECUM	0001	SH	05/15/06	
			0001	SV	04/27/06	
0188	06/20/06	SUBP/SUBPOENA DUCES TECUM	0001	SH	04/05/06	
			0001	SV	03/24/06	
0189	06/20/06	SUBP/SUBPOENA DUCES TECUM	0001	SH	04/05/06	
			0001	SV	03/24/06	
0190	06/20/06	SUBP/SUBPOENA DUCES TECUM	0001	SH	05/15/06	
			0001	SV	05/04/06	
0191	06/20/06	SUBP/SUBPOENA DUCES TECUM	0001	SH	03/15/06	
			0001	SV	03/06/06	
0192	06/20/06	SUBP/SUBPOENA DUCES TECUM	0001	SH	03/15/06	
			0001	SV	03/03/06	
0193	06/20/06	SUBP/SUBPOENA DUCES TECUM	0001	SH	05/15/06	
			0001	SV	04/27/06	
0194	06/20/06	SUBP/SUBPOENA DUCES TECUM	0001	SH	05/25/06	
			0001	SV	05/12/06	
0195	06/20/06	SUBP/SUBPOENA DUCES TECUM	0001	SH	04/05/06	
			0001	SV	03/24/06	
0196	06/21/06	LIST/NOTICE OF WITNESSES	0001			
0197	06/21/06	INST/DEFENDANTS PROPOSED JURY INSTRUCTIONS	0001			
0198	06/22/06	CASO/CASE (RE) OPENED		AP	06/22/06	
0199	06/23/06	IAPD/CASE INACTIVE PER DEPARTMENT		AP	06/23/06	
0200	06/22/06	LIST/SUPPLEMENTAL NOTICE OF WITNESSES	0001			
0201	06/26/06	TRB /TRIAL BEGINS	0001			
0202	06/26/06	INFO/AMENDED INFORMATION	0001		06/26/06	
0203	06/27/06	JLST/DISTRICT COURT JURY LIST	0001			
0204	07/05/06	SENT/SENTENCING	0001	GR	08/08/06	
0205	06/30/06	TRE /TRIAL ENDS	0001			
0206	06/30/06	JMNT/VERDICT	0001		07/06/06	
0207	06/30/06	INST/INSTRUCTIONS TO THE JURY	0001			
0208	07/07/06	NOEV/NOTICE OF EXHIBIT(S) IN THE VAULT			06/26/06	
0209	07/06/06	PINU/PROPOSED JURY INSTRUCTIONS NOT USED AT TRIAL	0001			
			0001			
0210	08/04/06	TRAN/REPORTER'S TRANSCRIPT DEFENDANTS PRO PER PETITION FOR WRIT OF HABEAS CORPUS	0002		03/10/06	
			0002			
0211	08/08/06	ROP /RECEIPT OF EXHIBITS	AL		08/08/06	
0212	08/08/06	ORDR/ORDER	0001		08/08/06	
0213	08/11/06	NOAS/NOTICE OF APPEAL	0001	AP	08/11/06	
0214	08/15/06	STAT/CASE APPEAL STATEMENT	0001			
0215	08/15/06	NOAS/NOTICE OF APPEAL	0001	AP	08/15/06	
0216	08/16/06	JMNT/JUDGMENT OF CONVICTION/ADMIN ASSESSMENT	0001		08/17/06	
0217	08/16/06	JMNT/JUDGMENT OF CONVICTION/GENETIC TESTING	0001		08/17/06	

(Continued to page 7)

03-C-189658-C

(Continuation Page 7)

NO. FILED/REC CODE

REASON/DESCRIPTION

FOR OC SCH/PER C

0218 08/16/06 JMNT/JUDGMENT OF CONVICTION/RESTITUTION

0001

08/17/06

JOC

ORIGINAL

FILED
AUG 16 4 13 PM '06

DISTRICT COURT

Shirley B. Rasmussen
CLERK

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

CASE NO. C189658

-vs-

DEPT. NO. XIV

ERICK MARQUIS BROWN
#1895908

Defendant.

JUDGMENT OF CONVICTION
(JURY TRIAL)

The Defendant previously entered a plea of not guilty to the crimes of COUNT 1 – BURGLARY WHILE IN POSSESSION OF A FIREARM (Category B Felony), in violation of NRS 205.060, 193.165, COUNT 2 – FIRST DEGREE KIDNAPING WITH USE OF A DEADLY WEAPON, VICTIM 65 YEARS OF AGE OR OLDER RESULTING IN SUBSTANTIAL BODILY HARM (Category A Felony), NRS 200.310, 193.165, 193.167, 0.060, COUNT 3 – FIRST DEGREE KIDNAPING WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM (Category A Felony), NRS 200.310, 193.165, 0.060, COUNT 4 – ROBBERY WITH USE OF A DEADLY WEAPON, VICTIM 65 YEARS OF AGE OR OLDER (Category B Felony), NRS 200.380, 193.165, 193.167,

RECEIVED

AUG 16 2006

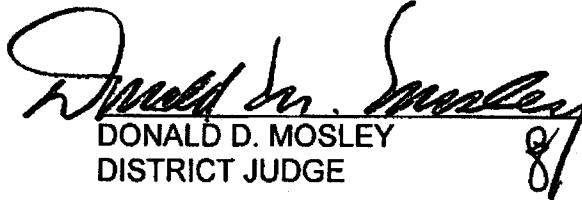
COUNTY CLERK

1 COUNT 5 - ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony), NRS
2 200.380, 193.165; and the matter having been tried before a jury and the Defendant
3 having been found guilty of the crimes of COUNT 1 - BURGLARY WHILE IN
4 POSSESSION OF A FIREARM (Category B Felony), in violation of NRS 205.060,
5 193.165, COUNT 2 - FIRST DEGREE KIDNAPING WITH USE OF A DEADLY
6 WEAPON, VICTIM 65 YEARS OF AGE OR OLDER RESULTING IN SUBSTANTIAL
7 BODILY HARM (Category A Felony), NRS 200.310, 193.165, 193.167, 0.060, COUNT
8 3 - FIRST DEGREE KIDNAPING WITH USE OF A DEADLY WEAPON RESULTING IN
9 SUBSTANTIAL BODILY HARM (Category A Felony), NRS 200.310, 193.165, 0.060,
10 COUNT 4 - ROBBERY WITH USE OF A DEADLY WEAPON, VICTIM 65 YEARS OF
11 AGE OR OLDER (Category B Felony), NRS 200.380, 193.165, 193.167, COUNT 5 -
12 ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony), NRS 200.380,
13 193.165; thereafter, on the 8TH day of August, 2006, the Defendant was present in
14 court for sentencing with his counsel, MICHAEL CRISTALLI, ESQ., and good cause
15 appearing,
16

17
18
19 THE DEFENDANT IS HEREBY ADJUDGED guilty of said offenses and, in
20 addition to the \$25.00 Administrative Assessment Fee and \$150.00 DNA Analysis Fee
21 including testing to determine genetic markers, the Defendant is SENTENCED to the
22 Nevada Department of Corrections (NDC) as follows: AS TO COUNT 1 - TO A
23 MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM Parole
24 Eligibility of TWENTY-SIX (26) MONTHS; AS TO COUNT 2 - TO A MAXIMUM of
25 FORTY (40) YEARS with a MINIMUM Parole Eligibility of FIFTEEN (15) YEARS, plus
26 an EQUAL and CONSECUTIVE term of FORTY (40) YEARS MAXIMUM and FIFTEEN
27 (15) YEARS MINIMUM, COUNT 2 to run CONCURRENT with COUNT 1; AS TO
28

1 COUNT 3 - TO A MAXIMUM of FORTY (40) YEARS with a MINIMUM Parole Eligibility
2 of FIFTEEN (15) YEARS, plus an EQUAL and CONSECUTIVE term of FORTY (40)
3 YEARS MAXIMUM and FIFTEEN (15) YEARS MINIMUM, COUNT 3 to run
4 CONSECUTIVE to COUNT 2, and \$143,327.00 Restitution; AS TO COUNT 4 - TO A
5 MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM Parole
6 Eligibility of TWENTY-SIX (26) MONTHS, plus an EQUAL and CONSECUTIVE term of
7 ONE HUNDRED TWENTY (120) MONTHS MAXIMUM and TWENTY-SIX (26)
8 MONTHS MINIMUM, COUNT 4 to run CONCURRENT with COUNT 3; AS TO COUNT
9 5 - TO A MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM
10 Parole Eligibility of TWENTY-SIX (26) MONTHS, plus an EQUAL and CONSECUTIVE
11 term of ONE HUNDRED TWENTY (120) MONTHS MAXIMUM and TWENTY-SIX (26)
12 MONTHS MINIMUM, COUNT 5 to run CONCURRENT with COUNT 4; with ONE
13 THOUSAND THREE HUNDRED FORTY-NINE (1,349) DAYS credit for time served.
14
15
16

17
18 DATED this 10th day of August, 2006

19
20
21 
22 DONALD D. MOSLEY
23 DISTRICT JUDGE
24
25
26
27
28

CRIMINAL COURT MINUTES

03-C-189658-C STATE OF NEVADA vs Brown, Erick M

02/05/03 09:00 AM 00 INITIAL ARRAIGNMENT

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: Linda Skinner/ls, Court Clerk
Judy McFadden, Relief Clerk
Joe D'Amato, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006381	Knapp, Gregory D.	Y
0001 D1	Brown, Erick M	Y
006649	Fritz, Andrew	Y
0002 D	Blackwell, Alfred M	Y
PUBDEF	Public Defender	Y
005933	Diefenbach, Lauren R.	Y

AS TO DEFT BROWN: Mr. Fritz requested a continuance to Monday as Defendant has not retained him as of yet. Upon Court's inquiry, Mr. Fritz advised he would have an answer by Monday.

AS TO DEFT BLACKWELL: Ms. Diefenbach had no objection to a continuance.

There being no objection, COURT ORDERED, matter CONTINUED as to both Defendants.

CUSTODY (BOTH)

2/10/03 9:00 AM ARRAIGNMENT CONTINUED

CRIMINAL COURT MINUTES

03-C-189658-C STATE OF NEVADA

vs Brown, Erick M

CONTINUED FROM PAGE: 001

02/10/03 09:00 AM 00 ARRAIGNMENT CONTINUED

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: Linda Skinner/ls, Court Clerk
Judy McFadden, Relief Clerk
Maureen Schorn, Reporter/Recorder

PARTIES: STATE OF NEVADA
006056 Bauer, Elizabeth B.

0001 D1 Brown, Erick M
001603 Hughes, Edward B.

0002 D Blackwell, Alfred M
PUBDEF Public Defender
005933 Diefenbach, Lauren R.

Y
Y

Y
Y

Y
Y
Y

AS TO DEFT BROWN: Mr. Hughes appeared for Mr. Fritz and advised Mr. Fritz would be confirming as counsel. DEFENDANT ARRAIGNED, PLED NOT GUILTY AND INVOKED THE SIXTY (60) DAY RULE.

AS TO DEFT BLACKWELL: DEFENDANT ARRAIGNED, PLED NOT GUILTY AND INVOKED THE SIXTY (60) DAY RULE.

COURT ORDERED, matter set within sixty days for trial. Counsel requested 21 days from the filing of the Preliminary Hearing Transcript to file a writ. COURT ORDERED, Defendant's rights are reserved.

CUSTODY (BOTH)

4/8/03 9:00 AM CALENDAR CALL (BOTH)

4/14/03 1:30 PM JURY TRIAL (BOTH)

CRIMINAL COURT MINUTES

03-C-189658-C STATE OF NEVADA

vs Brown, Erick M

CONTINUED FROM PAGE: 002

04/08/03 09:00 AM 00 CALENDAR CALL

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: Linda Skinner, Court Clerk
Maureen Schorn, Reporter/Recorder

PARTIES: STATE OF NEVADA
005927 De La Garza, Melisa

0001 D1 Brown, Erick M
006649 Fritz, Andrew

0002 D Blackwell, Alfred M
PUBDEF Public Defender
005607 Coffee, Scott L.

Y
Y
Y
Y
Y
Y
Y

Upon Court's inquiry, Ms. De La Garza advised the State is ready for trial with 8-10 witnesses and 3-4 out of State witnesses lasting 4-5 days. Mr. Coffee advised he is ready as well, however, will already be in a trial in this Court next week. Mr. Fritz advised he would like to wait on the outcome of the writ tomorrow. COURT ORDERED, trial date VACATED and matter set for trial setting next week as to both Defendants.

CUSTODY (BOTH)

4/17/03 9:00 AM TRIAL SETTING (BOTH)

04/09/03 09:00 AM 00 PTN FOR WRIT OF HABEAS CORPUS

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: Linda Skinner, Court Clerk
Maureen Schorn, Reporter/Recorder

PARTIES: STATE OF NEVADA
005927 De La Garza, Melisa

0001 D1 Brown, Erick M
006649 Fritz, Andrew

Y
Y
Y
Y

Arguments by Ms. De La Garza regarding aspirations and the fact that the Defendants increased the harm to the victims. As Ms. De La Garza cited case law that the Court would like to review, COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 04/17/03 09:00 AM 01

CRIMINAL COURT MINUTES

03-C-189658-C STATE OF NEVADA

vs Brown, Erick M

CONTINUED FROM PAGE: 003

04/17/03 09:00 AM 00 ALL PENDING MOTIONS 4/17/03

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: Nora Pena/np, Court Clerk
Billie Jo Craig, Relief Clerk
Joe D'Amato, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
005927	De La Garza, Melisa	Y
0001 D1	Brown, Erick M	Y
006649	Fritz, Andrew	Y
0002 D	Blackwell, Alfred M	Y
PUBDEF	Public Defender	Y
005933	Diefenbach, Lauren R.	Y

DEFT'S PETITION FOR WRIT OF HABEAS CORPUS - BROWN...TRIAL SETTING

Court advised it sees two basic aspects - 1) asportation of the underlying offense and 2) question of increase danger to pursue alleged kidnapping to person or persons; it has doubts to this restraint not being incidental to robbery and asked Ms. DeLaGarza to work a hypothetical with the Court. Ms. DeLaGarza advised the defts bound the victims. Court asked where is the charge that the beating would justify. Ms. DeLaGarza advised kidnapping included bodily harm, and this binding was not just incidental to robbery. Mr. Fritz stated it deals with kidnapping and robbery, people were not kidnapped to be harmed but to be robbed. Court asked what is the separate offense. Ms. DeLaGarza advised the kidnapping is it's own offense charge and these victims sustained bodily harm. Mr. Fritz advised they say it's a robbery case and he thinks it's right on point with the Wright case. Court advised it should be left to the jury as to robbery. COURT ORDERED, Deft Brown's Petition for Writ is DENIED. Mr. Fritz advised we needed to set a trial date. Ms. DeLaGarza advised deft. Black invoked and deft. Brown waived. COURT ORDERED, matter set for trial in 60 days. Trial date given due to request of the State. Mr. Fritz inquired about standard bail. Opposition by Ms. DeLaGarza. Court directed counsel to put bail request in a written motion.

CUSTODY (BOTH)

6/24/03 9:00 AM CALENDAR CALL (BROWN & BLACKWELL)

6/30/03 1:30 PM JURY TRIAL (BROWN & BLACKWELL)

CRIMINAL COURT MINUTES

03-C-189658-C STATE OF NEVADA

vs Brown, Erick M

CONTINUED FROM PAGE: 004

05/07/03 09:00 AM 00 DEFT'S MTN FOR BAIL HEARING/12

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: Linda Skinner, Court Clerk
Joe D'Amato, Reporter/RecorderPARTIES: STATE OF NEVADA
005927 De La Garza, Melisa
0001 D1 Brown, Erick M
006649 Fritz, AndrewY
Y
Y
Y

Court noted Defendant has no ties to this State. Mr. Fritz advised that was untrue as Defendant's aunt lives here and that he was arrested in California. Ms. De La Garza argued that the bail should not be lowered; that he and the co-defendant terrorized two elderly men. Mr. Fritz argued for reasonable bail. Court noted absent a persuasive reason, it would not reset the bail after another Judge heard the evidence. Arguments by Mr. Fritz and Ms. De La Garza. COURT ORDERED, Deft's Motion for Bail Reduction is DENIED.

CUSTODY

06/18/03 09:00 AM 00 ALL PENDING MOTIONS 6/18/03

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: Linda Skinner, Court Clerk
Sharry Frascarelli/SF, Relief Clerk
Maureen Schorn, Reporter/RecorderPARTIES: STATE OF NEVADA
007295 Saragosa, Melissa A.
0001 D1 Brown, Erick M
006649 Fritz, AndrewY
Y
Y
Y

DEFT'S MOTION TO SEVER TRIAL...DEFT'S MOTION TO COMPEL DISCOVERY

Ms. Saragosa advised this is Ms. DelaGarza's case who is requesting a couple of days continuance. Court noted is unavailability and the pending trial date and ORDERED, matter CONTINUED.

CUSTODY

6/23/03 9:00 AM DEFT'S MOTION TO SEVER TRIAL...DEFT'S MOTION TO COMPEL DISCOVERY

CRIMINAL COURT MINUTES

03-C-189658-C STATE OF NEVADA

vs Brown, Erick M

CONTINUED FROM PAGE: 005

06/23/03 09:00 AM 00 ALL PENDING MOTIONS 6/23/03

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: Linda Skinner, Court Clerk
Maureen Schorn, Reporter/RecorderPARTIES: STATE OF NEVADA
005927 De La Garza, Melisa
0001 D1 Brown, Erick M
006649 Fritz, AndrewY
Y
Y
Y

DEFT'S MOTION TO SEVER TRIAL...DEFT'S MOTION TO COMPEL DISCOVERY

AS TO MOTION TO SEVER TRIAL: Court noted it has read this at length and Mr. Fritz feels Defendant would be prejudiced if he were tried with the co-defendant. Mr. Fritz concurred and stated the co-defendant was in the jewelry store earlier the day of the robbery and there is better identification on the co-defendant than on this Defendant. Court noted the case law needs to be substantial and ORDERED, Motion DENIED.

AS TO MOTION TO COMPEL DISCOVERY: Mr. Fritz advised Defendant was arrested in Los Angeles five days after the robbery; that Henderson Police were relaying descriptions to Los Angeles Police that were different from that of this Defendant. Mr. Fritz would like those notes. Ms. De La Garza advised Mr. Fritz has everything she has; that she will contact the Henderson Police and see if there is anything else. COURT ORDERED, matter RESOLVED.

CUSTODY

CRIMINAL COURT MINUTES

03-C-189658-C STATE OF NEVADA

vs Brown, Erick M

CONTINUED FROM PAGE: 006

06/24/03 09:00 AM 00 CALENDAR CALL

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: Melissa Davis, Relief Clerk
Maureen Schorn, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
005927	De La Garza, Melisa	Y
0001 D1	Brown, Erick M	Y
006649	Fritz, Andrew	Y
0002 D	Blackwell, Alfred M	Y
PUBDEF	Public Defender	Y
004982	Ericsson, Thomas A.	Y

Mr. Ericsson appearing on behalf of Ms. Diefenbach. Court noted Defendant Brown waived the 60 day rule and Defendant Blackwell invoked his right to a speedy trial. COURT ORDERED, matter RESET.

7/15/03 9AM CALENDAR CALL

7/21/03 1:30 PM JURY TRIAL

07/15/03 09:00 AM 00 CALENDAR CALL

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: Linda Skinner, Court Clerk
Maureen Schorn, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006545	Zadrowski, Bernard B.	Y
0001 D1	Brown, Erick M	Y
006649	Fritz, Andrew	Y
0002 D	Blackwell, Alfred M	Y
PUBDEF	Public Defender	Y
005933	Diefenbach, Lauren R.	Y

AS TO DEFT BROWN: Mr. Fritz advised Defendant would like him to withdraw; he stated there has been a breakdown in communication and would request to withdraw. Mr. Zadrowski advised there are 4 out of state witnesses and this would not be appropriate for Overflow. Following further statements by counsel and Defendant, COURT ORDERED, Mr. Fritz is ALLOWED to withdraw as counsel and matter set for Faretta Canvass.

CRIMINAL COURT MINUTES

03-C-189658-C STATE OF NEVADA

vs Brown, Erick M

CONTINUED FROM PAGE: 007

AS TO DEFT BLACKWELL: Ms. Diefenbach advised she would oppose a continuance, is ready for trial and has an out of State expert. Mr. Zadrowski stated Ms. De La Garza is ready as well with 8-10 witnesses, 4 out of State and lasting 3-4 days. COURT ORDERED, jury selection would begin at 1:30 PM in this Court on Monday.

CUSTODY (BOTH)

7/16/03 9:00 AM FARETTA CANVAS (BROWN)

7/21/03 1:30 PM JURY TRIAL (BLACKWELL)

07/16/03 09:00 AM 00 FARETTA CANVASS

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: Linda Skinner, Court Clerk
Maureen Schorn, Reporter/Recorder

PARTIES: STATE OF NEVADA
005927 De La Garza, Melisa

Y

Y

0001 D1 Brown, Erick M
PRO SE Pro Se

Y

Y

Upon completion of the Faretta Canvass, COURT ORDERED, Defendant may represent himself. Following colloquy, Court directed Defendant to have his Investigator contact Ms. De La Garza for the discovery. COURT ORDERED, matter set for trial.

CUSTODY

12/2/03 9:00 AM CALENDAR CALL

12/8/03 1:30 PM JURY TRIAL

CRIMINAL COURT MINUTES

03-C-189658-C STATE OF NEVADA vs Brown, Erick M

CONTINUED FROM PAGE: 008

08/07/03 09:00 AM 00 DEFT'S PRO PER MTN FOR COURT
RECONSIDERATION/25

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: Melissa Davis, Relief Clerk
Maureen Schorn, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	006541 Lewis, Linda Y.	Y
	0001 D1 Brown, Erick M	Y

Defendant stated he would like standby counsel. Court advised Defendant that standby counsel will not be appointed. Upon Court's inquiry, Defendant stated he would like to continue to represent himself. COURT ORDERED, motion DENIED.

CUSTODY

08/19/03 09:00 AM 00 ALL PENDING MOTIONS (8/19/03)

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: Melissa Davis, Court Clerk
Jennifer Kimmel/jk, Relief Clerk
Maureen Schorn, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	005927 De La Garza, Melisa	Y
	0001 D1 Brown, Erick M	Y
	?????? ## UNKNOWN ##	Y

DEFENDANT'S PRO PER MOTION FOR PRODUCTION OF DISCOVERABLE EVIDENCE...DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS...DEFENDANT'S PRO PER MOTION TO DISMISS INFORMATION FAILURE TO DISCLOSE EVIDENCE...DEFENDANT'S PRO PER MOTION FOR ALL TRANSCRIPTS STARTING ON 1/22/03 TO PRESENT DATE

COURT STATED the letter from Mr. Andrew Fritz indicated he had provided Deft. with a copy all the information in Deft's file. Colloquy regarding discovery and Deft's receiving a copy of his file. Court directed Ms. De La Garza to provide a copy of Deft's file. COURT additionally STATED D.A. is not required to obtain information relating to what the Deft. wants, as in Deft's request for information from Henderson Police. COURT ORDERED as follows: Deft's Motion for Production of Discoverable Evidence is GRANTED. Deft's Motion for Writ of Habeas Corpus is DENIED. Deft's Motion for Indigent Status is GRANTED. Deft's Motion to Dismiss Information Failure to Disclose Evidence is DENIED. Deft's Motion for All Transcripts is DENIED.

CRIMINAL COURT MINUTES

03-C-189658-C STATE OF NEVADA

vs Brown, Erick M

CONTINUED FROM PAGE: 009

12/02/03 09:00 AM 00 CALENDAR CALL (#2 ON STACK)

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: Linda Skinner, Court Clerk
Joe D'Amato, Reporter/RecorderPARTIES: STATE OF NEVADA
006545 Zadrowski, Bernard B.
0001 D1 Brown, Erick M
006266 Cristalli, Michael V.

Y

Y

Y

Y

Mr. Cristalli advised he would like to substitute in as counsel of record and will provide the proper paperwork. COURT SO ORDERED. Mr. Cristalli requested trial date be vacated and reset in ordinary course. COURT SO ORDERED and trial date set with priority.

CUSTODY

11/16/04 9:00 AM CALENDAR CALL

11/22/04 1:30 PM JURY TRIAL

04/19/04 09:00 AM 00 DEFT'S MTN TO DISMISS /37

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: Melissa Swinn, Relief Clerk
Maureen Schorn, Reporter/RecorderPARTIES: STATE OF NEVADA
007900 Schubert, David
0001 D1 Brown, Erick M
006266 Cristalli, Michael V.

Y

Y

Y

Y

Mr. Cristalli advised the State has not responded, but is unsure if the State was served. COURT ORDERED, matter CONTINUED to allow State to file a response, if any.

CUSTODY

CONTINUED TO: 05/12/04 09:00 AM 01

CRIMINAL COURT MINUTES

03-C-189658-C STATE OF NEVADA

vs Brown, Erick M

CONTINUED FROM PAGE: 010

05/12/04 09:00 AM 01 DEFT'S MTN TO DISMISS /37

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: Melissa Swinn, Relief Clerk
Joe D'Amato, Reporter/RecorderPARTIES: STATE OF NEVADA
005927 De La Garza, Melisa
0001 D1 Brown, Erick M
006266 Cristalli, Michael V.Y
Y
Y
Y

Court noted these issues were brought before the Court in a Writ on April 17, 2003 which was previously denied. Arguments by counsel. Court finds there is no merit and stated its findings and ORDERED, motion DENIED as to all issues.

CUSTODY

06/01/04 09:00 AM 00 DEFT'S MTN TO SUPPRESS PHOTO LINE-UP/38

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: Linda Skinner, Court Clerk
Elaine York/ey, Relief Clerk
Joe D'Amato, Reporter/RecorderPARTIES: STATE OF NEVADA
006612 Cram, Roger
0001 D1 Brown, Erick MY
Y
Y

Mr. Cram requested 60 day continuance for the return of Ms. DeLaGarza. COURT ORDERED, matter set for argument; response to be filed two weeks before argument.

CUSTODY

CLERK'S NOTE: 6/7/04 Clerk left a voice mail message as to above. ls

CONTINUED TO: 08/04/04 09:00 AM 01

CRIMINAL COURT MINUTES

03-C-189658-C STATE OF NEVADA

vs Brown, Erick M

CONTINUED FROM PAGE: 011

09/13/04 09:00 AM 00 ALL PENDING MOTIONS 9-13-04

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: Melissa Swinn, Relief Clerk
Joe D'Amato, Reporter/RecorderPARTIES: STATE OF NEVADA
006955 Di Giacomo, Marc P.
0001 D1 Brown, Erick M
007166 Saggese, Marc A.Y
Y
Y
YDEFT'S MOTION TO SUPPRESS PHOTO LINE UP AND IN COURT IDENTIFICATION . . .
DEFT'S MOTION FOR DISCOVERY

Mr. Saggese appearing on behalf of Mr. Cristalli. Court noted that the motion regarding the photo line up has previously been proffered by prior counsel. Colloquy between Court and counsel regarding discovery. COURT ORDERED, motions CONTINUED until Thursday.

CUSTODY

CONTINUED TO: 9/16/04 @ 9 AM

09/16/04 09:00 AM 00 ALL PENDING MOTIONS 9-16-04

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: Melissa Swinn, Relief Clerk
Joe D'Amato, Reporter/RecorderPARTIES: STATE OF NEVADA
006955 Di Giacomo, Marc P.
0001 D1 Brown, Erick M
006266 Cristalli, Michael V.Y
Y
Y
YDEFT'S MOTION TO SUPPRESS PHOTO LINE UP AND IN-COURT IDENTIFICATION . . .
DEFT'S MOTION FOR DISCOVERY

AS TO MOTION FOR DISCOVERY: Arguments by counsel regarding description of Defendant. State advised that palm prints were taking and awaiting evaluation. COURT ORDERED, all discovery issues to be available to defense and therefore, motion GRANTED.

AS TO MOTION TO SUPPRESS: COURT ORDERED, matter OFF CALENDAR and can be re-calendared if it becomes necessary.

CRIMINAL COURT MINUTES

03-C-189658-C STATE OF NEVADA

vs Brown, Erick M

CONTINUED FROM PAGE: 012

CUSTODY

11/16/04 09:00 AM 00 CALENDAR CALL (#1 ON STACK)

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: Linda Skinner, Court Clerk
Maureen Schorn, Reporter/Recorder

PARTIES: STATE OF NEVADA

Y

0001 D1 Brown, Erick M

Y

007479 Parris, John P.

Y

Mr. Parris appeared for Mr. Cristalli and advised with the Binion trial still going, he is not prepared to go forward on this matter. Mr. Fattig stated Mr. Cristalli's Office had phoned to advise him of the situation. COURT ORDERED, trial date VACATED and RESET.

CUSTODY

3/29/05 9:00 AM CALENDAR CALL (#1 ON STACK)

4/4/05 1:30 PM JURY TRIAL (#1 ON STACK)

12/16/04 09:00 AM 00 DEFT'S MOTION FOR REASONABLE BAIL/45

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: Linda Skinner, Court Clerk
Joe D'Amato, Reporter/Recorder

PARTIES: STATE OF NEVADA

Y

006955 Di Giacomo, Marc P.

Y

0001 D1 Brown, Erick M

Y

006266 Cristalli, Michael V.

Y

Mr. Cristalli stated bail was set without Defendant being present. Arguments by Mr. DiGiacomo including that Defendant is facing 2 life sentences and he feels the bail is appropriate. Mr. Cristalli argued that he feels the bail was set so high because Defendant was fighting extradition. Further arguments by Mr. DiGiacomo. Court noted Defendant is a flight risk and a danger to the community. Therefore, COURT ORDERED, Deft's Motion is DENIED.

CUSTODY

CONTINUED ON PAGE: 014

CRIMINAL COURT MINUTES

03-C-189658-C STATE OF NEVADA vs Brown, Erick M

CONTINUED FROM PAGE: 013

03/29/05 09:00 AM 00 CALENDAR CALL (#1 ON STACK)

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: Melissa Swinn, Relief Clerk
Joe D'Amato, Reporter/RecorderPARTIES: STATE OF NEVADA
006639 Fattig, John T
0001 D1 Brown, Erick M
006266 Cristalli, Michael V.

Y

Y

Y

Y

Mr. Cristalli requested matter be continued. For the record, Mr. Fattig advised the State is ready to go forward and has several out of state witnesses. COURT ORDERED, request to continue GRANTED; trial date VACATED and RESET with #1 priority. Mr. Cristalli stated he needs statements from victim. Mr. Fattig advised that there were no voluntary statements exist because the victim was transported to the hospital and was too ill to ever complete a statement. Court advised that Defense's request for discovery is GRANTED, if necessary.

CUSTODY

2/14/06 9 AM CALENDAR CALL #1

2/21/06 1:30 PM JURY TRIAL #1

01/10/06 09:00 AM 00 AT REQUEST OF COURT: APPLICATION FOR FEES

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: Linda Skinner, Court Clerk
Maureen Schorn, Reporter/RecorderPARTIES: STATE OF NEVADA
006639 Fattig, John T
0001 D1 Brown, Erick M
007166 Saggese, Marc A.

Y

Y

Y

Y

Upon Court's inquiry, Mr. Saggese advised the family had hired Mr. Franke and he exhausted the early funds that were granted. Mr. Saggese stated his Investigator, Mr. Needham needs to contact the witnesses in California and review the fingerprint evidence. Mr. Saggese advised they have not been paid, however, will see the case to the end and requested a little relief for the Investigator. COURT ORDERED, \$3,000 will be afforded. Mr. Fattig presented an Order to release the fingerprint cards from the Clerk's Office

CONTINUED ON PAGE: 015

CRIMINAL COURT MINUTES

03-C-189658-C STATE OF NEVADA

vs Brown, Erick M

CONTINUED FROM PAGE: 014

Vault. ORDER SIGNED AND FILED IN OPEN COURT. Court admonished both counsel to be ready for trial on 2/21/06.

CUSTODY

02/14/06 09:00 AM 00 CALENDAR CALL (#1)

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: Linda Skinner, Court Clerk
Joe D'Amato, Reporter/Recorder

PARTIES: STATE OF NEVADA
006639 Fattig, John T
0001 D1 Brown, Erick M
006266 Cristalli, Michael V.

Y
Y
Y
Y

Court noted this matter was discussed in chambers. Mr. Fattig concurred and FILED IN OPEN COURT State's Motion to Continue. Pursuant to discussion, COURT ORDERED, trial date VACATED and RESET.

CUSTODY

6/20/06 9:00 AM CALENDAR CALL (#2)

6/26/06 1:30 PM JURY TRIAL (#2)

06/20/06 09:00 AM 00 CALENDAR CALL (#2)

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: Linda Skinner, Court Clerk
Joe D'Amato, Reporter/Recorder

PARTIES: STATE OF NEVADA
006639 Fattig, John T
006955 Di Giacomo, Marc P.
0001 D1 Brown, Erick M
006266 Cristalli, Michael V.

Y
Y
Y
Y
Y

Mr. Fattig advised he is ready with 13 witnesses (7 out of State) and lasting 4-5 days. Mr. Cristalli stated he is ready as well. Court noted there is a trial ahead of this, however, if it negotiates, this case will go forward. Mr. Cristalli advised there are 4 subpoenas that were not complied with. Upon review of Court, Mr. Fattig noted Mr. Cristalli keeps issuing subpoenas that have nothing to do with this case. Mr. Cristalli stated he

CRIMINAL COURT MINUTES

03-C-189658-C STATE OF NEVADA

vs Brown, Erick M

CONTINUED FROM PAGE: 015

would like a copy of the procedural manual from the Henderson Police. Further, he feels they (the Henderson Police Department) have evidence of another person that is responsible for committing this crime that they have not turned over to the District Attorney. Mr. Fattig stated it is untrue, the person Mr. Cristalli is referring to was not picked out of the lineup and his fingerprints do not match. Mr. Cristalli argued there are errors in the report and the Police ignored evidence of another individual. Following additional colloquy, Court advised the subpoenas would not be issued and stated its displeasure as he feels Mr. Cristalli is trying to put the Henderson Police Department on trial. Mr. Cristalli stated he needs an exemplar as the signatures do not match; that there are 3 documents and 1 does not match. COURT ORDERED, DENIED. Mr. Cristalli asked for Internal Affairs information and computer information. COURT ORDERED, DENIED. FURTHER, COURT ORDERED, matter CONTINUED to see if other matter resolves.

CUSTODY

CONTINUED TO: 06/21/06 09:00 AM 01

06/21/06 09:00 AM 01 CALENDAR CALL (#2)

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: Linda Skinner, Court Clerk
Joe D'Amato, Reporter/RecorderPARTIES: STATE OF NEVADA
006639 Fattig, John T
006204 Digiacomo, Sandra0001 D1 Brown, Erick M
006266 Cristalli, Michael V.Y
Y
Y

Y
Y

Discussion by Mr. Cristalli regarding expert. Mr. DiGiacommo stated he had no objection to this expert as long as he gets the report as soon as possible. Mr. Cristalli stated he does not have one yet. Court noted this witness may not be called anyway and will visit this issue if there is a legitimate reason for discussion. As all counsel are ready, COURT ORDERED, jury selection will begin at 1:30 on 6/26/06.

CUSTODY

CRIMINAL COURT MINUTES

03-C-189658-C STATE OF NEVADA

vs Brown, Erick M

CONTINUED FROM PAGE: 016

06/26/06 01:30 PM 00 TRIAL BY JURY

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: Linda Skinner, Court Clerk
Joe D'Amato, Reporter/Recorder

PARTIES: STATE OF NEVADA
006955 Di Giacomo, Marc P.
006639 Fattig, John T

0001 D1 Brown, Erick M
006266 Cristalli, Michael V.

Y
Y
Y

Y
Y

Gary Modafferi also present for Defendant. 1:47 PM PROSPECTIVE JURORS
PRESENT: Roll call taken. Jury selection begins. 5:04 PM EVENING RECESS.

CONTINUED TO: 06/27/06 01:30 PM 01

06/27/06 01:30 PM 01 TRIAL BY JURY

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: Linda Skinner, Court Clerk
Joe D'Amato, Reporter/Recorder

PARTIES: STATE OF NEVADA
006955 Di Giacomo, Marc P.
006639 Fattig, John T

0001 D1 Brown, Erick M
006266 Cristalli, Michael V.

Y
Y
Y

Y
Y

Gary Modafferi also present for Defendant. 1:27 PM OUTSIDE PRESENCE OF
PROSPECTIVE JURORS: Mr. Cristalli issued a Batson challenge as to Juror
#488 and advised he did not feel the State was warranted in letting her go
because of her job history and the t-shirt she wore, however, did note there
are 2 other African Americans in the box. Mr. Fattig advised she had 3 jobs
in 7 months and the lack of maturity in her dress were the reasons she was
excused. Court stated collectively it finds no good cause for the challenge
and ORDERED, DENIED. There being no objection, Amended Information FILED IN
OPEN COURT. 1:32 PM PROSPECTIVE JURORS PRESENT: Roll call taken. 1:45 PM
Jury and 1 Alternate selected and sworn. Information read by Clerk.
Instructions by Court. Exclusionary rule invoked. 1:56 PM Opening
statements by counsel. Testimony and exhibits presented (see worksheets).
5:16 PM EVENING RECESS.

CONTINUED TO: 06/28/06 01:30 PM 02

CRIMINAL COURT MINUTES

03-C-189658-C STATE OF NEVADA

vs Brown, Erick M

CONTINUED FROM PAGE: 017

06/28/06 01:30 PM 02 TRIAL BY JURY

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: Linda Skinner, Court Clerk
Joe D'Amato, Reporter/RecorderPARTIES: STATE OF NEVADA
006955 Di Giacomo, Marc P.
006639 Fattig, John T

0001 D1 Brown, Erick M
006266 Cristalli, Michael V.Y
Y
Y
Y
Y

Gary Modafferi also present for Defendant. 1:35 PM JURY PRESENT: Roll call taken. Testimony and exhibits continued (see worksheets). 4:56 PM EVENING RECESS.

CONTINUED TO: 06/29/06 01:30 PM 03

06/29/06 01:30 PM 03 TRIAL BY JURY

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: Linda Skinner, Court Clerk
Joe D'Amato, Reporter/RecorderPARTIES: STATE OF NEVADA
006955 Di Giacomo, Marc P.
006639 Fattig, John T

0001 D1 Brown, Erick M
006266 Cristalli, Michael V.Y
Y
Y
Y
Y

Gary Modafferi also present for Defendant. 1:42 PM OUTSIDE PRESENCE OF JURY: Mr. Cristalli objected to the co-defendant being brought in when the State knows he will not cooperate and testify. Mr. DiGiacomo stated the only issue is identification. Mr. Cristalli argued the inference through seeing co-defendant, is that Defendant Brown committed the crime. Following discussions, Court noted co-defendant will be brought in before the Jury is seated and he is to be dressed in street clothes. Mr. DiGiacomo requested for identification purposes, that co-defendant Blackwell, be allowed to come into the well. COURT SO ORDERED. 1:50 PM JURY PRESENT: Roll call taken. Testimony and exhibits continued, (see worksheets). 3:39 PM OUTSIDE PRESENCE OF JURY: Mr. DiGiacomo advised he will have the FBI Agent identify Deft. Blackwell. Defendant admonished of his rights to testify. Discussion regarding prior convictions. Exhibits 14, 9 & 7 offered and ADMITTED. Mr. Cristalli stated his Investigator found the reports were tampered with and Defendant wanted this issue to be raised. Court so noted. 4:19 PM JURY

CONTINUED ON PAGE: 019

CRIMINAL COURT MINUTES

03-C-189658-C STATE OF NEVADA

vs Brown, Erick M

CONTINUED FROM PAGE: 018

PRESENT: All present as before. 4:22 PM STATE RESTS. EVENING RECESS.

CONTINUED TO: 06/30/06 09:00 AM 04

06/30/06 09:00 AM 04 TRIAL BY JURY

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: Linda Skinner, Court Clerk
Joe D'Amato, Reporter/Recorder

PARTIES:

STATE OF NEVADA
006955 Di Giacomo, Marc P.
006639 Fattig, John TY
Y
Y0001 D1 Brown, Erick M
006266 Cristalli, Michael V.Y
Y

Gary Modafferi also present for Defendant. 9:25 AM OUTSIDE PRESENCE OF JURY: Mr. Cristalli requested Defendant's presence be waived as he has not arrived yet. Jury instructions settled on the record. 9:34 AM JURY & DEFENDANT PRESENT: Roll call taken. Testimony and exhibits continued, (see worksheets). 11:00 AM DEFENSE RESTS. Rebuttal by State. 11:25 AM STATE RESTS. Jury instructions read by Court. RECESS. 1:16 PM JURY PRESENT: All present as before. Closing arguments by counsel. 2:47 PM Jury retired to deliberate. Court thanked and excused the Alternate. 7:40 PM JURY PRESENT: Roll call taken. Jury fore person advised a verdict had been reached:

COUNT 1 - Burglary While in Possession of a Firearm - GUILTY;

COUNT 2 - First Degree Kidnapping with Use of a Deadly Weapon, Victim 65 Years of Age, or Older Resulting in Substantial Bodily Harm - GUILTY;

COUNT 3 - First Degree Kidnapping with Use of a Deadly Weapon Resulting in Substantial Bodily Harm - GUILTY;

COUNT 4 - Robbery with Use of a Deadly Weapon, Victim 65 Years of Age or Older - GUILTY;

COUNT 5 - Robbery with Use of a Deadly Weapon - GUILTY.

At request of Mr. Cristalli, Jury polled. Court referred matter to the Division of Parole and Probation for a Pre-sentence Investigation Report and ORDERED, set for sentencing. Defendant to be held without bail. Court thanked and excused the Jury. OUTSIDE PRESENCE OF JURY: Mr. Cristalli stated during cross examination of Defendant, Mr. DiGiacomo showed him a Notice of Alibi Witness; there was a conference at the Bench wherein Mr. Cristalli requested a mistrial, which was denied. Mr. Cristalli renewed his request for a mistrial. Mr. DiGiacomo argued the Notice was never withdrawn and therefore he was allowed to use it. Court concurred and DENIED request for a mistrial.

CUSTODY

CRIMINAL COURT MINUTES

03-C-189658-C STATE OF NEVADA

vs Brown, Erick M

CONTINUED FROM PAGE: 019

8/8/06 9:00 AM SENTENCING

08/08/06 09:00 AM 00 SENTENCING

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: Linda Skinner, Court Clerk
Joe D'Amato, Reporter/Recorder

PARTIES: STATE OF NEVADA
006955 Di Giacomo, Marc P.
0001 D1 Brown, Erick M
006266 Cristalli, Michael V.

Y
Y
Y
Y

By virtue of the Jury's findings, DEFENDANT BROWN ADJUDGED GUILTY of COUNT 1 - BURGLARY WHILE IN POSSESSION OF A FIREARM (F); COUNT 2 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON, VICTIM 65 YEARS OF AGE OR OLDER RESULTING IN SUBSTANTIAL BODILY HARM (F); COUNT 3 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM (F); COUNT 4 - ROBBERY WITH USE OF A DEADLY WEAPON, VICTIM 65 YEARS OF AGE (F) and COUNT 5 - ROBBERY WITH USE OF A DEADLY WEAPON (F). Statements by Mr. DiGiacomo, Defendant and Mr. Cristalli. Speaker Emmett Connley sworn and addressed the Court. COURT ORDERED, DEFENDANT SENTENCED to the Nevada Department of Corrections as to:

COUNT 1 - a MAXIMUM term of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM parole eligibility of TWENTY-SIX (26) MONTHS, and;

COUNT 2 - a MAXIMUM term of FORTY (40) YEARS with a MINIMUM Parole eligibility after FIFTEEN (15) YEARS, plus an EQUAL AND CONSECUTIVE MAXIMUM term of FORTY (40) YEARS with a MINIMUM parole eligibility after FIFTEEN (15) YEARS, for Victim over 65 Years of Age or Older, to run CONCURRENT with Count 1, and;

COUNT 3 - a MAXIMUM term of FORTY (40) YEARS with a MINIMUM Parole eligibility after FIFTEEN (15) YEARS, plus an EQUAL AND CONSECUTIVE MAXIMUM term of FORTY (40) YEARS with a MINIMUM parole eligibility after FIFTEEN (15) YEARS, for the Deadly Weapon enhancement. to run CONSECUTIVE to Count 2 and PAY \$143,327 RESTITUTION, and;

COUNT 4 - a MAXIMUM term of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM parole eligibility of TWENTY-SIX (26) MONTHS plus an equal and CONSECUTIVE MAXIMUM term of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM parole eligibility of TWENTY-SIX (26) MONTHS, for Victim 65 Years of Age or Older, to run CONCURRENT with Count 3, and;

COUNT 5 - a MAXIMUM term of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM parole eligibility of TWENTY-SIX (26) MONTHS, and plus an equal and CONSECUTIVE term of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM parole eligibility of TWENTY-SIX (26) MONTHS, for Use of a Deadly Weapon, to run CONCURRENT with Count 4, with 1,349 days credit for time served.

CRIMINAL COURT MINUTES

03-C-189658-C STATE OF NEVADA

vs Brown, Erick M

CONTINUED FROM PAGE: 020

At request of Mr. DiGiacomo, an Order to Release Mr. Connley's gold watch was SIGNED IN OPEN COURT.

CLERK'S NOTE: Pursuant to statute and Pre-sentence Report, a \$25 Administrative Assessment fee and \$150 DNA Analysis fee is imposed and Defendant to submit to genetic markers testing. BOND, if any, EXONERATED.

08/28/06

E X H I B I T S

10:48 AM

CASE NO. 03-C-189658-C

CASE STATUS: INACTIVE

STATE OF NEVADA

[] vs Brown, Erick M

[E]

NO.	CODE	EXHIBIT DESCRIPTION	SUB	OF/OB	DATE	S
0001	P/D	/JUSTICE COURT EXHIBITS	S	/	01/30/03	V
0002	P1-1A	/EVID ENV CONT PHOTO LINEUP	S	AD/NO	07/24/03	V
0003	P2-2F	/EVID ENV CONT 2A-2F-PHOTOS	S	/	99/99/99	V
0004	P3-3D	/EVID ENV CONT 3A-3D		/	99/99/99	V
0005	P4-7C	/EXH 4-7C	S	/	99/99/99	V
0006	P8-8A	/LG EVID ENV CONT 8A-CELL PHONE	S	/	99/99/99	V
0007	P9-9B	/LG ENV W/9A-PKG; 9B- PKG	S	/	99/99/99	V
0008	P10-10	/LG EVID BAG CONT 10A-10E	S	/	99/99/99	V
0009	P11-11	/EVID ENV CONT 11A-11DDD-PHOTOS	S	AD/ST	07/24/03	V
0010	P12-12	/LG ENV CONT 12A-WHT FLEX CUFF	S	/	99/99/99	V
0011	P13-13	/LG ENV CONT 13A-WHT FLEX CUFF	S	/	99/99/99	V
0012	P14-14	/SM ENV CONT 14A-EARRING	S	AD/NO	07/24/03	V
0013	P15-16	/EVID BGS **BIOHAZARD**	S	/	99/99/99	V
0014	P17-17	/MD EVID BAG CONT 17A-17L-CD DISKS	S	/	99/99/99	V
0015	P18-18	/LG ENV CONT 18A-18D-PHOTO LINEUPS	S	/	99/99/99	V
0016	P19-81	/PHOTOS	S	/	99/99/99	V
0017	P82	/LV MANUF LIST	S	AD/NO	07/24/03	V
0018	P83	/HPD LAB RPRT 11/25/02	S	AD/NO	07/24/03	V
0019	P84	/HPD LAB RPRT 4/14/03	S	AD/NO	07/24/03	V
0020	P85-I	/SM EVID ENV CONT A-I- FINGERPRINT CARDS	S	/	99/99/99	V
0021	DA	/BLANK FI CARD		AD/NO	07/24/03	V
0022	PCTA	/DEFT PROPOSED JURY INST		/	99/99/99	V
0023	P/1	/GPA	S	/	99/99/99	V
0024	P..	/STATE'S EXH 1-85 SAME AS PREVIOUS TRIAL	S	/	99/99/99	
0025	P86	/AERIAL MAP	S	AD/NO	06/27/06	V
0026	P87	/SUBPOENA W/ENVELOPE & 911 LOH	S	AD/ST	06/27/06	V
0027	P87A	/TAPE	S	AD/ST	06/27/06	V
0028	P88	/HYATT REGENCY HOTEL RECORDS	S	AD/NO	06/29/06	V
0029	P89	/CHART ONE MEDICAL RECORDS	S	AD/ST	06/28/06	V
0030	P90	/CHART ONE MEDICAL RECORDS	S	AD/ST	06/27/06	V
0031	P91	/PHOTO - WATCH W/RED FACE	S	AD/NO	06/27/06	V
0032	P92	/HAND DRAWN DIAGRAM MAIN CUSTOMER AREA	S	AD/NO	06/27/06	V
0033	P92A	/HAND DRAWN DIAGRAM BACK ROOM AREA	S	AD/NO	06/27/06	V
0034	P93	/PHOTO - DIAMOND RING	S	AD/NO	06/28/06	V
0035	P94	/WITHDRAWN	S	/	99/99/99	
0036	P95	/PHOTO - BLACKWELL	S	AD/NO	06/28/06	V
0037	P96	/PHOTO - BROWN	S	AD/NO	06/28/06	V
0038	P97	/PHOTO - FRONT DOOR (BOTTOM)	S	AD/NO	06/29/06	V
0039	P98	/PHOTO - FRONT DOOR (TOP)	S	AD/NO	06/29/06	V
0040	P99	/PHOTO - BACK DOOR	S	AD/NO	06/29/06	V
0041	P100	/LAPD - FINGER PRINT LOG	S	AD/NO	06/29/06	V
0042	P101	/FINGER PRINTS - BLACKWELL	S	AD/NO	06/29/06	V
0043	P102	/FINGER PRINTS - BROWN	S	AD/NO	06/29/06	V
0044	P103	/PHOTO - M. WILLIAMS	S	AD/NO	06/30/06	V
0045	P104	/MIRANDA FORM	S	/	99/99/99	V
0046	P105	/MAP 224 HOLLY FERN ST.	S	AD/ST	06/30/06	V
0047	D/A	/HPD INTERVIEW CARD	0001	/	99/99/99	V
0048	D/B	/TRANSCRIPT 911 TAPE	0001	AD/ST	06/27/06	V
0049	D/C	/HPD CRIME SCENE LOG	0001	AD/NO	06/27/06	V
0050	D/D	/HPD CRIME SCENE REPORT (PRICE)	0001	/	99/99/99	V
0051	D/E	/HPD EVIDENCE IMPOUND REPORT	0001	/	99/99/99	V
0052	D/F	/BOOKING INFOR - MARTEL WILLIAMS	0001	/	99/99/99	V

08/28/06

E X H I B I T S

10:48 AM

CASE NO. 03-C-189658-C

CASE STATUS: INACTIVE

STATE OF NEVADA

[] vs Brown, Erick M

[E]

<u>NO.</u>	<u>CODE</u>	<u>EXHIBIT DESCRIPTION</u>	<u>SUB</u>	<u>OF/OB</u>	<u>DATE</u>	<u>S</u>
0053	D/G	/MEMORANDUM	0001	/	99/99/99	V
0054	D/H	/IMPOUND LIST	0001	/	99/99/99	V
0055	PCT1	/MEMORANDUM		/	99/99/99	V
0056	PCT2	/NOTE FROM FORE PERSON		/	99/99/99	V
0057	PCT3	/NOTE FROM JUDGE		/	99/99/99	V

Certification of Copy

State of Nevada }
County of Clark } SS:

I, Shirley B. Parraguirre, the duly elected, qualifying and acting Clerk of Clark County, in the State of Nevada, and Ex-Officio Clerk of the District Court, do hereby certify that the foregoing is a true, full and correct copy of the original.

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT
DOCKET ENTRIES; JUDGMENT OF CONVICTION (JURY TRIAL); DISTRICT COURT
MINUTES; EXHIBITS LIST

STATE OF NEVADA,

Plaintiff(s),

vs.

ERICK MARQUIS BROWN,

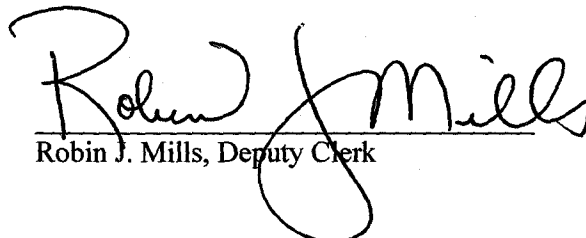
Defendant(s),

)
)
) Case No: C189658
) Dept No: XIV
)
)
)
)
)
)

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 28 day of August 2006.

Shirley B. Parraguirre, Clark County Clerk


Robin J. Mills, Deputy Clerk