

FILED

AUG 10 11:14 AM '07

*Chris [Signature]*  
CLERK OF THE COURT

FILED

AUG 15 2007

DISTRICT COURT  
CLARK COUNTY, NEVADA

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY W. Wasado  
DEPUTY CLERK

GLENFORD A. BUDD,  
Petitioner,

VS.

THE STATE OF NEVADA,  
et al.,

Respondents

No. 50008

Case No. 03-C-193182-C

Dept. No. 18

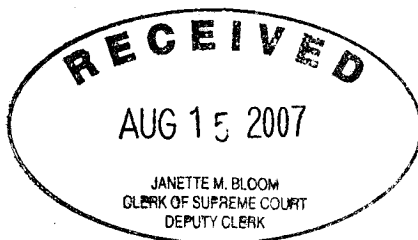
NOTICE OF APPEAL

NOTICE OF APPEAL is hereby given by the Petitioner, Glenford A. Budd, acting in propria persona, to the Supreme Court of the State of Nevada from the Order Denying Defendant's Pro Per Motion to Hold Howard S. Brooks Attorney of Record in Contempt for failing to forward a copy of the case file, filed July 23, 2007.

DATED: this 6 day of August, 2007

Respectfully submitted,

*Glenford A. Budd*  
Glenford A. Budd #90043  
Ely State Prison  
PO. Box 1989  
Ely, Nevada 89301  
Petitioner, Pro Per



RECEIVED  
AUG 10 2007  
CLERK OF THE COURT

## CERTIFICATE OF SERVICE

I, Glenford A. Budd, petitioner, hereby Certify pursuant to NRCp 5(b), that on this 6 day of August, 2007, I mailed a true and correct copy of Notice of Appeal, via First Class, postage pre-paid, to:

Charles J. Short,  
Clerk of the Court  
200 Lewis Avenue, 3rd floor  
Las Vegas, Nevada 89155-1160

David Roger, Esq  
Clark County District Attorney  
200 Lewis Ave.  
Las Vegas, Nevada 89155

DATED this 6 day of August 2007.

*Glenford A. Budd*  
Glenford A. Budd # 90043  
Ely State Prison  
PO Box 1989  
Ely, Nevada 89301

Retainer, Pro Per

///

///

///

**AFFIRMATION**  
**Pursuant to NRS 239B.030**

The undersigned does hereby affirm that the preceding Notice of Appeal for Defendant's Pro Per Motion to Hold Howard S. Brooks, Attorney of Record in Contempt for failing to forward a copy of the case file

\_\_\_\_\_  
(Title of Document)

filed in District Court Case No. 03-C-193182-C

☒ Does not contain the social security number of any person.

-OR-

☐ Contains the social security number of a person as required by:

A. A specific state or federal law, to wit:

NRC P 5(b)

(State specific law)

-OR-

B. For the administration of a public program or  
for an application for a federal or state grant.

Chunferd A. Smith  
(Signature)

August 6, 2007  
(Date)

1 ASTA

FILED

2007 AUG 13 1 A 10: 23

2  
3  
4 **DISTRICT COURT**  
5 **CLARK COUNTY, NEVADA**  
6

*Cliff Smith*  
CLERK OF THE COURT

7 STATE OF NEVADA, )

8 Plaintiff(s), )

9 vs. )

10 GLENFORD A. BUDD, )

11 Defendant(s), )  
12

) Case No: C193182

) Dept No: XVIII  
13

14 **CASE APPEAL STATEMENT**

15 1. Appellant(s): GLENFORD A. BUDD

16 2. Judge: DAVID BARKER

17 3. All Parties, District Court:

18 Plaintiff, THE STATE OF NEVADA

19 Defendant(s), GLENFORD A. BUDD

20 4. All Parties, Appeal:

21 Appellant(s), GLENFORD A. BUDD

22 Respondent, THE STATE OF NEVADA

23 5. Appellate Counsel:

24 *Appellant/Proper Person*  
25 Glenford A. Budd #90043  
26 P.O. Box 1989  
27 Ely, NV 89301  
28

*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

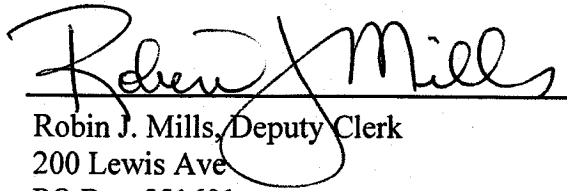
3           8. Forma Pauperis, Granted

4           9. Date Commenced in District Court: June 26, 2003

5                     Dated This 13 day of August 2007.

6                             Charles J. Short, Clerk of the Court

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: 08/10/07  
CASE NO. 03-C-193182-C

I N D E X

TIME 3:48 PM  
JUDGE:Barker, David

STATE OF NEVADA

[ ] vs Budd, Glenford A

[ ]

0001 D1 Glenford A Budd

Pro Se

NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0001	06/26/03	CBO /CRIMINAL BINDOVER Fee \$0.00				
0002	06/26/03	ARRN/INITIAL ARRAIGNMENT	0001		07/02/03	
0003	06/26/03	INFO/INFORMATION	0001		06/26/03	
0004	06/27/03	NOEV/NOTICE OF EXHIBITS IN THE VAULT			06/26/03	
0005	06/26/03	CBOR/CRIMINAL BINDOVER RECEIPT	0001			
0006	07/02/03	CALC/CALENDAR CALL (VJ 2/11/04)	0001	VC	02/18/04	
0007	07/02/03	JURY/TRIAL BY JURY (VJ 2/11/04)	0001	VC	02/23/04	
0008	07/03/03	ORDR/MEDIA REQUEST TO PERMIT CAMERA ACCESS TO PROCEEDINGS AND ORDER GRANTING	0001		07/03/03	
0009	07/07/03	TRAN/REPORTER'S TRANSCRIPT PRELIMINARY HEARING	0001		06/16/03	
0010	07/25/03	NISD/NOTICE OF INTENT TO SEEK DEATH PENALTY	0001			
0011	07/28/03	CRTF/CERTIFICATE OF FACSIMILE TRANSMISSION	0001		07/28/03	
0012	08/08/03	TRAN/REPORTER'S TRANSCRIPT PRELIMINARY HEARING VOLUME II	0001		06/25/03	
0013	10/27/03	TRAN/REPORTER'S TRANSCRIPT RE: ARRAIGNMENT	0001		07/02/03	
0014	01/27/04	MOT /DEFT'S MTN TO VACATE /CONTINUE TRIAL DATE/4	0001	GR	02/11/04	
0015	01/28/04	RAO /MEDIA REQUEST AND ORDER	0001	GR	01/28/04	
0016	02/12/04	CALC/CALENDAR CALL (vj 5/24/04)	0001	VC	07/14/04	
0017	02/12/04	JURY/TRIAL BY JURY (vj 5/24/04)	0001	VC	07/19/04	
0018	05/12/04	HEAR/STATE'S REQUEST RESET TRIAL DATE	0001		05/24/04	
0019	05/24/04	CALC/CALENDAR CALL	0001		11/10/04	
0020	05/24/04	JURY/TRIAL BY JURY (VJ 11/10/04)	0001	VC	11/15/04	
0022	09/14/04	MOT /DEFT'S MTN 1/11	0001	GR	11/23/05	
0023	09/14/04	MOT /DEFT'S MTN 2/12	0001	GR	11/23/05	
0024	09/14/04	MOT /DEFT'S MTN 3/13	0001	GR	11/23/05	
0025	09/14/04	MOT /DEFT'S MTN 4/14	0001	MT	11/23/05	
0026	09/14/04	MOT /DEFT'S MTN 6/15	0001	MT	11/23/05	
0027	09/14/04	MOT /DEFT'S MTN 7/16	0001	DN	11/23/05	
0028	09/14/04	MOT /DEFT'S MTN 8/17	0001	DN	11/23/05	
0029	09/14/04	MOT /DEFT'S MTN 5/18	0001	MT	11/23/05	
0030	09/14/04	MOT /DEFT'S MTN 9/19	0001	GR	11/23/05	
0031	09/14/04	MOT /DEFT'S MTN 10/20	0001	GR	11/23/05	
0032	09/15/04	NOTC/CLARK COUNTY PUBLIC DEFENDERS NOTICE OF QUALIFICATIONS PURSUANT TO SUPREME COUNRT RULE 250(2) (g) AND (h)	0001			Y
0033	09/21/04	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION IN LIMINE FOR ORDER PROIBITING PROSECUTION MISCONDUCT IN ARGUMENT AND FOR ORDER THAT COURT TAKES JUDICIAL NOTICE OF AUTHORITY CITED IN THIS MOTION IN DEFENSE OBJECTS AT TRIAL TO IMPROPER ARGUMENT	0001			Y
0034	09/21/04	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION TO ALLOW THE DEFENSE TO ARGUE LAST IN A POTENTIAL PENALTY PHASE PROCEEDING	0001			Y
0035	09/21/04	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION FOR RECORDING OF ALL PROCEEDINGS	0001			Y

(Continued to page 2)

NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
PURSUANT TO SUPREME COURT RULE 250						
0036	09/21/04	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION TO DISQUALIFY ALL POTENTIAL JURORS WHO KNEW OR WERE ACQUAINTED WITH THE VICTIMS OR THEIR FAMILIES	0001			Y
0037	09/21/04	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION IN LIMINE TO PROHIBIT ANY REFERENCE IN FRONT OF THE JURY TO THE TRIAL PHASE OF THE PROCEEDINGS AS THE GUILT PHASE	0001			Y
0038	09/21/04	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION TO DISQUALIFY ALL POTENTIAL JURORS WHO WOULD AUTOMATICALLY VOTE FOR THE DEATH PENALTY IN THE EVENT OF A FIRST DEGREE MURDER CONVICTION	0001			Y
0039	09/21/04	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION TO BIFURCATE PENALTY PHASE	0001			
0040	09/22/04	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION FOR JURY QUESTIONNAIRE TO BE COMPLETED BY JURE VENIRE ONE WEEK PRIOR TO TRIAL	0001			Y
0041	09/28/04	LIST/NOTICE OF EXPERT WITNESSES	0001			
0042	09/28/04	LIST/NOTICE OF WITNESSES	0001			
0043	10/04/04	MOT /DEFT'S MTN #12 TO PRECLUDE THE ADMISSION DURING POSSIBLE PENALTY PROCEEDING/21	0001	DN	11/23/05	
0044	10/04/04	MOT /DEFT'S MTN #14 TO DISMISS STATE NTC OF INTENT BECAUSE NV DEATH/22	0001	DN	11/23/05	
0045	10/04/04	MOT /DEFT'S MTN #13 TO BAR ADMISSION OF CUMULATIVE VICTIM IMPACT EVID IN/23	0001	GR	11/23/05	
0046	10/04/04	MOT /DEFT'S MTN #11 TO STRIKE ALLEGATIONS OF CERTAIN AGGRAVATING CIRCUMSTANCES/24	0001	DN	11/23/05	
0047	10/06/04	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION IN LIMINE TO PROHIBIT THE STATE FROM USING PEREMPTORY CHALLENGES TO REMOVE MINORITIES FROM THE JURY	0001			Y
0048	10/08/04	NISD/AMENDED NOTICE OF INTENT TO SEEK DEATH PENALTY	0001			
0049	10/08/04	NOTC/NOTICE OF EVIDENCE IN SUPPORT OF AGGRAVATING CIRCUMSTANCES	0001			
0050	10/12/04	RSPN/STATES RESPONSE TO DEFENDANT BUDDS MOTION TO STRIKE ALLEGATIONS OF CERTAIN AGGRAVATING CIRCUMSTANCES ALLEGED IN STATES NOTICE OF INTENT TO SEEK DEATH PENALTY	0001			Y
0051	10/12/04	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION TO PRECLUDE THE INTRODUCTION OF VICTIM IMPACT EVIDENCE PERTAINING TO VICTIM AND FAMILY MEMBERS CHARACTERIZATIONS	0001			Y
0052	10/12/04	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION TO BAR THE ADMISSION OF CUMULATIVE VICTIM IMPACT EVIDENCE IN VIOLATION OF THE DUE PROCESS CLAUSE	0001			Y
0053	10/14/04	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION TO DISMISS THE STATES NOTICE OF INTENT BECAUSE NEVADAS DEATH PENALTY SCHEME VIOLATES DUE PROCESS GUARANTEES BY FILING TO REQUIRE A PRE TRIAL FINDING OF PROBABLE CAUSE FOR ALLEGED AGGRAVATORS	0001			Y
0054	10/27/04	MOT /ALL PENDING MOTIONS 10-27-04	0001		10/27/04	
0055	10/27/04	OCAL/STATUS CHECK: RESET MOTIONS	0001		11/10/04	
0056	11/10/04	MOT /ALL PENDING MOTIONS 11-10-04	0001		11/10/04	
0057	11/10/04	CALC/CALENDAR CALL (VJ 4/20/05)	0001	VC	04/27/05	
0058	11/10/04	JURY/TRIAL BY JURY (VJ 4/20/05)	0001	VC	05/02/05	

(Continued to page 3)

03-C-193182-C		(Continuation	Page	3)
NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC SCH/PER C
0059	01/13/05	MOT /ALL PENDING MOTIONS 1-12-05	0001	01/12/05
0060	04/20/05	MOT /ALL PENDING MOTIONS 4-20-05	0001	04/20/05
0061	04/20/05	CALC/CALENDAR CALL (FIRM)	0001	11/23/05
0062	04/20/05	JURY/TRIAL BY JURY (FIRM) (VJ 11/02/05)	0001	VC 11/28/05
0064	09/28/05	RAO /MEDIA REQUEST AND ORDER FOR CAMERA ACCESS TO COURT PROCEEDINGS	0001	09/28/05
0065	11/02/05	JURY/TRIAL BY JURY	0001	12/16/05
0066	11/02/05	OCAL/STATUS CHECK	0001	MH 11/14/05
0067	11/03/05	MOT /ALL PENDING MOTIONS 11-02-05	0001	11/02/05
0068	11/18/05	NOTC/AMENDED NOTICE OF EVIDENCE IN AGGRAVATION	0001	
0069	11/21/05	LIST/DEFENDANTS NOTICE OF EXPERT WITNESSES	0001	
0070	11/23/05	MOT /ALL PENDING MOTIONS 11-23-05	0001	11/23/05
0071	11/28/05	ORDR/ORDER FOR PRODUCTION OF INMATE	0001	SH 12/05/05
0072	12/01/05	LIST/DEFENDANTS AMENDED NOTICE OF EXPERT WITNESSES	0001	
0073	12/02/05	TRAN/REPORTER'S TRANSCRIPT DEFENDANTS PRETRIAL MOTIONS	0001	11/23/05
0074	12/05/05	TRB /TRIAL BEGINS		
0075	12/06/05	TRAN/REPORTER'S TRANSCRIPT JURY TRIAL VOLUME I	0001	12/05/05
0076	12/08/05	JURY/JURY	0001	
0077	12/08/05	TRAN/REPORTER'S TRANSCRIPT OF JURY TRIAL VOLUME 2	0001	12/06/05
0078	12/09/05	TRAN/REPORTER'S TRANSCRIPT OF JURY TRIAL VOLUME 3-A	0001	12/08/05
0079	12/08/05	FUS /FILED UNDER SEAL DEFENDANTS SUMMARY	0001	
0080	12/09/05	TRAN/REPORTER'S TRANSCRIPT JURY TRIAL VOLUME 3B PM SESSION	0001	12/08/05
0081	12/12/05	TRAN/REPORTER'S TRANSCRIPT JURY TRIAL VOLUME 4	0001	12/09/05
0082	12/12/05	STIP/STIPULATION	0001	
0083	12/15/05	OCAL/STATUS CHECK (WITNESS)	0001	OC 03/06/06
0084	12/13/05	VER /VERDICT	0001	12/13/05
0085	12/13/05	TRAN/REPORTER'S TRANSCRIPT JURY TRIAL VOLUME 5	0001	12/12/05
0086	12/13/05	INST/INSTRUCTIONS TO THE JURY	0001	
0087	12/15/05	ORDR/ORDER RE: CUSTODY OF MATERIAL WITNESS GREG LEWIS ID/ #1693087	0001	12/15/05
0088	12/15/05	TRAN/REPORTER'S TRANSCRIPT JURY TRIAL VOLUME 6	0001	12/13/05
0089	12/15/05	TRAN/REPORTER'S TRANSCRIPT JURY TRIAL VOLUME 7	0001	12/14/05
0090	12/16/05	SENT/SENTENCING	0001	GR 02/22/06
0091	12/16/05	JMNT/SPECIAL VERDICT COUNTS 1, 2 AND 3	0001	12/20/05
0092	12/16/05	JMNT/SPECIAL VERDICT COUNTS 1, 2 AND 3	0001	12/20/05
0093	12/16/05	JMNT/PENALTY VERDICT COUNT 3	0001	12/20/05
0094	12/16/05	JMNT/PENALTY VERDICT COUNT 1	0001	12/20/05
0095	12/16/05	JMNT/PENALTY VERDICT COUNT 2	0001	12/20/05
0096	12/16/05	INST/INSTRUCTIONS TO THE JURY	0001	
0097	12/19/05	TRAN/REPORTER'S TRANSCRIPT RE VERDICT	0001	12/16/05
0098	12/19/05	TRAN/REPORTER'S TRANSCRIPT OF TELEPHONICE HEARING RE: POST TRIAL JURY QUESTIONS	0001	12/16/05

(Continued to page 4)



03-C-193182-C		(Continuation	Page	4)
NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC SCH/PER C
0099	12/20/05	TRAN/REPORTER'S TRANSCRIPT PENALTY PHASE	0001	12/15/05
0100	12/23/05	TRAN/REPORTER'S TRANSCRIPT OF JURY TRIAL	0001	12/15/05
0101	01/31/06	RAO /MEDIA REQUEST AND ORDER	0001	GR 01/31/06
0102	01/31/06	RAO /MEDIA REQUEST AND ORDER	0001	GR 01/31/06
0103	03/01/06	JMNT/JUDGMENT OF CONVICTION/ADMIN ASSESSMENT	0001	03/02/06
0104	03/01/06	JMNT/JUDGMENT OF CONVICTION/GENETIC TESTING	0001	03/02/06
0105	03/01/06	JMNT/JUDGMENT OF CONVICTION/RESTITUTION	0001	03/02/06
0106	03/07/06	TRAN/REPORTER'S TRANSCRIPT JURY TRIAL VOLUME 5	0001 0001	12/12/05
0107	03/07/06	TRAN/REPORTER'S TRANSCRIPT JURY TRIAL VOLUME 8-B	0001 0001	12/15/05
0108	03/07/06	TRAN/REPORTER'S TRANSCRIPT JURY TRIAL VOLUME 4	0001 0001	12/09/05
0109	03/20/06	ORDR/ORDER FOR TRANSCRIPT	0001	03/20/06
0110	03/23/06	STAT/CASE APPEAL STATEMENT	0001	
0111	03/23/06	NOAS/NOTICE OF APPEAL	0001	AP 03/23/06
0112	04/11/06	ORDR/ORDER RE: CUSTODY OF MATERIAL WITNESS GREG LEWIS ID#1693087	0001 0001	04/11/06
0113	04/20/06	TRAN/REPORTER'S TRANSCRIPT CALENDAR CALL STATUS CHECK RESET MOTIONS	0001 0001	11/10/04
0114	04/20/06	TRAN/REPORTER'S TRANSCRIPT STATUS CHECK	0001	11/14/05
0115	04/20/06	TRAN/REPORTER'S TRANSCRIPT RE MOTIONS #1 TO #14	0001 0001	04/20/05
0116	04/20/06	TRAN/REPORTER'S TRANSCRIPT STATES REQUEST TO RESET TRIAL DATE	0001 0001	05/24/04
0117	04/20/06	TRAN/REPORTER'S TRANSCRIPT STATUS CHECK (WITNESS)	0001 0001	
0118	04/20/06	TRAN/REPORTER'S TRANSCRIPT RE MOTIONS #1 TO #14	0001 0001	01/12/05
0119	04/20/06	TRAN/REPORTER'S TRANSCRIPT DEFTS MOTION TO VACATE AND CONTINUE TRIAL DATE	0001 0001	02/11/04
0120	04/20/06	TRAN/REPORTER'S TRANSCRIPT STATUS CHECK	0001	01/30/06
0121	04/20/06	TRAN/REPORTER'S TRANSCRIPT RE MOTIONS #1 TO #14	0001 0001	10/27/04
0122	04/20/06	TRAN/REPORTER'S TRANSCRIPT SENTENCING	0001	02/22/06
0123	05/11/06	TRAN/REPORTER'S TRANSCRIPT ALL PENDING MOTIONS	0001 0001	11/03/05
0124	01/12/07	APCL/APPEAL TO SUPREME COURT: CLOSED 46977		AP 01/09/07
0125	02/08/07	JMNT/CLERK'S CERTIFICATE JUDGMENT AFFIRMED	0001	02/09/07
0126	05/01/07	AFFD/AFFIDAVIT IN SUPPORT OF MOTION TO PROCEED IN FORMA PAUPERIS	0001 0001	
0127	05/01/07	CASO/CASE (RE)OPENED		05/01/07
0128	05/01/07	MOT /DEFT'S PRO PER TO PROCEED IN FORMA PAUPERIS /41	0001 0001	GR 05/21/07
0129	05/01/07	MOT /DEFT'S PRO PER MTN TO WITHDRAW ATTORNEY, REQUEST FOR RECORDS & DOCUMENTS/42	0001 0001	GR 05/21/07
0130	05/21/07	MOT /ALL PENDING MOTIONS (5/21/07)	0001	05/21/07
0131	05/21/07	CCPD/CASE CLOSED PER DEPARTMENT	AL	05/21/07
0132	07/06/07	CASO/CASE (RE)OPENED		07/06/07
0133	07/05/07	MOT /DEFT'S PRO PER MTN TO HOLD HOWARD S BROOKS ATTORNEY OF RECORD IN CONTEMPT/44	0001 0001	DN 07/23/07
0134	07/06/07	ASSG/REASSIGNMENT OF JUDGE Saitta TO JUDGE Barker		

(Continued to page 5)

NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0135	07/12/07	RSPN/CLARK COUNTY PUBLIC DEFENDERS RESPONSE	0001			Y
		TO GLENFORD BUDDS MOTION TO HOLD CLARK	0001			
		COUNTY PUBLIC DEFENDER IN CONTEMPT				
0136	07/23/07	CCPD/CASE CLOSED PER DEPARTMENT	AL		07/23/07	

03-C-193182-C      STATE OF NEVADA      vs Budd, Glenford A

Y  
Y  
  
Y  
Y  
Y

2/23/04 1:30 PM JURY TRIAL

Y  
Y  
  
Y  
Y  
Y

7/19/04 1:30 PM JURY TRIAL

## CRIMINAL COURT MINUTES

03-C-193182-C      STATE OF NEVADA      vs Budd, Glenford A  
CONTINUED FROM PAGE: 001

05/24/04 09:00 AM 00 STATE'S REQUEST RESET TRIAL DATE

HEARD BY: Joseph S. Pavlikowski, Senior Judge; Dept. VJ30

OFFICERS: Amber Farley, Court Clerk  
Liz Garcia, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
005734	Pandukht, Taleen R.	Y
000398	Schwartz, David P.	Y
0001 D1	Budd, Glenford A	Y
PUBDEF	Public Defender	Y
003374	Brooks, Howard S.	Y

Mr. Brooks stated the Defendant has waived his speedy trial rights, and counsel have agreed on a November date. COURT ORDERED, request GRANTED; trial date vacated and re-set.

## CUSTODY

11/10/04 9:00 AM CALENDAR CALL

11/15/04 1:30 PM JURY TRIAL

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10/27/04 09:00 AM 00 ALL PENDING MOTIONS 10-27-04

HEARD BY: Nancy M Saitta, Judge; Dept. 18

OFFICERS: Kristen Brown, Court Clerk  
Jo Anne Pierpont, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
000398	Schwartz, David P.	Y
005734	Pandukht, Taleen R.	Y
0001 D1	Budd, Glenford A	Y
PUBDEF	Public Defender	Y
003374	Brooks, Howard S.	Y
006762	O'Brien, Timothy P.	Y

## DEFT'S MOTION IN LIMINE #1-14

Court stated parties met in chambers and determined that it would be appropriate to take all the motions off calendar and to be reset at the calendar call as there are issues regarding aggravators's in front of the Supreme Court. COURT ORDERED, Motions OFF CALENDAR and matter set for status check to reset to motions.

## CRIMINAL COURT MINUTES

03-C-193182-C STATE OF NEVADA

vs Budd, Glenford A

CONTINUED FROM PAGE: 002

## CUSTODY

11/10/04 9:00 AM STATUS CHECK: RESET MOTIONS

11/10/04 09:00 AM 00 ALL PENDING MOTIONS 11-10-04

HEARD BY: Michael A Cherry, Judge; Dept. 17

OFFICERS: Kristen Brown, Court Clerk  
Jo Anne Pierpont, Reporter/RecorderPARTIES: STATE OF NEVADA  
005734 Pandukht, Taleen R.

Y

Y

0001 D1 Budd, Glenford A

Y

PUBDEF Public Defender

Y

003374 Brooks, Howard S.

Y

CALENDAR CALL...STATUS CHECK: RESET DEFT'S MOTIONS IN LIMINE 1-14

Mr. Brooks stated the trial is being continued and Deft's motions will need to be reset. COURT ORDERED, Trial VACATED and RESET along with Deft's Motions in Limine 1-14.

## CUSTODY

1/12/05 10:30 AM DEFT'S MOTIONS IN LIMINE 1-14

4/27/05 9:00 AM CALENDAR CALL

5/02/05 1:30 PM JURY TRIAL

## CRIMINAL COURT MINUTES

03-C-193182-C STATE OF NEVADA vs Budd, Glenford A

CONTINUED FROM PAGE: 003

01/12/05 10:30 AM 00 ALL PENDING MOTIONS 1-12-05

HEARD BY: Nancy M Saitta, Judge; Dept. 18

OFFICERS: Kristen Brown, Court Clerk  
Jo Anne Pierpont, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
000398	Schwartz, David P.	Y
0001 D1	Budd, Glenford A	Y
PUBDEF	Public Defender	Y
003374	Brooks, Howard S.	Y

DEFT'S MOTION IN LIMINE 1-14

Mr. Brooks request a continuance as there are issues that still need to be investigated. COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 4/04/05 10:30 AM

04/20/05 09:00 AM 00 ALL PENDING MOTIONS 4-20-05

HEARD BY: Kathy Hardcastle, Chief Judge; Dept. 4

OFFICERS: Kristen Brown, Court Clerk  
Jo Anne Pierpont, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
000398	Schwartz, David P.	Y
005734	Pandukht, Taleen R.	Y
0001 D1	Budd, Glenford A	Y
PUBDEF	Public Defender	Y
003374	Brooks, Howard S.	Y

DEFT'S MOTION IN LIMINE #1 FOR ORDER PROHIBITING PROSECUTION MISCONDUCT IN ARGUMENT; AND FOR ORDER THAT COURT TAKES JUDICIAL NOTICE OF AUTHORITY CITED IN THIS MOTION IF DEFENSE OBJECTS AT TRIAL TO IMPROPER ARGUMENT...DEFT'S MOTION #2 FOR EXCHANGE OF JURY INSTRUCTIONS ON THE FIRST DAY OF TRIAL... DEFT'S MOTION #3 FOR RECORDING OF ALL PROCEEDINGS PURSUANT TO SUPREME COURT RULE 250...DEFT'S MOTION #4 TO DISQUALIFY ALL POTENTIAL JURORS WHO KNEW OR WERE ACQUAINTED WITH THE VICTIMS OR THEIR FAMILIES...DEFT'S MOTION #5 TO DISQUALIFY ALL POTENTIAL JURORS WHO WOULD AUTOMATICALLY VOTE FOR THE DEATH PENALTY IN THE EVENT OF A FIRST DEGREE MURDER CONVICTION...DEFT'S MOTION IN LIMINE #6 TO PROHIBIT THE STATE FROM USING PREEMPTORY CHALLENGES TO REMOVE MINORITIES FROM JURY...DEFT'S MOTION #7 TO BIFURCATE PENALTY PHASE

## CRIMINAL COURT MINUTES

03-C-193182-C STATE OF NEVADA

vs Budd, Glenford A

CONTINUED FROM PAGE: 004

PROCEEDINGS...DEFT'S MOTION #8 TO ALLOW THE DEFENSE TO ARGUE LAST IN A POTENTIAL PENALTY PHASE PROCEEDINGS...DEFT'S MOTION #9 FOR JURY QUESTIONNAIRE TO BE COMPLETED BY JURY VENIRE ONE WEEK PRIOR TO TRIAL... DEFT'S MOTION IN LIMINE #10 TO PROHIBIT ANY REFERENCE IN FRONT OF THE JURY TO THE TRIAL PHASE OF THE PROCEEDINGS AS THE "GUILT PHASE"...DEFT'S MOTION #11 TO STRIKE ALLEGATIONS OF CERTAIN AGGRAVATING CIRCUMSTANCES ALLEGED IN STATE'S NOTICE OF INTENT TO SEEK DEATH PENALTY...DEFT'S MOTION #12 TO PRECLUDE THE ADMISSION, DURING A POSSIBLE PENALTY PROCEEDING OF EVIDENCE ABOUT THE PERSONAL CHARACTER OF THE VICTIMS AND THE IMPACT OF THE VICTIM'S DEATHS ON THE FAMILY...DEFT'S MOTION #13 TO BAR THE ADMISSION OF CUMULATIVE VICTIM IMPACT EVIDENCE IN VIOLATION OF THE DUE PROCESS LAW...DEFT'S MOTION #14 TO DISMISS THE STATE'S NOTICE OF INTENT BECAUSE NEVADA'S DEATH PENALTY SCHEME VIOLATES DUE PROCESS GUARANTEES BY FAILING TO REQUIRE A PRE-TRIAL FINDING OF PROBABLE CAUSE FOR ALLEGED AGGRAVATORS

COURT ORDERED, Trial dates VACATED and RESET and all motions CONTINUED.

CUSTODY

CONTINUED TO: 8/01/05 9:00 AM

11/23/05 9:00 AM CALENDAR CALL

11/28/05 1:30 PM JURY TRIAL (FIRM)

11/02/05 09:00 AM 00 ALL PENDING MOTIONS 11-02-05

HEARD BY: David Wall, Judge; Dept. 20

OFFICERS: Kristen Brown, Court Clerk  
Angela Lee, Reporter/Recorder

PARTIES: STATE OF NEVADA  
009210 Tomsheck, Joshua L.  
0001 D1 Budd, Glenford A

Y

Y

Y

DEFT'S MOTION IN LIMINE #1 FOR ORDER PROHIBITING PROSECUTION MISCONDUCT IN ARGUMENT; AND FOR ORDER THAT COURT TAKES JUDICIAL NOTICE OF AUTHORITY CITED IN THIS MOTION IF DEFENSE OBJECTS AT TRIAL TO IMPROPER ARGUMENT...DEFT'S MOTION #2 FOR EXCHANGE OF JURY INSTRUCTIONS ON THE FIRST DAY OF TRIAL... DEFT'S MOTION #3 FOR RECORDING OF ALL PROCEEDINGS PURSUANT TO SUPREME COURT RULE 250...DEFT'S MOTION #4 TO DISQUALIFY ALL POTENTIAL JURORS WHO KNEW OR WERE ACQUAINTED WITH THE VICTIMS OR THEIR FAMILIES...DEFT'S MOTION #5 TO DISQUALIFY ALL POTENTIAL JURORS WHO WOULD AUTOMATICALLY VOTE FOR THE DEATH PENALTY IN THE EVENT OF A FIRST DEGREE MURDER CONVICTION...DEFT'S MOTION IN LIMINE #6 TO PROHIBIT THE STATE FROM USING PREEMPTORY CHALLENGES TO REMOVE MINORITIES FROM JURY...DEFT'S MOTION #7 TO BIFURCATE PENALTY PHASE PROCEEDINGS...DEFT'S MOTION #8 TO ALLOW THE DEFENSE TO ARGUE LAST IN A

## CRIMINAL COURT MINUTES

03-C-193182-C STATE OF NEVADA

vs Budd, Glenford A

CONTINUED FROM PAGE: 005

POTENTIAL PENALTY PHASE PROCEEDINGS...DEFT'S MOTION #9 FOR JURY QUESTIONNAIRE TO BE COMPLETED BY JURY VENIRE ONE WEEK PRIOR TO TRIAL... DEFT'S MOTION IN LIMINE #10 TO PROHIBIT ANY REFERENCE IN FRONT OF THE JURY TO THE TRIAL PHASE OF THE PROCEEDINGS AS THE "GUILT PHASE"...DEFT'S MOTION #11 TO STRIKE ALLEGATIONS OF CERTAIN AGGRAVATING CIRCUMSTANCES ALLEGED IN STATE'S NOTICE OF INTENT TO SEEK DEATH PENALTY...DEFT'S MOTION #12 TO PRECLUDE THE ADMISSION, DURING A POSSIBLE PENALTY PROCEEDING OF EVIDENCE ABOUT THE PERSONAL CHARACTER OF THE VICTIMS AND THE IMPACT OF THE VICTIMS' DEATHS ON THE FAMILY...DEFT'S MOTION #13 TO BAR THE ADMISSION OF CUMULATIVE VICTIM IMPACT EVIDENCE IN VIOLATION OF THE DUE PROCESS LAW...DEFT'S MOTION #14 TO DISMISS THE STATE'S NOTICE OF INTENT BECAUSE NEVADA'S DEATH PENALTY SCHEME VIOLATES DUE PROCESS GUARANTEES BY FAILING TO REQUIRE A PRE-TRIAL FINDING OF PROBABLE CAUSE FOR ALLEGED AGGRAVATORS

COURT ORDERED, Motions CONTINUED to the Calendar Call date.

CUSTODY

CONTINUED TO: 11/23/05 9:00 AM

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11/14/05 09:00 AM 00 STATUS CHECK

HEARD BY: J. CHARLES THOMPSON, Senior Judge; Dept. VJ42

OFFICERS: Kristen Brown, Court Clerk  
Jo Anne Pierpont, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
001438	Kane, Edward R.	Y
005734	Pandukht, Taleen R.	Y
0001 D1	Budd, Glenford A	Y
PUBDEF	Public Defender	Y
003374	Brooks, Howard S.	Y

Mr. Kane stated Mr. Brooks would like to start the trial on the following week. Following a conference at the Bench, COURT ORDERED, Trial date STANDS.

CUSTODY



## CRIMINAL COURT MINUTES

03-C-193182-C      STATE OF NEVADA      vs Budd, Glenford A

CONTINUED FROM PAGE: 006

11/23/05 09:00 AM 00 ALL PENDING MOTIONS 11-23-05

HEARD BY: Nancy M Saitta, Judge; Dept. 18

OFFICERS: Kristen Brown, Court Clerk  
Jo Anne Pierpont, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
001438	Kane, Edward R.	Y
005734	Pandukht, Taleen R.	Y
0001 D1	Budd, Glenford A	Y
PUBDEF	Public Defender	Y
003374	Brooks, Howard S.	Y
006762	O'Brien, Timothy P.	Y

DEFT'S MOTION IN LIMINE #1 FOR ORDER PROHIBITING PROSECUTION MISCONDUCT IN ARGUMENT; AND FOR ORDER THAT COURT TAKES JUDICIAL NOTICE OF AUTHORITY CITED IN THIS MOTION IF DEFENSE OBJECTS AT TRIAL TO IMPROPER ARGUMENT: COURT ORDERED, Motion GRANTED.

DEFT'S MOTION #2 FOR EXCHANGE OF JURY INSTRUCTIONS ON THE FIRST DAY OF TRIAL: COURT ORDERED, Motion GRANTED.

DEFT'S MOTION #3 FOR RECORDING OF ALL PROCEEDINGS PURSUANT TO SUPREME COURT RULE 250: COURT ORDERED, Motion GRANTED; a Court Reporter will be in court to provide daily transcripts.

DEFT'S MOTION #4 TO DISQUALIFY ALL POTENTIAL JURORS WHO KNEW OR WERE ACQUAINTED WITH THE VICTIMS OR THEIR FAMILIES: COURT ORDERED, Motion DENIED but may be revisited.

DEFT'S MOTION #5 TO DISQUALIFY ALL POTENTIAL JURORS WHO WOULD AUTOMATICALLY VOTE FOR THE DEATH PENALTY IN THE EVENT OF A FIRST DEGREE MURDER CONVICTION: COURT ORDERED, Motion DEFERRED until the issue arises.

DEFT'S MOTION IN LIMINE #6 TO PROHIBIT THE STATE FROM USING PREEMPTORY CHALLENGES TO REMOVE MINORITIES FROM JURY: COURT ORDERED, Motion DEFERRED.

DEFT'S MOTION #7 TO BIFURCATE PENALTY PHASE PROCEEDINGS: COURT ORDERED, Motion DENIED.

DEFT'S MOTION #8 TO ALLOW THE DEFENSE TO ARGUE LAST IN A POTENTIAL PENALTY PHASE PROCEEDINGS: COURT ORDERED, Motion DENIED.

DEFT'S MOTION #9 FOR JURY QUESTIONNAIRE TO BE COMPLETED BY JURY VENIRE ONE WEEK PRIOR TO TRIAL: COURT ORDERED, Motion GRANTED. Court DIRECTED counsel to agree on a format and to submit it to the Jury Commissioner.

DEFT'S MOTION IN LIMINE #10 TO PROHIBIT ANY REFERENCE IN FRONT OF THE JURY

## CRIMINAL COURT MINUTES

03-C-193182-C STATE OF NEVADA

vs Budd, Glenford A

CONTINUED FROM PAGE: 007

TO THE TRIAL PHASE OF THE PROCEEDINGS AS THE "GUILT PHASE": COURT ORDERED, Motion GRANTED.

DEFT'S MOTION #11 TO STRIKE ALLEGATIONS OF CERTAIN AGGRAVATING CIRCUMSTANCES ALLEGED IN STATE'S NOTICE OF INTENT TO SEEK DEATH PENALTY: COURT ORDERED, Motion DENIED.

DEFT'S MOTION #12 TO PRECLUDE THE ADMISSION, DURING A POSSIBLE PENALTY PROCEEDING OF EVIDENCE ABOUT THE PERSONAL CHARACTER OF THE VICTIMS AND THE IMPACT OF THE VICTIMS' DEATHS ON THE FAMILY: COURT ORDERED, Motion DENIED.

DEFT'S MOTION #13 TO BAR THE ADMISSION OF CUMULATIVE VICTIM IMPACT EVIDENCE IN VIOLATION OF THE DUE PROCESS LAW: COURT ORDERED, Motion GRANTED.

DEFT'S MOTION #14 TO DISMISS THE STATE'S NOTICE OF INTENT BECAUSE NEVADA'S DEATH PENALTY SCHEME VIOLATES DUE PROCESS GUARANTEES BY FAILING TO REQUIRE A PRE-TRIAL FINDING OF PROBABLE CAUSE FOR ALLEGED AGGRAVATORS: COURT ORDERED, Motion DENIED.

CALENDAR CALL: Counsel announced ready. COURT ORDERED, Trial date STANDS and will start at 1:30 pm.

CUSTODY

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12/05/05 01:30 PM 00 TRIAL BY JURY

HEARD BY: Nancy M Saitta, Judge; Dept. 18

OFFICERS: Kristen Brown, Court Clerk  
Gayle Picherri, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
001438	Kane, Edward R.	Y
005734	Pandukht, Taleen R.	Y
0001 D1	Budd, Glenford A	Y
PUBDEF	Public Defender	Y
003374	Brooks, Howard S.	Y
006762	O'Brien, Timothy P.	Y

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY: Colloquy between Court and counsel regarding the jury questionnaire's. Mr. O'Brien advised the Court that the deft. is requesting the Public Defender's office withdraw and the deft. would like to retain Mr. Momot as counsel. Colloquy between Court and counsel regarding the relationship between counsel and the deft. Court stated it is not going to continue the trial; deft's request is not timely and ORDERED, the Public Defender's office to remain as counsel. COURT FURTHER ORDERED, the official record for this trial will be the Court Reporter and not the Court Recorder based on the need for daily transcripts.

## CRIMINAL COURT MINUTES

03-C-193182-C STATE OF NEVADA

vs Budd, Glenford A

CONTINUED FROM PAGE: 008

PROSPECTIVE JURY PRESENT: Voir dire. COURT ORDERED, matter CONTINUED.

CONTINUED TO: 12/06/05 01:30 PM 01

12/06/05 01:30 PM 01 TRIAL BY JURY

HEARD BY: Nancy M Saitta, Judge; Dept. 18

OFFICERS: Kristen Brown, Court Clerk  
Gayle Pichierri, Reporter/Recorder

## PARTIES:

	STATE OF NEVADA	Y
001438	Kane, Edward R.	Y
005734	Pandukht, Taleen R.	Y
0001 D1	Budd, Glenford A	Y
PUBDEF	Public Defender	Y
003374	Brooks, Howard S.	Y
006762	O'Brien, Timothy P.	Y

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY: At the request of counsel, COURT ORDERED, Jury Questionnaire's will be sealed and made a part of the record. Argument by Mr. Brooks regarding the lack of cooperation by the deft's family. Court advised the deft. to encourage his family to cooperate with his attorney's.

PROSPECTIVE JURY PRESENT: Continued voir dire. COURT ORDERED, matter CONTINUED.

CONTINUED TO: 12/08/05 10:00 AM 02

## CRIMINAL COURT MINUTES

03-C-193182-C      STATE OF NEVADA      vs Budd, Glenford A

CONTINUED FROM PAGE: 009

12/08/05 10:00 AM 02 TRIAL BY JURY

HEARD BY: Nancy M Saitta, Judge; Dept. 18

OFFICERS: Kristen Brown, Court Clerk  
Gayle Pichierri, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
001438	Kane, Edward R.	Y
005734	Pandukht, Taleen R.	Y
0001 D1	Budd, Glenford A	Y
PUBDEF	Public Defender	Y
003374	Brooks, Howard S.	Y
006762	O'Brien, Timothy P.	Y

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY: Arguments by counsel regarding the use of the preliminary hearing transcript of Winston Budd. COURT ORDERED, the transcript of Winston Budd will be allowed to be introduced in lieu of the witnesses presence. Arguments by counsel regarding the use of the 911 tape. COURT ORDERED, 911 will be ALLOWED. Juror #104 present and questioned by Court and counsel.

PROSPECTIVE JURY PRESENT: Jury and 2 alternates selected and sworn. Opening statements by counsel.

OUTSIDE THE PRESENCE OF THE JURY: Mr. Brooks noted for the record the racial make-up of the jury.

JURY PRESENT: Testimony and exhibits presented (See worksheets). COURT ORDERED, matter CONTINUED.

CONTINUED TO: 12/09/05 08:30 AM 03

## CRIMINAL COURT MINUTES

03-C-193182-C      STATE OF NEVADA      vs Budd, Glenford A

CONTINUED FROM PAGE: 010

12/09/05 08:30 AM 03 TRIAL BY JURY

HEARD BY: Nancy M Saitta, Judge; Dept. 18

OFFICERS: Jennifer Kimmel, Relief Clerk  
Janice David, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
001438	Kane, Edward R.	Y
005734	Pandukht, Taleen R.	Y
0001 D1	Budd, Glenford A	Y
PUBDEF	Public Defender	Y
006762	O'Brien, Timothy P.	Y
003374	Brooks, Howard S.	Y

OUTSIDE THE PRESENCE OF THE JURY: Mr. Brooks advised that Mr. Leon Simon has him under subpoena and has been informed that this matter takes priority. Mr. Brooks waived any error relating to agreeing to reveal that the Defendant was incarcerated which will be revealed during Mr. Lewis's testimony about the correspondence. Mr. Brooks advised this is a trial strategy and any error that could be caused by the Jury finding out Defendant was incarcerated is WAIVED. Discussion ensued regarding scheduling of trial for the afternoon. Mr. Kane made reference to lecture by the Court made yesterday to the spectators in the audience. Discussion ensued regarding conduct of spectators and the Court and its Staff's response regarding same. Mr. Kane advised one of the victim's family members was approached by a Defendant counsel in the bathroom regarding whether or not they would be willing to testify at the Penalty Phase, should it go forward. Mr. Kane moved for a gentleman's agreement concerning mutual agreement not to approach and attempt to talk to the opposing side's family members, etc. Both Defendant's counsel agreed and the COURT SO ORDERED. JURY PRESENT: Testimony and exhibits continued. (See worksheets). Court admonished and excused the Jury for afternoon and ORDERED, matter CONTINUED.

OUTSIDE THE PRESENCE OF THE JURY. Mr. Brooks requested details concerning the number of feet from the witness' residence to the location of incident. Mr. Brooks advised his office formerly had a Greg Lewis as a client however this is not the Greg Lewis that will be involved in this case. Discussion ensued regarding Jury Instructions.

CONTINUED TO: 12/12/05 01:30 PM 04

## CRIMINAL COURT MINUTES

03-C-193182-C      STATE OF NEVADA      vs Budd, Glenford A

CONTINUED FROM PAGE: 011

12/12/05    01:30 PM    04    TRIAL BY JURY

HEARD BY: Nancy M Saitta, Judge; Dept. 18

OFFICERS: Kristen Brown, Court Clerk  
Janice David, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	001438 Kane, Edward R.	Y
	005734 Pandukht, Taleen R.	Y
	0001 D1 Budd, Glenford A	Y
	PUBDEF Public Defender	Y
	003374 Brooks, Howard S.	Y
	006762 O'Brien, Timothy P.	Y

OUTSIDE THE PRESENCE OF THE JURY: Mr. Brooks advised the Court that a stipulation was FILED IN OPEN COURT.

JURY PRESENT: Testimony and exhibits presented (See worksheets).

OUTSIDE THE PRESENCE OF THE JURY: Court advised the deft. of his right to testify. Court noted the Carter instruction was given and deft. understands that he can not be compelled to testify.

JURY PRESENT: State rests. COURT ORDERED, matter CONTINUED.

OUTSIDE THE PRESENCE OF THE JURY: Instructions settled on the record.

CONTINUED TO:    12/13/05    01:30 PM    05

## CRIMINAL COURT MINUTES

03-C-193182-C      STATE OF NEVADA      vs Budd, Glenford A

CONTINUED FROM PAGE: 012

12/13/05    01:30 PM    05    TRIAL BY JURY

HEARD BY: Nancy M Saitta, Judge; Dept. 18

OFFICERS: Kristen Brown, Court Clerk  
Jean Dahlberg, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
001438	Kane, Edward R.	Y
005734	Pandukht, Taleen R.	Y
0001 D1	Budd, Glenford A	Y
PUBDEF	Public Defender	Y
003374	Brooks, Howard S.	Y
006762	O'Brien, Timothy P.	Y

OUTSIDE THE PRESENCE OF THE JURY: Mr. Brooks noted the correction that was made to the transcript of December 9, 2005. Mr. Brooks moved for a mistrial based on the fact that the State did have Mr. Richards testify which was brought up in opening statements. Arguments by counsel. COURT ORDERED, Motion DENIED.

JURY PRESENT: Court instructed the jury. Closing arguments by counsel. At the hour of 4:10 pm, jury retired to deliberate. At the hour of 6:45 pm. jury returned with a verdict of GUILTY of COUNT 1 - FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON (F); GUILTY of COUNT 2 - FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON (F); and GUILTY of COUNT 3 - FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON (F). COURT ORDERED, matter CONTINUED for the penalty phase.

CONTINUED TO:    12/14/05    10:30 AM    06

## CRIMINAL COURT MINUTES

03-C-193182-C      STATE OF NEVADA      vs Budd, Glenford A

CONTINUED FROM PAGE: 013

12/14/05    10:30 AM    06    TRIAL BY JURY

HEARD BY: Nancy M Saitta, Judge; Dept. 18

OFFICERS: Kristen Brown, Court Clerk  
Janice David, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
001438	Kane, Edward R.	Y
005734	Pandukht, Taleen R.	Y
0001 D1	Budd, Glenford A	Y
PUBDEF	Public Defender	Y
003374	Brooks, Howard S.	Y
006762	O'Brien, Timothy P.	Y

OUTSIDE THE PRESENCE OF THE JURY: Counsel requested the exclusionary rule be INVOKED, COURT SO ORDERED. Colloquy between Court and counsel regarding the instructions.

JURY PRESENT: Opening statements by counsel. Testimony and exhibits presented (See worksheets). State rests. Testimony and exhibits presented (See worksheets). COURT ORDERED, matter CONTINUED.

CONTINUED TO:    12/15/05    08:30 AM    07

12/15/05    08:30 AM    07    TRIAL BY JURY

HEARD BY: Nancy M Saitta, Judge; Dept. 18

OFFICERS: Kristen Brown, Court Clerk  
Jean Dahlberg, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
001438	Kane, Edward R.	Y
005734	Pandukht, Taleen R.	Y
0001 D1	Budd, Glenford A	Y
PUBDEF	Public Defender	Y
003374	Brooks, Howard S.	Y
006762	O'Brien, Timothy P.	Y

JURY PRESENT: Testimony and exhibits presented (See worksheets).

OUTSIDE THE PRESENCE OF THE JURY: Court advised the deft. of his rights to make a sworn or unsworn statement. Conference at the Bench. Instructions settled on the record.

JURY PRESENT: Testimony and exhibits presented (See worksheets). Deft.



## CRIMINAL COURT MINUTES

03-C-193182-C STATE OF NEVADA

vs Budd, Glenford A

CONTINUED FROM PAGE: 014

rests. Court instructed the jury. At the hour of 4:10 pm, jury retired to deliberate.

CONTINUED TO: 12/16/05 09:00 AM 08

12/16/05 09:00 AM 08 TRIAL BY JURY

HEARD BY: Nancy M Saitta, Judge; Dept. 18

OFFICERS: Kristen Brown, Court Clerk  
Jo Anne Pierpont, Reporter/Recorder

PARTIES: STATE OF NEVADA  
001438 Kane, Edward R.  
005734 Pandukht, Taleen R.  
  
0001 D1 Budd, Glenford A  
PUBDEF Public Defender  
003374 Brooks, Howard S.  
006762 O'Brien, Timothy P.

Y  
Y  
Y  
  
Y  
Y  
Y  
Y

CONTINUED DELIBERATIONS.

OUTSIDE THE PRESENCE OF THE JURY: Court advised counsel of the questions from the jury. Upon Court's inquiry, counsel agreed to have the Court Recorder be the official record for this proceeding. Court Clerk read the questions for the record. Court and counsel agreed on an answer and provided the answer to the jury.

CONTINUED DELIBERATIONS.

JURY PRESENT: At the hour of 4:05 pm, Jury returned with a PENALTY VERDICT as to COUNT 1 - LIFE IN PRISON WITHOUT THE POSSIBILITY OF PAROLE; COUNT 2 - LIFE IN PRISON WITHOUT THE POSSIBILITY OF PAROLE; and COUNT 3 - LIFE IN PRISON WITHOUT THE POSSIBILITY OF PAROLE. Court THANKED and EXCUSED the jury. COURT ORDERED, matter referred to the Division of Parole and Probation (P & P) and set for sentencing; Deft. REMANDED TO CUSTODY.

CUSTODY

2/01/06 9:00 AM SENTENCING

## CRIMINAL COURT MINUTES

03-C-193182-C      STATE OF NEVADA      vs Budd, Glenford A

CONTINUED FROM PAGE: 015

01/30/06 09:00 AM 00 STATUS CHECK (WITNESS)

HEARD BY: Nancy M Saitta, Judge; Dept. 18

OFFICERS: Kristen Brown, Court Clerk  
Jo Anne Pierpont, Reporter/RecorderPARTIES:                      STATE OF NEVADA  
001438 Kane, Edward R.Y  
Y

0001 D1 Budd, Glenford A

Y

At the request of counsel, COURT ORDERED, matter CONTINUED; FURTHER, Deft's sentencing CONTINUED.

CUSTODY

2/22/06 9:00 SENTENCING

CONTINUED TO: 02/15/06 09:00 AM 01

02/15/06 09:00 AM 01 STATUS CHECK (WITNESS)

HEARD BY: Nancy M Saitta, Judge; Dept. 18

OFFICERS: Kristen Brown, Court Clerk  
Michelle Jones/mj, Relief Clerk  
Jo Anne Pierpont, Reporter/RecorderPARTIES:                      STATE OF NEVADA  
005734 Pandukht, Taleen R.  
001438 Kane, Edward R.Y  
Y  
Y0001 D1 Budd, Glenford A  
PUBDEF Public Defender  
008638 Rivera-Rogers, MariteresaY  
Y  
Y

At the request of the State and there being no opposition, COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 03/06/06 09:00 AM 02

## CRIMINAL COURT MINUTES

03-C-193182-C STATE OF NEVADA vs Budd, Glenford A

CONTINUED FROM PAGE: 016

02/22/06 09:00 AM 01 SENTENCING

HEARD BY: Nancy M Saitta, Judge; Dept. 18

OFFICERS: Kristen Brown, Court Clerk  
Jo Anne Pierpont, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	001438 Kane, Edward R.	Y
	0001 D1 Budd, Glenford A	Y
	PUBDEF Public Defender	Y
	003374 Brooks, Howard S.	Y

DEFT. BUDD ADJUDGED GUILTY of COUNT 1 - FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON (F), COUNT 2 - FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON (F) and COUNT 3 - FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON (F). Argument by Mr. Kane. Speaker, Linda Moore, sworn and testified. Statement by Mr. Brooks. COURT ORDERED, in addition to the \$25 Administrative Assessment fee, \$150 DNA Analysis fee including testing to determine genetic markers and \$28,500 Restitution, Deft SENTENCED as to COUNT 1 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE plus an equal and CONSECUTIVE LIFE WITHOUT THE POSSIBILITY OF PAROLE for use of a deadly weapon; as to COUNT 2 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE plus an equal and CONSECUTIVE LIFE WITHOUT THE POSSIBILITY OF PAROLE for use of a deadly weapon to run CONSECUTIVE to Count 1; and as to COUNT 3 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE plus an equal and CONSECUTIVE LIFE WITHOUT THE POSSIBILITY OF PAROLE for use of a deadly weapon to run CONSECUTIVE to Count 2 with 995 DAYS credit for time served.

NDC

03/06/06 09:00 AM 02 STATUS CHECK (WITNESS)

HEARD BY: Nancy M Saitta, Judge; Dept. 18

OFFICERS: Kristen Brown, Court Clerk  
Jo Anne Pierpont, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	001438 Kane, Edward R.	Y

Mr. Kane stated this matter is resolved. COURT ORDERED, matter OFF CALENDAR.

## CRIMINAL COURT MINUTES

03-C-193182-C STATE OF NEVADA vs Budd, Glenford A

CONTINUED FROM PAGE: 017

05/21/07 08:30 AM 00 ALL PENDING MOTIONS (5/21/07)

HEARD BY: David Barker, Judge; Dept. 18

OFFICERS: Sharon Chun, Court Clerk  
Richard Kangas, Reporter/RecorderPARTIES: STATE OF NEVADA  
007521 Smith, Sarah A.  
0001 D1 Budd, Glenford A  
PUBDEF Public Defender  
006208 Avants, LynnY  
Y  
N  
Y  
YDEFT'S PRO PER MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS...DEFT'S PRO  
PER MOTION FOR WITHDRAWAL OF ATTORNEY OF RECORD OR REQUEST FOR COURT  
RECORDS/COURT CASE DOCUMENTSCOURT NOTED that Deft is incarcerated in the NV Dept of Corrections and not  
present today.

COURT ORDERED, Deft's Pro Per Motion to Proceed Forma Pauperis, GRANTED.

COURT FURTHER ORDERED, Deft's Pro Per Motion for Withdrawal of Public  
Defender as counsel and for Request for Court Records/Court Case Documents,  
GRANTED. Mr. Avants stated he will contact prior counsel, Howard S. Brooks,  
and will see that the records are forwarded to Deft Budd. COURT SO NOTED.

NDC

07/23/07 08:15 AM 00 DEFT'S PRO PER MTN TO HOLD HOWARD S  
BROOKS ATTORNEY OF RECORD IN CONTEMPT/44

HEARD BY: David Barker, Judge; Dept. 18

OFFICERS: Sharon Chun, Court Clerk  
Richard Kangas, Reporter/RecorderPARTIES: STATE OF NEVADA  
007521 Smith, Sarah A.  
0001 D1 Budd, Glenford A  
PRO SE Pro SeY  
Y  
Y  
YDeft was not transported for this matter. COURT STATED that Deft's Motion  
did not state what transcript date he was requesting, and the motion was not  
cognizable. COURT ORDERED, MOTION DENIED.

CLERK'S NOTE: The above minute order has been Distributed to:

CRIMINAL COURT MINUTES

03-C-193182-C STATE OF NEVADA

vs Budd, Glenford A

CONTINUED FROM PAGE: 018

Glenford Budd, NDOC #90043, Ely State Prison, P.O. Box 1989, Ely, NV  
89301

08/10/07

E X H I B I T S

3:48 PM

CASE NO. 03-C-193182-C

CASE STATUS: CLOSED

STATE OF NEVADA

[ ] vs Budd, Glenford A

[ ]

<u>NO.</u>	<u>CODE</u>	<u>EXHIBIT DESCRIPTION</u>	<u>SUB</u>	<u>OF/OB</u>	<u>DATE</u>	<u>S</u>
0001	P	/JUSTICE COURT	S	/	06/26/03	V

eff: 9/1/96

**CLERK OF COURT  
NOTICE OF DEFICIENCY  
ON APPEAL TO NEVADA SUPREME COURT**

**GLENFORD A. BUDD #90043  
P.O. BOX 1989  
ELY, NV 89301**

**DATE: August 13, 2007  
CASE: C193182**

**RE CASE: STATE OF NEVADA vs. GLENFORD BUDD**

NOTICE OF APPEAL FILED: 08/10/07

RULE 3(e) DOCUMENTS TRANSMITTED: 08/13/07

RULE 3(e) DOCUMENTS **NOT** TRANSMITTED/MISSING:  
**ORDER**  
**NOTICE OF ENTRY OF ORDER**

**EXPLANATION OF POSSIBLE DEFICIENCIES:**

<b>DOCUMENTS/FEEES:</b>	<b>REFER TO:</b>	<b>PROCEDURE:</b>
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NOTICE OF APPEAL	NRAP 3(a)	
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CASE APPEAL STATEMENT	NRAP 3(a)(1)	
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**To be filed with Notice of Appeal:**

Lists information necessary for  
docketing in the supreme court:  
district court case number; party  
names; counsel names; trial judge;  
whether trial or appellate counsel was  
appointed; whether appellant is  
proceeding in forma pauperis; date the  
proceedings commenced in the district  
court {NRAP Form 2}\*.

\*May be filed directly with the Supreme Court if not submitted with the Notice of Appeal.

# Certification of Copy

State of Nevada }  
County of Clark } SS:

I, Charles J. Short, 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; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

STATE OF NEVADA,

Plaintiff(s),

vs.

GLENFORD A. BUDD,

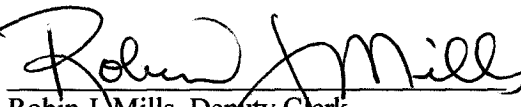
Defendant(s),

)  
)  
) Case No: C193182  
) Dept No: XVIII  
)  
)  
)  
)  
)  
)

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 13 day of August 2007.

Charles J. Short, Clerk of the Court

  
Robin J. Mills, Deputy Clerk



**SUPREME COURT OF THE STATE OF NEVADA  
OFFICE OF THE CLERK**

GLENFORD ANTHONY BUDD,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

**Supreme Court No. 50008**

District Court Case No. C193182

**RECEIPT FOR DOCUMENTS**

TO: Glenford Anthony Budd #90043  
Attorney General Catherine Cortez Masto/Carson City  
Clark County District Attorney David J. Roger  
Charles J. Short , District Court Clerk


You are hereby notified that the Clerk of the Supreme Court has received and/or filed the following:

08/15/07	Filing Fee Waived: Criminal.
08/15/07	Filed Certified Copy of proper person Notice of Appeal. Appeal docketed in the Supreme Court this day.
08/15/07	Issued Notice re: Justice Disqualification. Justice Nancy M. Saitta sat in district court proceedings.

DATE: August 15, 2007

Janette M. Bloom, Clerk of Court

By: \_\_\_\_\_

  
Deputy Clerk