

FILED

JAN 2 2 48 PM '08

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CLERK OF THE COURT

1 NOAS

2 PHILIP J. KOHN, PUBLIC DEFENDER
3 NEVADA BAR No. 0556
4 309 South Third Street, Suite 226
5 Las Vegas, Nevada 89155
6 (702) 455-4685
7 Attorney for Defendant

8 DISTRICT COURT

9 CLARK COUNTY, NEVADA

10 THE STATE OF NEVADA,
11
12 Plaintiff,
13
14 v.
15
16 TERRENCE KARYIAN BOWSER,
17
18 Defendant.

No. 50851

CASE NO. C211162B

DEPT. NO. VIII

FILED

JAN 08 2008

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *Alvarado*
DEPUTY CLERK

NOTICE OF APPEAL

13 TO: THE STATE OF NEVADA
14 DAVID ROGER, DISTRICT ATTORNEY, CLARK COUNTY, NEVADA and
15 DEPARTMENT NO. VIII OF THE EIGHTH JUDICIAL DISTRICT
16 COURT OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF
17 CLARK.

18 NOTICE is hereby given that Defendant, Terrence Karyian
19 Bowser, presently incarcerated in the Nevada State Prison, appeals
20 to the Supreme Court of the State of Nevada from the judgment
21 entered against said Defendant on the 13th day of December,
22 2007, whereby he was convicted of Count 1 - Conspiracy to Commit
23 Murder; Count 2 - Murder With the Use of a Deadly Weapon; Count 3
24 - Conspiracy to Discharge Firearm Out of a Motor Vehicle; Count 4
25 - Discharging Weapon Out of a Motor Vehicle; Count 5 - Conspiracy
26 to Discharge Firearm at or into Structure, Vehicle, Aircraft or
27 Watercraft (GM); and Count 6 - Discharging Firearm at or into
28 Structure, Vehicle, Aircraft or Watercraft (F) and sentenced to
\$25.00 administrative fee; \$150.00 DNA analysis fee; genetic
testing; 24-120 months in prison; Count 2 - 20 years to

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JAN 10 2008

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
DEPUTY CLERK

08-00521

1 Life in prison plus an equal and consecutive 20 years to life for
2 use of a deadly weapon concurrent with Count 1; Counts 3 & 5 - 365
3 days in CCDC with CTS; Count 4 - 24-60 months in prison,
4 concurrent to Counts 1 & 2; Count 6 - 12-60 months in prison,
5 concurrent with Counts 1-5; 1,038 days CTS.

6 DATED this 2nd day of January, 2008.

7 PHILIP J. KOHN
8 CLARK COUNTY PUBLIC DEFENDER

9
10 By:

Audrey M. Conway
AUDREY M. CONWAY, #5611
Deputy Public Defender
309 S. Third Street, Ste. 226
Las Vegas, Nevada 89155
(702) 455-2685

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2 PHILIP J. KOHN, PUBLIC DEFENDER
3 NEVADA BAR No. 0556
4 309 South Third Street, Suite 226
5 Las Vegas, Nevada 89155
6 (702) 455-4685
7 Attorney for Defendant

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JAN 2 2 49 PM '08

Chaf
CLERK OF THE COURT

8 DISTRICT COURT
9 CLARK COUNTY, NEVADA

10 THE STATE OF NEVADA,)

11 Plaintiff,)

12 v.)

13 TERRENCE KARYIAN BOWSER,)

14 Defendant.)

CASE NO. C211162B

DEPT. NO. VIII

15 CASE APPEAL STATEMENT

16 1. Appellant filing this case appeal statement:

17 Terrence Karyian Bowser.

18 2. Judge issuing the decision, judgment, or order
19 appealed from: Lee A. Gates.

20 3. All parties to the proceedings in the district
21 court (the use of et al. To denote parties is prohibited): The
22 State of Nevada, Plaintiff; Terrence Karyian Bowser, Defendant.

23 4. All parties involved in this appeal (the use of et.
24 al. to denote parties is prohibited): Terrence Karyian Bowser,
25 Appellant; The State of Nevada, Respondent.

26 / / /

27 / / /

28 / / /

1 5. Name, law firm, address, and telephone number of
2 all counsel on appeal and party or parties whom they represent:

3 PHILIP J. KOHN
4 Clark County Public Defender
309 South Third Street, #226
Las Vegas, Nevada 89155-2610

5 Attorney for Appellant
6

DAVID ROGER
Clark County District Attorney
200 Lewis Avenue, 3rd Floor
Las Vegas, Nevada 89155

CATHERINE CORTEZ MASTO
Attorney General
100 North Carson Street
Carson City, Nevada 89701-4717
(702) 687-3538

Counsel for Respondent

9 6. Whether appellant was represented by appointed or
10 retained counsel in the district court: Appointed.

11 7. Whether appellant is represented by appointed or
12 retained counsel on appeal: Appointed.

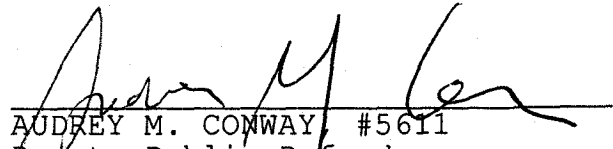
13 8. Whether appellant was granted leave to proceed in
14 forma pauperis, and the date of entry of the district court order
15 granting such leave: N/A.

16 9. Date proceedings commenced in the district court
17 (e.g., date complaint, indictment, information, or petition was
18 filed): Grand jury indictment filed 04/29/05.

19 DATED this 2nd day of June, 2008.

20 PHILIP J. KOHN
21 CLARK COUNTY PUBLIC DEFENDER

22
23 By:


24 AUDREY M. CONWAY, #5611
Deputy Public Defender
25 309 S. Third Street, Ste. 226
Las Vegas, Nevada 89155
26 (702) 455-2685
27
28

1 RECEIPT OF COPY of the foregoing Case Appeal Statement
2 is hereby acknowledged this 2 day of January, 2008.

3 DAVID ROGER
4 CLARK COUNTY DISTRICT ATTORNEY

5 **NADINE MULKE**

6 By: _____
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DATE: 01/03/08
CASE NO. 05-C-211162-C

I N D E X

TIME 11:32 AM
JUDGE: Gates, Lee A

STATE OF NEVADA

[] vs Green, Jamar R

[E]

0001 D1 Jamar R Green

004380 Sciscento, Joseph S.
NO. 2 Sciscento and Montgomery
330 S. Third St., #860
Las Vegas, NV 89101

007072 Macarthur, Jonathan
302 E Carson Ave #608
Las Vegas, NV 89101

0002 D Terrence K Bowser

Pro Se

NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0001	04/29/05	IND / (GRAND JURY) INDICTMENT				Fee \$0.00
0002	04/29/05	HEAR/GRAND JURY INDICTMENT	AL	BQ	04/29/05	
0003	04/29/05	ARRN/INITIAL ARRAIGNMENT	AL		05/09/05	
0004	05/02/05	NOEV/NOTICE OF GRAND JURY EXHIBITS IN THE VAULT			04/29/05	
0005	05/09/05	CALC/CALENDAR CALL	AL	VC	09/12/05	
0006	05/09/05	JURY/TRIAL BY JURY	AL	VC	09/20/05	
0007	04/29/05	BNCH/INDICTMENT WARRANT	0002	QU	04/21/05	
0008	04/29/05	BNCH/INDICTMENT WARRANT	0001	QU	04/21/05	
0009	05/04/05	BWAR/INDICTMENT WARRANT RETURN	0001	QU	04/29/05	
0010	05/04/05	BWAR/INDICTMENT WARRANT RETURN	0002	QU	04/29/05	
0011	05/16/05	TRAN/REPORTER'S TRANSCRIPT OF PROCEEDINGS - GRAND JURY	AL		04/28/05	
0012	05/26/05	NISD/NOTICE OF INTENT TO SEEK DEATH PENALTY	0002			
0013	08/19/05	LIST/NOTICE OF EXPERT WITNESSES	AL			
0014	08/19/05	LIST/NOTICE OF WITNESSES	AL			
0015	08/25/05	MOT /DEFT'S MTN FOR PURPOSE OF APPOINTING RULE 250 COUNSEL/6	0001	GR	09/07/05	
0016	08/26/05	MOT /DEFT'S MTN TO CONTINUE TRIAL DATE/7	0002	GR	09/07/05	
0017	08/30/05	NOTC/NOTICE OF EVIDENCE IN SUPPORT OF AGGRAVATING CIRCUMSTANCES	AL			
0018	08/30/05	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION TO APPOINT RULE 250 COUNSEL	0001			
0019	09/07/05	PET /APPOINTMENT OF RULE 250 COUNSEL	0001		09/14/05	
0020	09/07/05	HEAR/SET TRIAL DATE	AL	GR	09/28/05	
0021	09/07/05	MOT /ALL PENDING MOTIONS (9-7-05)	AL		09/07/05	
0022	09/14/05	HEAR/CONFIRMATION OF COUNSEL (PITARO / MAC-ARTHUR)	0001	CM	09/21/05	
0023	09/15/05	MOT /ALL PENDING MOTIONS	AL		09/14/05	
0024	09/14/05	RAO /MEDIA REQUEST AND ORDER	0001			
0025	09/16/05	RAO /MEDIA REQUEST AND ORDER	0001	GR	09/16/05	
0026	09/21/05	MOT /ALL PENDING MOTIONS (9-21-05)	AL		09/21/05	
0027	09/28/05	CALC/CALENDAR CALL	AL	VC	09/11/06	
0028	09/28/05	JURY/TRIAL BY JURY (VJ 8/30/06)	AL	VC	09/19/06	
0029	09/28/05	ORDR/ORDER	0001		09/28/05	
0030	02/22/06	MOT /DEFT'S MTN TO SUPPRESS DEFT'S CONFESSION /16	0002	MC	03/08/06	
0031	03/06/06	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION TO SUPPRESS DEFENDANT BOWSERS CONFESSION	0002			

(Continued to page 2)

NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0032	03/08/06	HEAR/EVIDENTIARY HEARING: MOTION TO SUPPRESS DEFT'S CONFESSION	0002	DN	08/14/06	
0033	05/09/06	MOT /DEFT'S MTN TO STRIKE INTENT TO SEEK DEATH PENALTY/18	0002	DN	08/14/06	
0034	05/15/06	MOT /ALL PENDING MOTIONS	0002		05/15/06	
0035	07/25/06	OPPS/STATES OPPOSITION TO DEFENDANT TERRANCE KARYIAN BOWSERS MOTION TO STRIKE THE STATES NOTICE OF INTENT TO SEEK THE DEATH PENALTY	0002			Y
0036	07/26/06	MOT /DEFT'S MTN FOR APPOINTMENT OF ATTY /20	0001	MH	08/07/06	
0037	08/09/06	ORDR/ORDER FOR CONFIRMATION OF APPOINTMENT OF COUNSEL	0001		08/09/06	
0038	08/10/06	RPLY/REPLY TO STATES OPPOSITION TO THE DEFENDANT TERRANCE BOWSERS MOTION TO STRIKE THE STATES NOTICE OF INTENT TO SEEK THE DEATH PENALTY	0002			Y
0039	08/17/06	MOT /ALL PENDING MOTIONS (8/14/06)	0002		08/14/06	
0040	08/23/06	ORDR/ORDER DENYING DEFENDANTS MOTION TO SUPPRESS CONFESSION AND MOTION TO STRIKE INTENT TO SEEK DEATH PENALTY	0002	HG	08/14/06	Y
0041	08/25/06	NOEV/NOTICE OF EXHIBITS IN THE VAULT			08/14/06	
0042	08/28/06	HEAR/STATE'S REQUEST STATUS CHECK:TRIAL DATE	AL		08/30/06	
0043	08/25/06	LIST/SUPPLEMENTAL NOTICE OF EXPERT WITNESSES	AL			
0044	08/31/06	CALC/CALENDAR CALL (VH 1/17/07)	AL	VC	02/21/07	
0045	08/31/06	JURY/TRIAL BY JURY (VH 1/17/07)	AL	VC	02/27/07	
0046	11/03/06	RAO /MEDIA REQUEST AND ORDER	0002	GR	11/03/06	
0047	11/30/06	MOT /DEFT'S MTN TO SEVER DEFT'S/25	0002	MH	12/11/06	
0048	12/08/06	RSPN/STATES RESPONSE TO DEFENDANTS MOTION TO SEVER DEFENDANTS	0002			
0049	12/11/06	OCAL/STATUS CHECK: DEFT'S MOTION TO SEVER	0002	MH	01/03/07	
0050	01/03/07	OCAL/STATUS CHECK: MOTION TO SEVER /REDACTION OF CONFESSION	AL	MH	01/17/07	
0051	01/05/07	OTTE/EX PARTE ORDER TO TRANSPORT	0002	SH	01/14/07	
0052	01/05/07	MOT /DEFT'S MTN TO CONTINUE TRIAL/28	0001	GR	01/17/07	
0053	01/05/07	FUS /FILED UNDER SEAL MOTION	AL			
0054	01/05/07	ORDR/ORDER	0001		01/05/07	
0055	01/05/07	ORDR/ORDER APPOINTING INVESTIGATOR	0001			
0056	01/09/07	ORDR/ORDER RELEASING MEDICAL RECORDS	0002		01/09/07	
0057	01/09/07	REQT/EX PARTE MOTION FOR RELEASE OF MEDICAL RECORDS	0002			
0058	01/17/07	CALC/CALENDAR CALL	0001	VC	05/17/07	
0059	01/17/07	JURY/TRIAL BY JURY	0001	VC	05/21/07	
0060	01/17/07	MOT /DEFT BOWSER'S MTN TO SEVER DEFT/ REDACTION OF DEFT	AL	OC	04/18/07	
0061	01/17/07	MOT /ALL PENDING MOTIONS (1/17/07)	AL		01/17/07	
0062	01/22/07	FUS /FILED UNDER SEAL ORDER	AL		01/22/07	
0063	01/26/07	FUS /FILED UNDER SEALED EX PARTE ORDER FOR DR. JOHN MATTHEW FABIAN	0001		01/26/07	
0064	02/02/07	OTTE/EX PARTE ORDER TO TRANSPORT	0002	SH	02/12/07	
0065	02/08/07	EXPR/EX PARTE ORDER FOR EXAMINATION	0001		02/08/07	
0066	02/13/07	MOT /PETITIONER'S MTN TO COMPEL DISCLOSURE OF EVID/33	0001	GR	02/26/07	
0067	02/14/07	ROC /RECEIPT OF COPY	0001		02/13/07	

(Continued to page 3)

NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0068	02/23/07	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION TO COMPEL DISCLOSURE OF EVIDENCE	0001			Y
RELEVANT TO AGGRAVATING CIRCUMSTANCES AND MITIGATING FACTORS						
0069	03/07/07	MOT /DEFT'S MTN TO EXCLUDE OTHER ACTS/34	0002	MC	06/11/07	
0070	03/07/07	MOT /DEFT'S MTN TO STRIKE COUNTS FIVE AND SIX/35	0002	MC	06/11/07	
0071	03/19/07	MOT /DEFT'S MTN FOR JURY QUESTIONNAIRE /36	0001	GR	04/11/07	
0072	03/19/07	MOT /DEFT'S MTN TO SEVER /37	0001	GR	04/11/07	
0073	03/19/07	MOT /ALL PENDING MOTIONS (3/19/07)	0002		03/19/07	
0074	03/19/07	ROC /RECEIPT OF COPY	0001		03/19/07	
0075	03/19/07	ROC /RECEIPT OF COPY	0001		03/19/07	
0076	04/02/07	MOT /ALL PENDING MOTIONS (4/02/07)	0001		04/02/07	
0077	04/11/07	MOT /ALL PENDING MOTIONS (4/11/07)	0001		04/11/07	
0078	04/12/07	MOT /HEARING: DEFT GREEN'S MOTION TO SUPPRESS	0001	DN	05/16/07	
0079	04/11/07	MOT /SET TRIAL DATE	0002	GR	04/18/07	
0080	04/11/07	REQT/DEFENDANTS MOTION TO SUPPRESS STATEMENT	0001			
0081	04/18/07	CALC/CALENDAR CALL	0002	MH	09/24/07	
0082	04/18/07	JURY/TRIAL BY JURY VJ 9/28/07	0002	VC	10/01/07	
0083	04/19/07	OCAL/MINUTE ORDER RE: TRIAL	0001		04/19/07	
0084	04/19/07	CALC/CALENDAR CALL	0001	VC	05/14/07	
0085	04/19/07	JURY/TRIAL BY JURY	0001	MH	05/21/07	
0086	04/18/07	MOT /ALL PENDING MOTIONS (4/18/07)	0002		04/18/07	
0087	04/23/07	OPPS/STATES OPPOSITION DEFTS MTN TO SUPPRESS STATEMENT	0001		04/30/07	
0088	05/02/07	MOT /DEFT'S MTN TO PROHIBIT POTENTIAL DEATH SENTENCE /49	0001	DN	05/14/07	
0089	05/02/07	ROC /RECEIPT OF COPY	0001		05/02/07	
0090	05/11/07	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION TO PROHIBIT ANY POTENTIAL DEATH SENTENCE DUE TO THE FAILURE OF THE GRAND JURY TO MAKE ANY FINDINGS IN AGGRAVATION OR THAT DEATH WOULD BE AN APPROPRIATE SENTENCE	0001			Y
0091	05/14/07	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION TO STRIKE COUNTS FIVE AND SIX ON THE INDICTMENT	0002			Y
0092	05/18/07	ORDR/ORDER DENYING DEFENDANTS MOTION TO PROHIBIT ANY POTENTIAL DEATH SENTENCE DUE TO THE FAILURE OF THE GRAND JURY TO MAKE ANY FINDINGS IN AGGRAVATIONS OR THAT DEATH WOULD BE AN APROPRIATE SENTENCE	0001	HG	05/14/07	Y
0093	05/18/07	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION TO STRIKE COUNTS FIVE AND SIX OF THE INDICTMENT	0002			Y
0094	05/18/07	ORDR/ORDER DENYING DEFENDANTS MOTION TO SUPPRESS	0001	HG	05/16/07	
0095	05/21/07	SENT/SENTENCING	0001	GR	07/11/07	
0096	05/21/07	ROC /RECEIPT OF COPY	0001			
0097	05/21/07	LIST/NOTICE OF WITNESSES AND/OR EXPERT WITNESSES	0001			
0098	05/22/07	MOT /ALL PENDING MOTIONS (5/21/07)	0002		05/21/07	
0099	05/21/07	IND /AMENDED (GRAND JURY) INDICTMENT	AL			
0100	05/21/07	MEMO/GUILTY PLEA MEMORANDUM/AGREEMENT	0001			
0101	05/25/07	ORDR/ORDER APPOINTING ATTORNEY	0001		05/25/07	
0102	05/31/07	REQT/EX PARTE MOTION FOR EXCESSIVE FEES	0001			

(Continued to page 4)

NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0103	05/31/07	APPL/EX PARTE APPLICATION FOR FIRST AND FINAL PAYMENT	0001			
0104	06/05/07	ORDR/ORDER	0001		06/05/07	
0105	06/11/07	OCAL/STATUS CHECK: NEGOTIATIONS	0002		07/25/07	
0106	06/11/07	MOT /ALL PENDING MOTIONS (6/11/07)	0002		06/11/07	
0107	06/18/07	ORDR/ORDER APPOINTING INVESTIGATOR	0001		06/18/07	
0108	07/18/07	JMNT/JUDGMENT OF CONVICTION/ADMIN ASSESSMENT	0001		07/19/07	
0109	07/18/07	JMNT/JUDGMENT OF CONVICTION/GENETIC TESTING	0001		07/19/07	
0110	07/25/07	OCAL/STATUS CHECK: FILING OF MOTIONS	0002		09/05/07	
0111	08/06/07	MOT /DEFT'S 2ND MTN TO STRIKE STATE'S NTC OF INTENT TO SEEK	0002	NA	09/05/07	
0112	08/16/07	MOT /DEFT'S MTN FOR JURY QUESTIONNAIRE/56	0002	GR	09/05/07	
0113	08/16/07	MOT /DEFT'S MTN FOR APPLICATION/57	0002		09/05/07	
0114	08/30/07	OPPS/STATES OPPOSITION TO DEFTS SECOND MTN TO STRIKE THE STATES NOTICE OF INTENT TO SEEK THE PENALTY	0002		09/05/07	Y
0115	08/30/07	OPPS/OPPOSITION TO DEFTS MTN FOR APPLICATION OF NRS 193.165 AS AMENDED JULY 1 2007	0002		09/05/07	
0116	09/07/07	MOT /ALL PENDING MOTIONS 09/05/07	0002		09/05/07	
0117	09/13/07	MOT /DEFT'S MTN TO BIFURCATE /59	0002	DN	09/28/07	
0118	09/13/07	MOT /DEFT'S MTN TO APPLY HEIGHTENED STANDAR REVIEW & CARE/60	0002	DN	09/28/07	
0119	09/13/07	MOT /DEFT'S MTN TO ALLOW TO ARGUE LAST AT THE PENALTY PHASE/61	0002	DN	09/28/07	
0120	09/13/07	MOT /DEFT'S MTN TO PROHIBIT THE USE OF PEREMP CHALLENGES TO EXLCUDE JURORS/62	0002	RR	09/28/07	
0121	09/13/07	MOT /DEFT'S MTN TO PRECLUDE THE INTRODUCTION OF VICTIM IMPACT EVID/63	0002	GP	09/28/07	
0122	09/13/07	MOT /DEFT'S MTN TO DECLARE NEVADA'S DEATH PENALTY STATUTES UNCONSTITUTIONAL/64	0002	DN	09/28/07	
0123	09/13/07	MOT /DEFT'S MTN CHALLENGING THE COMPOSITION OF THE PETIT JURY FOR SYSTEMATIC/65	0002	RR	09/28/07	
0124	09/13/07	MOT /DEFT'S MTN FOR SPECIAL VERDICT FORM IN ACCORDANCE WITH ENMUND V FLORIDA/66	0002	DN	09/28/07	
0125	09/13/07	MOT /DEFT'S MTN SECOND MTN TO EXCLUDE OTHER ACTS/	0002	RR	09/28/07	
0126	09/13/07	MOT /DEFT'S MTN TO BAR THE ADMISSION OF CUMULATIVE VICTIM IMPACT EVID/68	0002	GP	09/28/07	
0127	09/13/07	MOT /DEFT'S MTN FOR DISCOVERY INCLUDING BUT NOT LIMITED TO THE THE NAMES/69	0002	GR	09/28/07	
0128	09/13/07	LIST/DEFENDANTS NOTICE OF EXPERT WITNESSES	0002			
0129	09/14/07	ORDR/ORDER FOR TRANSCRIPT	0002		09/14/07	
0130	09/13/07	LIST/SUPPLEMENTAL NOTICE OF EXPERT WITNESSES	0002			
0131	09/19/07	MOT /DEFT'S MTN IN LIMINE TO PRECLUDE ADMISSION OF GLOVES & HEADGEAR/70	0002	DN	09/28/07	
0132	09/19/07	MOT /DEFT'S MTN IN LIMINE TO APPLY THE BEST EVIC OF RULE TO BOWSER'S CONFESSION/71	0002	DN	09/28/07	
0133	09/19/07	MOT /DEFT'S MTN IN LIMINE TO PREVENT ANY REF TO GANGS/72	0002	GR	09/28/07	
0134	09/21/07	TRAN/REPORTER'S TRANSCRIPT OF SENTENCING	0001		07/11/07	
0135	09/24/07	MOT /ALL PENDING MOTIONS 9/24/07	0002		09/24/07	
0136	09/24/07	OCAL/MINUTE ORDER RE: DEFT'S MOTION FOR APPLICATION OF NRS 193.165 AS AMENDED	0002		09/24/07	

(Continued to page 5)

NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0137	09/25/07	LIST/DEFTS NOTICE OF WITNESSES PURSUANT TO NRS 174.234	0002			
0138	09/26/07	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION TO ALLOW THE DEFENSE TO ARGUE LAST AT	0002			Y
THE PENALTY PHASE						
0139	09/26/07	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION TO PROHIBIT THE USE OF PEREMPTORY	0002			Y
CHALLENGES TO EXCLUDE JURORS WHO EXPRESS CONCERNS ABOUT CAPITAL PUNISHMENT						
0140	09/26/07	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION FOR SPECIAL VERDICT FORM IN ACCORDANCE	0002			Y
WITH ENMUND V FLORIDA						
0141	09/26/07	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION TO PRECLUDE THE INTRODUCTION OF	0002			Y
VICTIM IMPACT EVIDENCE PERTAINING TO VICTIM FAMILY MEMBERS CHARACTERIZATIONS AND OPINIONS ABOUT THE CRIME THE DEFENDANT AND/OR THE APPROPRIATE SENTENCE						
0142	09/26/07	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION TO DECLARE NEVADAS DEATH PENALTY	0002			Y
STATUTES UNCONSTITUTIONAL						
0143	09/28/07	MOT /ALL PENDING MOTIONS 9/28/07	0002		09/28/07	
0144	09/28/07	JURY/TRIAL BY JURY VJ 10/1/07	0002		VC 10/02/07	
0145	09/26/07	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION TO APPLY HEIGHTENED STANDARD OF REVIEW	0002			Y
AND CARE IN THIS CASE BECAUSE THE STATE IS SEEKING THE DEATH PENALTY						
0146	09/27/07	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION TO BAR THE ADMISSION OF CUMULATIVE	0002			Y
VICTIM IMPACT EVIDENCE IN VIOLATION OF THE DUE PROCESS CLAUSE						
0147	09/27/07	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION FOR DISCOVERY/DISCLOSURE INCLUDING BUT	0002			Y
NOT LIMITED TO THE NAMES AND ADDRESSES OF PERSONS KNOWN TO THE STATE WHO MAY HAVE EVIDENCE FAVORABLE TO THE DEFENSE						
0148	09/27/07	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION IN LIMINE TO PRECLUDE ADMISSION OF	0002			Y
GLOVES AND HEADGEAR						
0149	09/27/07	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION TO BIFURCATE PENALTY PHASE	0002			
0150	10/01/07	JURY/TRIAL BY JURY	0002		10/16/07	
0151	09/27/07	OPPS/STATES OPPOSITION TO DEFENDANTS SECOND MOTION TO EXCLUDE OTHER	0002			
0152	10/01/07	ORDR/ORDER TO PREPARE TRANSCRIPT	0002		10/01/07	
0153	10/01/07	TRAN/REPORTER'S TRANSCRIPT DEFT GREENS MOTION FOR THE PURPOST OF APPOINTING RULE	0002		09/07/05	Y
250 COUNSEL/DEFT BOWSERS MOTION TO CONTINUE TRIAL						
0154	10/01/07	TRAN/REPORTER'S TRANSCRIPT INITIAL ARRAIGNMENT	0002		05/09/05	
0155	10/01/07	TRAN/REPORTER'S TRANSCRIPT STATES REQUEST STATUS CHECK TRIAL DATE	0002		08/30/06	
0156	10/01/07	TRAN/REPORTER'S TRANSCRIPT DEFTS MOTION TO SUPPRESS DEFENDANTS CONFESSION	0002		03/08/06	
0157	10/01/07	TRAN/REPORTER'S TRANSCRIPT OF DEFT MOTION TO SEVER DEFENDANTS	0002		12/11/06	
0158	10/01/07	TRAN/REPORTER'S TRANSCRIPT OF DEFENDANTS MOTION TO STRIKE COUNTS FIVE AND SIX	0002		03/19/07	Y

(Continued to page 6)

NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
DEFTS MOTION TO EXCLUDE OTHER ACTS						
0159	10/01/07	TRAN/REPORTER'S TRANSCRIPT OF ALL PENDING MOTIONS	0002		06/11/07	
0160	10/01/07	TRAN/REPORTER'S TRANSCRIPT OF STATUS CHECK DEFENDANTS MOTION TO SEVER	0002		01/03/07	
0161	10/01/07	TRAN/REPORTER'S TRANSCRIPT OF STATUS CHECK NEGOTIATIONS	0002		06/18/07	
0162	10/01/07	TRAN/REPORTER'S TRANSCRIPT OF OF STATUS CHECK NEGOTIATIONS	0002		07/09/07	
0163	10/01/07	TRAN/REPORTER'S TRANSCRIPT CALENDAR CALL/DEFTS MOTION TO APPLY HEIGHTENED	0002		09/28/07	Y
STANDARD REVIEW AND CARE/DEFTS MOTION TO ALLOW TO ARGUE LAST AT THE PENALTY PHASE/DEFTS MOTION TO PROHIBIT THE USE OF PEREMPTORY CHALLENGES TO EXCLUDE JURORS/DEFTS MOTION TO PRECLUDE THE INTRODUCTION OF VICTIM IMPACT EVIDENCE/DEFTS MOTION TO DECLARE NEVADAS DEATH PENALTY STATUTES UNCONSTITUTIONAL/DEFTS MOTION CHALLENGING THE COMPOSITION OF THE PETIT JURY FOR SYSTEMATIC UNDERREPRESENTATION OF COGNIZABLE GROUPS/DEFTS MOTION FOR SPECIAL VERDICT FORM IN ACCORDANCE WITH ENMUND V FLORIDA/DEFTS SECOND MOTION TO EXCLUDE OTHER ACTS/DEFTS MOTION TO BAR THE ADMISSION OF CUMULATIVE VICTIM IMPACT EVIDENCE/DEFTS MOTION TO BIFURCATE/DEFTS MOTION FOR DISCOVERY INCLUDING BUT NOT LIMITED TO THE NAMES AND ADDRESS OF PERSONS KNOWN TO THE STATE WHO MAY HAVE EVIDENCE FAVORABLE TO DEFENSE/DEFTS MOTION IN LIMINE TO PRECLUDE ADMISSION OF GLOVES AND HEADGEAR/DEFTS MOTION IN LIMINE TO PREVENT ANY REFERENCE TO GANGS/DEFTS MOTION IN LIMINE TO APPLY THE BEST EVIDENCE RULE TO BOWSERS CONFESSION STATEMENT						
0164	10/01/07	ORDR/ORDER TO PREPARE TRANSCRIPT	0002		10/01/07	
0165	10/01/07	ORDR/ORDER FOR EXPEDITED TRANSCRIPT	0002		10/01/07	
0166	10/01/07	TRAN/REPORTER'S TRANSCRIPT STATUS CHECK MOTION TO SEVER/REDACTION OF	0002		01/17/07	Y
CONFESSION (BOTH)/DEFT GREENS MTOION TO CONTINUE TRIAL						
0167	10/01/07	TRAN/REPORTER'S TRANSCRIPT DEFTS MOTION TO STRIKE COUNTS FIVE AND SIX/DEFTS	0002		05/21/07	Y
MOTION TO EXCLUDE OTHER BAD ACTS						
0168	10/01/07	TRAN/REPORTER'S TRANSCRIPT STATUS CHECK NEGOTIATIONS	0002		07/25/07	
0169	10/01/07	TRAN/REPORTER'S TRANSCRIPT CALENDAR CALL/DEFTS MOTION TO APPLY HEIGHTENED	0002		09/24/07	Y
STANDARD REVIEW AND CARE/DEFTS MOTION TO ALLOW TO ARGUE LAST AT THE PENALTY PHASE/ETC						
0170	10/01/07	TRAN/REPORTER'S TRANSCRIPT EVIDENTIARY HEARING MOTION TO SUPPRESS DEFTS	0002		08/14/06	Y
CONFESSION/DEFTS MOTION TO STRIKE INTENT TO SEEK DEATH PENALTY						
0171	10/01/07	TRAN/REPORTER'S TRANSCRIPT DEFTS MOTION TO STRIKE INTENT TO SEEK DEATH	0002		05/15/06	Y
PENALTY/EVIDENTIARY HEARING MOTION TO SUPPRESS DEFTS CONFESSION						
0172	10/01/07	TRAN/REPORTER'S TRANSCRIPT STATUS CHECK NEGOTIATIONS	0002		06/20/07	
0173	10/01/07	TRAN/REPORTER'S TRANSCRIPT APPOINT NEW RULE 250 COUNSEL (GREEN)/SET TRIAL DATE	0002		09/14/05	
0174	10/01/07	TRAN/REPORTER'S TRANSCRIPT DEFTS MOTION FOR JURY QUESTIONNAIRE/DEFTS MOTION FOR	0002		09/05/07	Y
APPLICATION/DEFTS 2ND MOTION TO STRIKE STATES NOTICE OF INTENT TO SEEK						

(Continued to page 7)

NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
REVOCATION OF PROBATION/STATUS CHECK FILING OF MOTIONS						
0175	10/01/07	TRAN/REPORTER'S TRANSCRIPT DEFT BOWSERS	0002		04/18/07	Y
		MOTION TO SEVER DEFT/DEFT BOWSERS	0002			
MOTION TO STRIKE COUNTS FIVE AND SIX/DEFTS BOWSERS MOTION TO EXCLUDE OTHER ACTS						
0176	10/03/07	TRB /TRIAL BEGINS	AL			
0177	10/05/07	ORDR/ORDER TO PREPARE TRANSCRIPT	0002		10/05/07	
0178	10/05/07	TRAN/REPORTER'S TRANSCRIPT TRIAL BY JURY	0002		10/04/07	
0179	10/08/07	JLST/DISTRICT COURT JURY LIST	0002			
0180	10/03/07	IND /SECOND AMENDED INDICTMENT	AL			
0181	10/11/07	PINU/PROPOSED JURY INSTRUCTIONS NOT USED AT TRIAL	0002		10/11/07	
			0002			
0182	10/12/07	ORDR/ORDER TO PREPARE TRANSCRIPT	0002		10/12/07	
0183	10/16/07	NOEV/NOTICE OF EXHIBITS IN THE VAULT			10/16/07	
0184	10/16/07	VER /SPECIAL VERDICT	0002		10/16/07	
0185	10/11/07	JMNT/VERDICT	0002		10/17/07	
0186	10/16/07	JMNT/VERDICT	0002		10/17/07	
0187	10/16/07	VER /VERDICT	0002		10/16/07	
0188	10/11/07	INST/INSTRUCTIONS TO THE JURY	0002			
0189	10/16/07	ORDR/ORDER TO PREPARE TRANSCRIPT	0001		10/16/07	
0190	10/16/07	INST/INSTRUCTIONS TO THE JURY	0002			
0191	10/16/07	VJRU/VERDICT(S) SUBMITTED TO JURY BUT RETURNED UNSIGNED	0002			
			0002			
0192	10/16/07	SENT/SENTENCING	0002	GR	12/05/07	
0193	12/05/07	SENT/RE-SENTENCING - AT REQUEST OF COURT	0002	GR	12/10/07	
0194	12/07/07	ORDR/ORDER RE PRE TRIAL MOTIONS	0002		12/07/07	
0195	12/13/07	JMNT/JUDGMENT OF CONVICTION/ADMIN ASSESSMENT	0002		12/14/07	
0196	12/13/07	JMNT/JUDGMENT OF CONVICTION/GENETIC TESTING	0002		12/14/07	
0197	01/02/08	NOAS/NOTICE OF APPEAL	0002	AP	01/02/08	
0198	01/02/08	STAT/CASE APPEAL STATEMENT	0002			

JOC

FILED

DEC 13 2 44 PM '07

ORIGINAL

CLERK OF THE COURT

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

TERRENCE KARYIAN BOWSER
#1927299

Defendant.

CASE NO. C211162

DEPT. NO. VIII

JUDGMENT OF CONVICTION

(JURY TRIAL)

The Defendant previously entered a plea of not guilty to the crimes of COUNT 1
- CONSPIRACY TO COMMIT MURDER (Category B Felony) in violation of NRS
199.480, 200.030, 200.010; COUNT 2 - MURDER WITH USE OF A DEADLY
WEAPON (Category A Felony) in violation of NRS 193.165, 200.030, 200.010; COUNT
3 - CONSPIRACY TO DISCHARGE FIREARM OUT OF A MOTOR VEHICLE (Gross
Misdemeanor) in violation of NRS 199.480, 202.287; COUNT 4 - DISCHARGING
FIREARM OUT OF MOTOR VEHICLE (Category B Felony) in violation of NRS
202.287; COUNT 5 - CONSPIRACY TO DISCHARGE FIREARM AT OR INTO
STRUCTURE, VEHICLE, AIRCRAFT, OR WATERCRAFT (Gross Misdemeanor) in

RECEIVED

CLERK OF THE COURT

1 violation of NRS 199.480, 202.285, of COUNT 6 – DISCHARGING FIREARM AT OR
2 INTO STRUCTURE, VEHICLE, AIRCRAFT OR WATERCRAFT (Category B Felony) in
3 violation of NRS 202.285, and the matter having been tried before a jury and the
4 Defendant having been found guilty of the crimes of COUNT 1 – CONSPIRACY TO
5 COMMIT MURDER (Category B Felony) in violation of NRS 199.480, 200.030,
6 200.010; COUNT 2 – MURDER OF THE FIRST DEGREE WITH USE OF A DEADLY
7 WEAPON (Category A Felony) in violation of NRS 193.165, 200.030, 200.010; COUNT
8 3 – CONSPIRACY TO DISCHARGE FIREARM OUT OF A MOTOR VEHICLE (Gross
9 Misdemeanor) in violation of NRS 199.480, 202.287; COUNT 4 – DISCHARGING
10 FIREARM OUT OF MOTOR VEHICLE (Category B Felony) in violation of NRS
11 202.287; COUNT 5 – CONSPIRACY TO DISCHARGE FIREARM AT OR INTO
12 STRUCTURE, VEHICLE, AIRCRAFT, OR WATERCRAFT (Gross Misdemeanor) in
13 violation of NRS 199.480, 202.285, COUNT 6 – DISCHARGING FIREARM AT OR
14 INTO STRUCTURE, VEHICLE, AIRCRAFT OR WATERCRAFT (Category B Felony) in
15 violation of NRS 202.285, thereafter, on the 5TH day of December, 2007, the Defendant
16 was present in court for sentencing with his counsel, NORM REED, Deputy Public
17 Defender, and good cause appearing,
18
19
20
21

22 THE DEFENDANT WAS ADJUDGED guilty of said offense(s) and, in addition to
23 the \$25.00 Administrative Assessment Fee and \$150.00 DNA Analysis Fee including
24 testing to determine genetic markers, the Defendant was SENTENCED to the Nevada
25 Department of Corrections (NDC) as follows: AS TO COUNT 1 - TO A MAXIMUM of
26 ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM Parole Eligibility of
27 TWENTY-FOUR (24) MONTHS; AS TO COUNT 2 - TO LIFE with a MINIMUM Parole
28 Eligibility of TWENTY (20) YEARS, plus an EQUAL and CONSECUTIVE term of LIFE

1 with TWENTY (20) YEARS MINIMUM Parole Eligibility; AS TO COUNT 3 - TO THREE
2 HUNDRED SIXTY-FIVE (365) DAYS in the Clark County Detention Center (CCDC) with
3 Credit for Time Served; AS TO COUNT 4 - TO A MAXIMUM of SIXTY (60) MONTHS
4 with a MINIMUM Parole Eligibility of TWELVE (12) MONTHS, to run CONCURRENT
5 with COUNTS 1 and 2; AS TO COUNT 5 - TO THREE HUNDRED SIXTY-FIVE (365)
6 DAYS in the Clark County Detention Center (CCDC), with Credit for Time Served; AS
7 TO COUNT 6 - TO A MAXIMUM of SIXTY (60) MONTHS with a MINIMUM Parole
8 Eligibility of TWELVE (12) MONTHS, to run CONCURRENT with COUNTS 1-5; with
9 ONE THOUSAND, THIRTY-EIGHT (1,038) DAYS credit for time served.
10
11

12 THEREAFTER, on the 10th day of December, 2007, the Defendant appeared in
13 court with his counsel NORM REED, Deputy Public Defender, and pursuant to the
14 Court's request for Re-Sentencing, and good cause appearing to amend the Judgment
15 of Conviction; now therefore,
16

17 IT IS HEREBY ORDERED that as the Court advised it had sentenced Defendant
18 illegally as to COUNT 4 - DISCHARGING FIREARM OUT OF MOTOR VEHICLE and
19 ORDERED previous sentencing as to COUNT 4 RECALLED and Defendant sentenced
20 to a MAXIMUM of SIXTY (60) MONTHS with a MINIMUM of TWENTY-FOUR (24)
21 MONTHS in the Nevada Department of Corrections (NDC) imposed. FURTHER,
22 sentencing on COUNTS 1, 2, 3, 5, and 6 STANDS.
23
24

25 DATED this 11 day of December, 2007
26
27
28


LEE A. GATES
DISTRICT JUDGE 

CRIMINAL COURT MINUTES

05-C-211162-C STATE OF NEVADA vs Bowser, Terrence K

04/29/05 11:30 AM 00 GRAND JURY INDICTMENT

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

OFFICERS: Denise Trujillo, Court Clerk
Angela Lee, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
 001648 Barker, David B. Y

See MINUTES for Defendant 0001: Green, Jamar R

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

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Jennifer Lott, Relief Clerk
Sonia Riley, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
 000738 Berrett, Bill A. Y

 0001 D1 Green, Jamar R Y
 003413 Gale, Bruce L. Y

 0002 D Bowser, Terrence K Y
 005901 Cano, Charles A. Y
 004546 Brown, Curtis Y

See MINUTES for Defendant 0001: Green, Jamar R

CRIMINAL COURT MINUTES

05-C-211162-C STATE OF NEVADA

vs Bowser, Terrence K

CONTINUED FROM PAGE: 001

09/07/05 09:00 AM 00 ALL PENDING MOTIONS (9-7-05)

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Sharon Coffman/sc, Court Clerk
Cynthia Georgilas, Relief Clerk
Sonia Riley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
000738	Berrett, Bill A.	Y
0001 D1	Green, Jamar R	Y
003413	Gale, Bruce L.	Y
0002 D	Bowser, Terrence K	Y
005901	Cano, Charles A.	Y
004546	Brown, Curtis	Y

See MINUTES for Defendant 0001: Green, Jamar R

09/14/05 09:00 AM 00 ALL PENDING MOTIONS

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Sharon Coffman, Court Clerk
Cynthia Georgilas/cg, Relief Clerk
Sonia Riley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
000738	Berrett, Bill A.	Y
0001 D1	Green, Jamar R	Y
0002 D	Bowser, Terrence K	Y
005901	Cano, Charles A.	Y
004546	Brown, Curtis	Y

See MINUTES for Defendant 0001: Green, Jamar R

CRIMINAL COURT MINUTES

05-C-211162-C STATE OF NEVADA

vs Bowser, Terrence K

CONTINUED FROM PAGE: 002

09/21/05 09:00 AM 00 ALL PENDING MOTIONS (9-21-05)

HEARD BY: Joseph T. Bonaventure, Judge; Dept. 6

OFFICERS: Sharon Coffman, Court Clerk
Donna McCord, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
000738	Berrett, Bill A.	Y
0001 D1	Green, Jamar R	Y
001332	Pitaro, Thomas F.	Y
007072	Macarthur, Jonathan	Y
0002 D	Bowser, Terrence K	Y
005901	Cano, Charles A.	Y

See MINUTES for Defendant 0001: Green, Jamar R

09/28/05 09:00 AM 02 SET TRIAL DATE

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Sharon Coffman, Court Clerk
Stacy Briggs, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
000738	Berrett, Bill A.	Y
0001 D1	Green, Jamar R	Y
001332	Pitaro, Thomas F.	Y
007072	Macarthur, Jonathan	Y
0002 D	Bowser, Terrence K	Y

See MINUTES for Defendant 0001: Green, Jamar R

CRIMINAL COURT MINUTES

05-C-211162-C STATE OF NEVADA

vs Bowser, Terrence K

CONTINUED FROM PAGE: 003

03/08/06 09:00 AM 00 DEFT'S MTN TO SUPPRESS DEFT'S CONFESSION
/16

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Sharon Coffman, Court Clerk
Sonia Riley, Reporter/Recorder

PARTIES: STATE OF NEVADA
000738 Berrett, Bill A.

Y

Y

0002 D Bowser, Terrence K
004546 Brown, Curtis

Y

Y

Parties requested matter be continued. COURT SO ORDERED.

CUSTODY

4-17-06 1:30 P.M. EVIDENTIARY HEARING: MOTION TO SUPPRESS DEFT'S CONFESSION

04/17/06 01:30 PM 00 EVIDENTIARY HEARING: MOTION TO SUPPRESS
DEFT'S CONFESSION

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Sharon Coffman, Court Clerk

PARTIES: NO PARTIES PRESENT

Due to the unavailability of Court, matter continued.

CUSTODY

CONTINUED TO: 05/15/06 01:30 PM 01

CRIMINAL COURT MINUTES

05-C-211162-C STATE OF NEVADA

vs Bowser, Terrence K

CONTINUED FROM PAGE: 004

05/15/06 01:30 PM 00 ALL PENDING MOTIONS

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Willa Pettice/wp, Court Clerk
Phyllis Irby, Relief Clerk
Sonia Riley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
000738	Berrett, Bill A.	Y
005144	Sweetin, James R.	Y
0002 D	Bowser, Terrence K	Y
003795	Reed, Norman J.	Y

DEFT'S MOTION TO STRIKE INTENT TO SEEK DEATH PENALTY . . . EVIDENTIARY
HEARING: MOTION TO SUPPRESS DEFT'S CONFESSION

Mr. Berrett advised the State is missing a witness and requested matter be
continued. There being no opposition, COURT ORDERED, matter CONTINUED.

8/14/06 1:30 P.M. DEFT'S MOTION TO STRIKE INTENT TO SEEK DEATH PENALTY
EVIDENTIARY HEARING: MOTION TO SUPPRESS DEFT'S CONFESSION

08/14/06 09:00 AM 00 ALL PENDING MOTIONS (8/14/06)

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Sharon Coffman, Court Clerk
Sonia Riley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
000738	Berrett, Bill A.	Y
005144	Sweetin, James R.	Y
0001 D1	Green, Jamar R	Y
004380	Sciscento, Joseph S.	Y
0002 D	Bowser, Terrence K	Y
003795	Reed, Norman J.	Y
004546	Brown, Curtis	Y

EVIDENTIARY HEARING: MOTION TO SUPPRESS DEFT'S CONFESSION...DEFT'S MOTION TO
STRIKE INTENT TO SEEK DEATH PENALTY

Ms. Sciscento requested his client be joined in the motions. Court noted
there are different facts and it will not apply to his client as Defendant
Bowser is saying the death penalty applies to Defendant Green.

CONTINUED ON PAGE: 006

CRIMINAL COURT MINUTES

05-C-211162-C STATE OF NEVADA

vs Bowser, Terrence K

CONTINUED FROM PAGE: 005

Officer Robert Sullivan sworn and testified. Detective Rob Wilson sworn and testified. Closing arguments.

As to the Motion to Suppress, COURT FINDS, that Defendant Bowser was under arrest, he was not free to leave. Before any questioning took place, he should have been read his Miranda rights, and, in fact, he was read his Miranda rights by Officer Sullivan. Defendant stated, "You guys got me. I will have to see what my lawyer can do for me." COURT FINDS, this is ambiguous; he did not say he wanted an attorney or that he didn't want to talk. Additionally, he was read his Miranda rights again, and gave a 70-page statement, which indicates he wanted waive his rights and give a statement. COURT FINDS, the Defendant was given his Miranda rights on two occasions, and he freely and voluntarily waived those rights. COURT ORDERED, Defendant's Motion to Suppress is DENIED.

As to the Motion to Strike the State's Intent to Seek the Death Penalty, following arguments of counsel as to whether the Defendant can be given the death sentence in view of the fact that it was the Co-Defendant who pulled the trigger, COURT FINDS, the law is as stated by Mr. Sweeten, i.e. the law is specific that the Defendant must have killed, attempted to kill, intended that a killing take place, intended that lethal force be employed, or participated in a felony while exhibiting a reckless indifference to human life. COURT FINDS, the Defendant does not have to be the one who pulled the trigger in order to be subject to the death penalty. The State has alleged enough participation in the murder by the Defendant that would allow the State to seek the death penalty. COURT ORDERED, Motion to Strike is DENIED.

State to prepare the Order.

CRIMINAL COURT MINUTES

05-C-211162-C STATE OF NEVADA

vs Bowser, Terrence K

CONTINUED FROM PAGE: 006

08/30/06 09:00 AM 00 STATE'S REQUEST STATUS CHECK:TRIAL DATE

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Sharon Coffman, Court Clerk
Robin Mucciarone/rm, Relief Clerk
Sonia Riley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
000738	Berrett, Bill A.	Y
0001 D1	Green, Jamar R	N
004380	Sciscento, Joseph S.	Y
0002 D	Bowser, Terrence K	N
003795	Reed, Norman J.	Y

See MINUTES for Defendant 0001: Green, Jamar R

12/11/06 09:00 AM 00 DEFT'S MTN TO SEVER DEFT'S/25

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Sharon Coffman, Court Clerk
Sonia Riley, Reporter/Recorder

PARTIES:	0002 D	Bowser, Terrence K	Y
	003795	Reed, Norman J.	Y

Mr. Reed advised if the confession is redacted, as he believes it will be,
this motion will be moot. COURT ORDERED, matter set for status check.

CUSTODY

1/3/07 9:00 A.M. STATUS CHECK: MOTION TO SEVER

CRIMINAL COURT MINUTES

05-C-211162-C STATE OF NEVADA

vs Bowser, Terrence K

CONTINUED FROM PAGE: 007

01/03/07 09:00 AM 00 STATUS CHECK: DEFT'S MOTION TO SEVER

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Sharon Coffman, Court Clerk
Sonia Riley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
000738	Berrett, Bill A.	Y
0002 D	Bowser, Terrence K	Y
003795	Reed, Norman J.	Y

Parties advised they want to agree to redacted confession statements and requested further status check. Further requested Mr. Green be brought into the next status check. COURT SO ORDERED.

CUSTODY

1/17/07 9:00 A.M. STATUS CHECK: MOTION TO SEVER / REDACTION OF CONFESSION
(BOTH)

01/17/07 09:00 AM 00 ALL PENDING MOTIONS (1/17/07)

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Sharon Chun, Relief Clerk
Sonia Riley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
008610	Pieper, Danielle K.	Y
0001 D1	Green, Jamar R	Y
004380	Sciscento, Joseph S.	Y
0002 D	Bowser, Terrence K	Y
003795	Reed, Norman J.	Y

See MINUTES for Defendant 0001: Green, Jamar R

CRIMINAL COURT MINUTES

05-C-211162-C STATE OF NEVADA

vs Bowser, Terrence K

CONTINUED FROM PAGE: 008

03/19/07 09:00 AM 00 ALL PENDING MOTIONS (3/19/07)

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Sharon Coffman, Court Clerk
Sonia Riley, Reporter/RecorderPARTIES: STATE OF NEVADA
008610 Pieper, Danielle K.
0002 D Bowser, Terrence K
003795 Reed, Norman J.Y
Y
Y
Y

DEFT'S MOTION TO STRIKE COUNTS FIVE AND SIX...DEFT'S MOTION TO EXCLUDE OTHER ACTS

Parties requested time for State to respond. COURT ORDERED, State to respond by 4/2/07; Defendant to reply by 4/9; matter set for argument.

CUSTODY

4/18/07 9:00 A.M. SAME

04/18/07 09:00 AM 00 ALL PENDING MOTIONS (4/18/07)

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Sharon Coffman, Court Clerk

PARTIES: STATE OF NEVADA
007135 Pesci, Giancarlo
0002 D Bowser, Terrence K
003795 Reed, Norman J.
004546 Brown, CurtisY
Y
Y
Y
Y

DEFT BOWERS' MOTION TO SEVER DEFT/REDACTIN OF DEFT...DEFT BOWSER'S MOTION TO STRIKE COUNTS FIVE AND SIX...DEFT BOWSER'S MOTION TO EXCLUDE OTHER ACTS

COURT ORDERED, Motion to Sever OFF CALENDAR; this has been determined.

State requested time to respond to the Motion to Strike Counts Five and Six and Motion to Exclude Other Acts. COURT ORDERED, response due by 5/16 and motions continued.

COURT FURTHER ORDERED, trial date set for Deft. Bowser.

CUSTODY

CONTINUED ON PAGE: 010

CRIMINAL COURT MINUTES

05-C-211162-C STATE OF NEVADA

vs Bowser, Terrence K

CONTINUED FROM PAGE: 009

5/21/07 9:00 A.M. MOTION TO STRIKE COUNTS FIVE AND SIX...MOTION TO EXCLUDE OTHER ACTS

9/24/07 9:00 A.M. CALENDAR CALL (BOWSER)

10/01/07 10:00 A.M. TRIAL BY JURY (BOWSER)

05/21/07 09:00 AM 00 ALL PENDING MOTIONS (5/21/07)

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Sharon Coffman, Court Clerk
Sonia Riley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
007135	Pesci, Giancarlo	Y
0002 D	Bowser, Terrence K	Y
003795	Reed, Norman J.	Y
004546	Brown, Curtis	Y

DEFT'S MOTION TO STRIKE COUNTS FIVE AND SIX...DEFT'S MOTION TO EXCLUDE OTHER ACCOUNTS

Pursuant to request of parties, COURT ORDERED, motions continued.

CUSTODY

6/11/07 9:00 A.M. - SAME

06/11/07 09:00 AM 00 ALL PENDING MOTIONS (6/11/07)

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Sharon Coffman, Court Clerk
Sonia Riley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
007135	Pesci, Giancarlo	Y
0002 D	Bowser, Terrence K	Y
004546	Brown, Curtis	Y

DEFT' MOTION TO STRIKE COUNTS FIVE AND SIX...DEFT'S MOTION TO EXCLUDE OTHER BAD ACTS

Mr. Brown advised they are working on negotiations and requested matter be continued one week. COURT SO ORDERED.

CONTINUED ON PAGE: 011

CRIMINAL COURT MINUTES

05-C-211162-C STATE OF NEVADA

vs Bowser, Terrence K

CONTINUED FROM PAGE: 010

CUSTODY

6/18/07 9:00 A.M. STATUS CHECK: NEGOTIATIONS

06/18/07 09:00 AM 00 STATUS CHECK: NEGOTIATIONS

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Sharon Coffman, Court Clerk
Sonia Riley, Reporter/RecorderPARTIES: STATE OF NEVADA
008818 Jimenez, Sonia V.
0002 D Bowser, Terrence K
PUBDEF Public Defender
004546 Brown, CurtisY
Y
Y
Y
Y

Mr. Brown requested matter be continued for Mr. Reed to be present.

CUSTODY

CONTINUED TO: 06/20/07 09:00 AM 01

06/20/07 09:00 AM 01 STATUS CHECK: NEGOTIATIONS

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Sharon Coffman, Court Clerk
Sonia Riley, Reporter/RecorderPARTIES: STATE OF NEVADA
007135 Pesci, Giancarlo
0002 D Bowser, Terrence K
PUBDEF Public Defender
004546 Brown, CurtisY
Y
Y
Y
Y

Mr. Brown advised the Defendant has some further questions; requested a continuance. COURT ORDERED, status check continued; trial date stands.

CUSTODY

CONTINUED TO: 07/09/07 09:00 AM 02

CONTINUED ON PAGE: 012

CRIMINAL COURT MINUTES

05-C-211162-C STATE OF NEVADA

vs Bowser, Terrence K

CONTINUED FROM PAGE: 011

07/09/07 09:00 AM 02 STATUS CHECK: NEGOTIATIONS

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Keith Reed, Court Clerk
Sonia Riley, Reporter/Recorder

PARTIES: STATE OF NEVADA
007135 Pesci, Giancarlo
0002 D Bowser, Terrence K
PUBDEF Public Defender
004546 Brown, Curtis

Y
Y
Y
Y
Y

Second Amended Indictment and Guilty Plea Agreement submitted. Deft. requested to be allowed to enter an Alford plea. Mr. Brown noted, that is not a part of the negotiations. Upon the Court's attempt to canvass the Deft. as to his plea agreement, Court stated, the requisite elements are not present; parties need to discuss matters more and maybe agree to an Alford plea. COURT ORDERED, matter CONTINUED.

CUSTODY

CLERK'S NOTE: Second Amended Indictment and Guilty Plea Agreement returned to the District Attorney.

CONTINUED TO: 07/25/07 09:00 AM 03

07/25/07 09:00 AM 03 STATUS CHECK: NEGOTIATIONS

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Katherine Streuber, Court Clerk
Sonia Riley, Reporter/Recorder

PARTIES: STATE OF NEVADA
007135 Pesci, Giancarlo
0002 D Bowser, Terrence K
PUBDEF Public Defender
003795 Reed, Norman J.

Y
Y
Y
Y
Y

Court advised it was not accepting negotiations. Counsel advised motions will be filed. COURT ORDERED, matter SET for status check.

CUSTODY

09-05-07 9:00 AM STATUS CHECK: FILING OF MOTIONS

CONTINUED ON PAGE: 013

CRIMINAL COURT MINUTES

05-C-211162-C STATE OF NEVADA

vs Bowser, Terrence K

CONTINUED FROM PAGE: 012

08/20/07 09:00 AM 00 DEFT'S 2ND MTN TO STRIKE STATE'S NTC OF
INTENT TO SEEK

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Katherine Streuber, Court Clerk
Sonia Riley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
007135	Pesci, Giancarlo	Y
008818	Jimenez, Sonia V.	Y
0002 D	Bowser, Terrence K	Y
PUBDEF	Public Defender	Y
003795	Reed, Norman J.	Y

Counsel requested matter be continued to next scheduled hearing date along with motions set for August 27, 2007. There being no opposition, COURT SO ORDERED.

CUSTODY

CONTINUED TO: 09/05/07 09:00 AM 01

09/05/07 09:00 AM 00 ALL PENDING MOTIONS 09/05/07

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Katherine Streuber, Court Clerk
Sonia Riley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
008818	Jimenez, Sonia V.	Y
0002 D	Bowser, Terrence K	Y
PUBDEF	Public Defender	Y
003795	Reed, Norman J.	Y
004546	Brown, Curtis	Y

DEFT'S MOTION FOR JURY QUESTIONNAIRE...DEFT'S MOTION FOR APPLICATION...DEFT'S 2ND MOTION TO STRIKE STATE'S NOTICE OF INTENT TO SEEK REVOCATION...STATUS CHECK: FILING OF MOTIONS

Court inquired when questionnaires would be completed and informed by the end of this week. COURT ORDERED, motion GRANTED. Argument by counsel. State argued this can not be done retroactively since Deft. having committed the crimes, can not use a statute that was implemented after his sentence was imposed. Counsel stated there is ambiguity in the statute and it should be applied to Deft. Argument by State. Further argument by counsel. Court

CONTINUED ON PAGE: 014

CRIMINAL COURT MINUTES

05-C-211162-C STATE OF NEVADA

vs Bowser, Terrence K

CONTINUED FROM PAGE: 013

stated its findings and ORDERED, Deft's Motion to Strike Counts 5 & 6 and Motion to Strike Death Penalty are DENIED. FURTHER, Motion for Application taken UNDER ADVISEMENT. Deft's 2nd Motion to Strike State's Notice of Intent to Seek Revocation of Probation NOT ADDRESSED.

CUSTODY

09/24/07 09:00 AM 00 ALL PENDING MOTIONS 9/24/07

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Teri Braegelman, Relief Clerk
Sonia Riley, Reporter/Recorder

PARTIES: STATE OF NEVADA
007135 Pesci, Giancarlo
0002 D Bowser, Terrence K
PUBDEF Public Defender
008844 Luem, Andrea L.
003795 Reed, Norman J.

Y
Y
Y
Y
Y
Y

CALENDAR CALL...DEFT'S MOTION TO APPLY HEIGHTENED STANDARD REVIEW & CARE...DEFT'S MOTION TO ALLOW TO ARGUE LAST AT THE PENALTY PHASE...DEFT'S MOTION TO PROHIBIT THE USE OF PEREMPTORY CHALLENGES TO EXCLUDE JURORS...DEFT'S MOTION TO PRECLUDE THE INTRODUCTION OF VICTIM IMPACT EVIDENCE...DEFT'S MOTION TO DECLARE NEVADA'S DEATH PANALTY STATUTES UNCONSTITUTIONAL...DEFT'S MOTION CHALLENGING THE COMPOSITION OF THE PETIT JURY FOR SYSTEMATIC...UNDERREPRESENTATION OF COGNIZABLE GROUPS...DEFT'S MOTION FOR SPECIAL VERDICT FORM IN ACCORDANCE WITH ENMUND V FLORIDA...DEFT'S MOTION SECOND MOTION TO EXCLUDE OTHER ACTS...DEFT'S MOTION TO BAR THE ADMISSION OF CUMULATIVE VICTIM IMPACT EVIDENCE...DEFT'S MOTION TO BIFURCATE...DEFT'S MOTION FOR DISCOVERY INCLUDING BUT NOT LIMITED TO THE NAMES...DEFT'S MOTION IN LIMINE TO PRECLUDE ADMISSION OF GLOVES 7 HEADGEAR...DEFT'S MOTION IN LIMINE TO PREVENT ANY REFERENCE TO GANGS...DEFT'S MOTION IN LIMINE TO APPLY THE BEST EVIDENCE OF RULE TO BOWSER'S CONFESSION STATEMENT

Counsel announced ready for trial. Court noted it will not hear th epending motions today. Mr. Reed advised the final draft of the jury questionnaires were provided to the law clerk. Colloquy regarding same. Further Mr. Reed requested they be submitted to jury services today. Court so noted. Further, COURT ORDERED, all pending motions CONTINUED.

CUSTODY

9/29/07 9:00 AM ALL PENDING MOTIONS

CONTINUED ON PAGE: 015
MINUTES DATE: 09/24/07

CRIMINAL COURT MINUTES

05-C-211162-C STATE OF NEVADA

vs Bowser, Terrence K

CONTINUED FROM PAGE: 014

09/24/07 09:00 AM 00 MINUTE ORDER RE: DEFT'S MOTION FOR
APPLICATION OF NRS 193.165 AS AMENDED

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Teri Braegelmann, Relief Clerk
Sonia Riley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
007135	Pesci, Giancarlo	Y
0002 D	Bowser, Terrence K	Y
008844	Luem, Andrea L.	Y
003795	Reed, Norman J.	Y

This matter having been taken under advisement and all pleadings and papers reviewed herein; COURT ORDERED, motion DENIED.

CLERK'S NOTE: On 9/24/07 I placed a copy of this minute order in Mr. Pesci, Ms. Luem, and Mr. Reed's Clerk's office bin. tb

09/28/07 09:00 AM 00 ALL PENDING MOTIONS 9/28/07

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Carole D'Aloia, Relief Clerk
Sonia Riley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
008818	Jimenez, Sonia V.	Y
0002 D	Bowser, Terrence K	Y
PUBDEF	Public Defender	Y
008844	Luem, Andrea L.	Y
003795	Reed, Norman J.	Y

DEFENDANT'S MOTION TO APPLY HEIGHTENED STANDARD OF REVIEW AND CARE IN THIS CASE BECAUSE THE STATE IS SEEKING THE DEATH PENALTY

Matter submitted by counsel. COURT ORDERED, motion DENIED.

DEFENDANT'S MOTION TO ALLOW THE DEFENSE TO ARGUE LAST AT THE PENALTY PHASE

Matter submitted by counsel. COURT ORDERED, motion DENIED

DEFENDANT'S MOTION TO PROHIBIT THE USE OF PEREMPTORY CHALLENGES TO EXCLUDE JURORS WHO EXPRESS CONCERNS ABOUT CAPITAL PUNISHMENT

Following arguments by counsel, COURT ORDERED, it will RESERVE RULING on this motion to time of jury selection.

CONTINUED ON PAGE: 016

CRIMINAL COURT MINUTES

05-C-211162-C STATE OF NEVADA

vs Bowser, Terrence K

CONTINUED FROM PAGE: 015

DEFENDANT'S MOTION TO PRECLUDE THE INTRODUCTION OF VICTIM IMPACT EVIDENCE PERTAINING TO VICTIM FAMILY MEMBERS' CHARACTERIZATIONS AND OPINIONS ABOUT THE CRIME, THE DEFENDANT, AND/OR THE APPROPRIATE SENTENCE

Following arguments by counsel, COURT ORDERED, motion GRANTED in part as to the testimony of the victim's brother-in-law, which will not be permitted.

DEFENDANT'S MOTION TO DECLARE NEVADA'S DEATH PENALTY STATUTES UNCONSTITUTIONAL

Matter submitted by counsel. COURT ORDERED, motion DENIED.

DEFENDANT'S MOTION CHALLENGING THE COMPOSITION OF THE PETIT JURY FOR SYSTEMATIC UNDERREPRESENTATION OF COGNIZABLE GROUPS

Following arguments by counsel, COURT ORDERED, it will RESERVE RULING on this motion to time of jury selection.

DEFENDANT'S MOTION FOR SPECIAL VERDICT FORM IN ACCORDANCE WITH ENMUND V. FLORIDA

Following arguments by counsel, COURT ORDERED, motion DENIED.

DEFENDANT'S SECOND MOTION TO EXCLUDE OTHER ACTS

Following arguments by counsel, COURT ORDERED, it will RESERVE RULING on this motion to time of trial.

DEFENDANT'S MOTION TO BAR THE ADMISSION OF CUMULATIVE VICTIM IMPACT EVIDENCE IN VIOLATION OF THE DUE PROCESS CLAUSE

Following arguments by counsel, COURT ORDERED, same ruling applies to this motion as ordered in Defendant's Motion To Preclude The Introduction Of Victim Impact Evidence Pertaining To Victim Family Members' Characterizations And Opinions About The Crime, The Defendant, And/Or The Appropriate Sentence.

DEFENDANT'S MOTION TO BIFURCATE PENALTY PHASE

Following arguments by counsel, COURT ORDERED, motion DENIED.

DEFENDANT'S MOTION FOR DISCOVERY/DISCLOSURE INCLUDING BUT NOT LIMITED TO THE NAMES AND ADDRESSES OF PERSON KNOWN TO THE STATE WHO MAY HAVE EVIDENCE FAVORABLE TO THE DEFENSE

Ms. Jimenez assured Court she has provided and will continue to provide any information regarding this motion. Mr. Reed concurred. COURT ORDERED, motion GRANTED.

DEFENDANT'S MOTION IN LIMINE TO PRECLUDE ADMISSION OF GLOVES AND HEADGEAR

Following arguments by counsel, COURT ORDERED, motion DENIED.

DEFENDANT'S MOTION IN LIMINE TO PREVENT ANY REFERENCE TO GANGS

Mr. Reed advised Ms. Jimenez has conceded on this motion. Ms. Jimenez concurred. COURT ORDERED, motion GRANTED.

DEFENDANT'S MOTION IN LIMINE TO APPLY THE BEST EVIDENCE RULES TO BOWSER'S

CONTINUED ON PAGE: 017

CRIMINAL COURT MINUTES

05-C-211162-C STATE OF NEVADA

vs Bowser, Terrence K

CONTINUED FROM PAGE: 016

CONFESSION STATEMENT

Following arguments by counsel, COURT ORDERED, motion DENIED.

Court informed counsel jury selection will begin Tuesday morning at 10:00 AM and, ORDERED, trial date VACATED and RESET to that time.

CUSTODY

10/2/07 10:00 AM JURY TRIAL

10/05/07 10:00 AM 02 TRIAL BY JURY

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Keith Reed, Court Clerk
Sonia Riley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
007135	Pesci, Giancarlo	Y
008818	Jimenez, Sonia V.	Y
0002 D	Bowser, Terrence K	Y
PUBDEF	Public Defender	Y
003795	Reed, Norman J.	Y
008844	Luem, Andrea L.	Y

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL: Court addressed the jurors that failed to appear for jury duty. Colloquy between Court and prospective jurors #057, #059 & #079 as to why they failed to appear for jury service. COURT ORDERED, order(s) to show cause STRICKEN. Continuation of individual Voir Dire of prospective jurors outside the presence of the remaining prospective jurors. New panel of prospective jurors SWORN by the Clerk; individual Voir Dire continued. Jury & alternates impaneled. Colloquy between Court and counsel regarding further proceedings. COURT ORDERED, proceedings CONTINUED.

CONTINUED TO: 10/08/07 10:00 AM 03

CRIMINAL COURT MINUTES

05-C-211162-C STATE OF NEVADA

vs Bowser, Terrence K

CONTINUED FROM PAGE: 017

12/05/07 09:00 AM 00 SENTENCING

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Katherine Streuber, Court Clerk
Kim Tuchman, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
007135	Pesci, Giancarlo	Y
008818	Jimenez, Sonia V.	Y
0002 D	Bowser, Terrence K	Y
PUBDEF	Public Defender	Y
003795	Reed, Norman J.	Y

Victim Speaker Dawn McCoy SWORN & TESTIFIED. DEFT. BOWSER ADJUDGED GUILTY of COUNT 1 - CONSPIRACY TO COMMIT MURDER (F); COUNT 2 - MURDER WITH THE USE OF A DEADLY WEAPON (F); COUNT 3 - CONSPIRACY TO DISCHARGE FIREARM OUT OF A MOTOR VEHICLE (F); COUNT 4 - DISCHARGING WEAPON OUT OF A MOTOR VEHICLE (F); COUNT 5 - CONSPIRACY TO DISCHARGE FIREARM AT OR INTO STRUCTURE, VEHICLE, AIRCRAFT OR WATERCRAFT (GM); and COUNT 6 - DISCHARGING FIREARM AT OR INTO STRUCTURE, VEHICLE, AIRCRAFT OR WATERCRAFT (F). COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee and \$150.00 DNA Analysis fee including testing for genetic markers, Deft. SENTENCED as to COUNT 1 - to a MAXIMUM of ONE HUNDRED-TWENTY (120) MONTHS and a MINIMUM of TWENTY-FOUR (24) MONTHS in the Nevada Department of Corrections (NDC); COUNT 2 - to a LIFE term with parole eligibility of TWENTY (20) YEARS plus an equal and CONSECUTIVE LIFE term with parole eligibility of TWENTY (20) YEARS for use of a deadly weapon, to run CONCURRENT with COUNT 1; COUNT 3 - to serve THREE HUNDRED SIXTY-FIVE (365) DAYS in the Clark County Detention Center (CCDC) with credit for time served; COUNT 4 - to a MAXIMUM of SIXTY (60) MONTHS with a MINIMUM of TWELVE (12) MONTHS in the Nevada Department of Corrections (NDC), to run CONCURRENT with COUNTS 1 & 2; COUNT 5 - to serve THREE HUNDRED SIXTY-FIVE (365) DAYS in the Clark County Detention Center (CCDC) with credit for time served; and COUNT 6 - to a MAXIMUM of SIXTY (60) MONTHS with a MINIMUM of TWELVE (12) MONTHS in the Nevada Department of Corrections (NDC), to run CONCURRENT with COUNTS 1-5, with 1,038 DAYS credit for time served.

Later: COURT ORDERED, matter SET for re-sentencing.

NDC

12-10-07 9:00 AM RE-SENTENCING - AT REQUEST OF COURT

CLERK'S NOTE: Clerk left voice mail message with Sonia Jimenez DDA and Norm Reed DPD and informed of setting. 12/05/07 kls

CRIMINAL COURT MINUTES

05-C-211162-C STATE OF NEVADA

vs Bowser, Terrence K

CONTINUED FROM PAGE: 018

12/10/07 09:00 AM 00 RE-SENTENCING - AT REQUEST OF COURT

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Katherine Streuber, Court Clerk
Sonia Riley, Reporter/Recorder

PARTIES: STATE OF NEVADA
007135 Pesci, Giancarlo
0002 D Bowser, Terrence K
PUBDEF Public Defender
003795 Reed, Norman J.

Y
Y
Y
Y
Y

Court advised it had sentenced Deft. illegally as to COURT 4 - DISCHARGING FIREARM OUT OF MOTOR VEHICLE (F) and ORDERED, previous sentencing as to COUNT 4 RECALLED and Deft. sentenced to a MAXIMUM of SIXTY (60) MONTHS with a MINIMUM of TWENTY-FOUR (24) MONTHS in the Nevada Department of Corrections (NDC) IMPOSED. FURTHER, sentencing on COUNTS 1-3 and 5-6 STAND.

NDC

CRIMINAL COURT MINUTES

05-C-211162-C STATE OF NEVADA vs Green, Jamar R

04/29/05 11:30 AM 00 GRAND JURY INDICTMENT

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

OFFICERS: Denise Trujillo, Court Clerk
Angela Lee, Reporter/Recorder

PARTIES: STATE OF NEVADA
 001648 Barker, David B.

Y
Y

onnnis Johnson, Grand Jury Foreperson, stated to the Court that at least twelve members had concurred in the return of the true bill during deliberation, but had been excused for presentation to the Court. The State presented Grand Jury Case Number 04AGJ130 A/B to the Court. COURT ORDERED, BENCH WARRANT WILL ISSUE, NO BAIL as to BOTH deft's. COURT ORDERED, the indictment may be filed and is assigned Case Number C211162, Department VIII. COURT ORDERED, BENCH WARRANT WILL ISSUE, NO BAIL. Exhibit(s) 1-26 lodged with Clerk of District Court. Matter set for initial arraignment.

CUSTODY (BOTH)

5/4/05 9:00 AM ARRAIGNMENT

CLERK'S NOTE: Clerk inadvertently set the wrong court date, matter RESET to Monday 5/09/05./dt

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

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Jennifer Lott, Relief Clerk
Sonia Riley, Reporter/Recorder

PARTIES: STATE OF NEVADA
 000738 Berrett, Bill A.

Y
Y

0001 D1 Green, Jamar R
003413 Gale, Bruce L.

Y
Y

0002 D Bowser, Terrence K
005901 Cano, Charles A.
004546 Brown, Curtis

Y
Y
Y

Court APPOINTED Mr. Brown and Mr. Cano as counsel for Defendant Bowser in District Court. DEFENDANT GREEN and DEFENDANT BOWSER ARRAIGNED, PLED NOT GUILTY, and WAIVED THE 60-DAY RULE. Although counsel agreed to November 2005 setting, Court ORDERED case set in the ordinary course.

CUSTODY (BOTH)

CRIMINAL COURT MINUTES

05-C-211162-C STATE OF NEVADA

vs Green, Jamar R

CONTINUED FROM PAGE: 001

9/12/05 9:00 A.M. CALENDAR CALL

9/20/05 10:00 A.M. TRIAL BY JURY

09/07/05 09:00 AM 00 ALL PENDING MOTIONS (9-7-05)

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Sharon Coffman/sc, Court Clerk
Cynthia Georgilas, Relief Clerk
Sonia Riley, Reporter/Recorder

PARTIES: STATE OF NEVADA
000738 Berrett, Bill A.

Y

Y

0001 D1 Green, Jamar R
003413 Gale, Bruce L.

Y

Y

0002 D Bowser, Terrence K
005901 Cano, Charles A.
004546 Brown, Curtis

Y

Y

Y

DEFENDANT GREEN'S MOTION FOR THE PURPOSE OF APPOINTING RULE 250
COUNSEL...DEFENDANT BOWSER'S MOTION TO CONTINUE TRIAL

Mr. Gale advised he joins in the motion to continue the trial date.

As to appointing Rule 250 counsel for Defendant Green, Mr. Berrett argued he has retained counsel, the Rule only applies if counsel is appointed. Argument by Mr. Gale that he is not Rule 250 qualified; further advised the Defendant is indigent and cannot pay him, and his parents, who retained him, can no longer pay.

COURT ORDERED, matter continued for appointment of counsel and new trial setting. TRIAL DATE VACATED

CUSTODY (BOTH)

9-14-05 9:00 A.M. APPOINTMENT OF RULE 250 COUNSEL (GREEN)...RESET TRIAL DATE (BOTH)

CRIMINAL COURT MINUTES

05-C-211162-C STATE OF NEVADA

vs Green, Jamar R

CONTINUED FROM PAGE: 002

09/14/05 09:00 AM 00 ALL PENDING MOTIONS

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Sharon Coffman, Court Clerk
Cynthia Georgilas/cg, Relief Clerk
Sonia Riley, Reporter/Recorder

PARTIES: STATE OF NEVADA
000738 Berrett, Bill A.
0001 D1 Green, Jamar R
0002 D Bowser, Terrence K
005901 Cano, Charles A.
004546 Brown, Curtis

Y
Y
Y
Y
Y
Y

APPOINT NEW RULE 250 COUNSEL (GREEN)...SET TRIAL DATE

COURT ORDERED, Mr. Tom Pitaro and Mr. Jonathan MacArthur appointed to
represent Deft. Green; matter set for confirmation. Trial date to be set at
that time.

CUSTODY (BOTH)

09-21-05 9:00 AM TRIAL SETTING//CONFIRMATION OF COUNSEL (Pitaro & MacArthur)

09/21/05 09:00 AM 00 ALL PENDING MOTIONS (9-21-05)

HEARD BY: Joseph T. Bonaventure, Judge; Dept. 6

OFFICERS: Sharon Coffman, Court Clerk
Donna McCord, Reporter/Recorder

PARTIES: STATE OF NEVADA
000738 Berrett, Bill A.
0001 D1 Green, Jamar R
001332 Pitaro, Thomas F.
007072 Macarthur, Jonathan
0002 D Bowser, Terrence K
005901 Cano, Charles A.

Y
Y
Y
Y
Y
Y

CONFIRMATION OF COUNSEL (PITARO/ MACARTHUR)...SET TRIAL DATE

AS TO DEFT. GREEN: Thomas Pitaro, Esq. and Jonathan MacArthur, Esq.
CONFIRMED as lead counsel and second chair for Defendant Green.

CONTINUED ON PAGE: 004

CRIMINAL COURT MINUTES

05-C-211162-C STATE OF NEVADA

vs Green, Jamar R

CONTINUED FROM PAGE: 003

AS TO BOTH DEFENDANTS: COURT ORDERED, matter of the trial date continued to be heard by Judge Gates.

CUSTODY (BOTH)

9-28-05 9:00 A.M. SET TRIAL DATE

09/28/05 09:00 AM 02 SET TRIAL DATE

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Sharon Coffman, Court Clerk
Stacy Briggs, Reporter/Recorder

PARTIES: STATE OF NEVADA
000738 Berrett, Bill A.

Y

Y

0001 D1 Green, Jamar R

Y

001332 Pitaro, Thomas F.

Y

007072 Macarthur, Jonathan

Y

0002 D Bowser, Terrence K

Y

COURT ORDERED, matter set for trial.

CUSTODY (BOTH)

9-11-06 9:00 A.M. CALENDAR CALL

9-19-06 10:00 A.M. TRIAL BY JURY

CRIMINAL COURT MINUTES

05-C-211162-C STATE OF NEVADA

vs Green, Jamar R

CONTINUED FROM PAGE: 004

08/07/06 09:00 AM 00 DEFT'S MTN FOR APPOINTMENT OF ATTY /20

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Sharon Coffman/sc, Court Clerk
Carol Donahoo, Relief Clerk
Sonia Riley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
005144	Sweetin, James R.	Y
0001 D1	Green, Jamar R	Y
004380	Sciscento, Joseph S.	Y
007072	Macarthur, Jonathan	Y

Matter called, but Mr. Sciscento not present. Mr. MacArthur advised he has no objection to the appointment of Mr. Sciscento.

Matter recalled. Mr. Sciscento present and CONFIRMED as counsel. Mr. Sciscento advised Mr. Pitaro had been appointed, but his heavy trial schedule is preventing him from being able to handle this case.

Mr. Sweetin advised he believes parties will be filing a motion to continue the trial. Court so noted.

CUSTODY

08/30/06 09:00 AM 00 STATE'S REQUEST STATUS CHECK:TRIAL DATE

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Sharon Coffman, Court Clerk
Robin Mucciarone/rm, Relief Clerk
Sonia Riley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
000738	Berrett, Bill A.	Y
0001 D1	Green, Jamar R	N
004380	Sciscento, Joseph S.	Y
0002 D	Bowser, Terrence K	N
003795	Reed, Norman J.	Y

Upon request of parties, COURT ORDERED, trial date re-set.

2/21/07 9:00 AM CALENDAR CALL (BOTH)

2/27/07 10:00 AM JURY TRIAL (BOTH)

CRIMINAL COURT MINUTES

05-C-211162-C STATE OF NEVADA

vs Green, Jamar R

CONTINUED FROM PAGE: 005

01/17/07 09:00 AM 00 ALL PENDING MOTIONS (1/17/07)

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Sharon Chun, Relief Clerk
Sonia Riley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
008610	Pieper, Danielle K.	Y
0001 D1	Green, Jamar R	Y
004380	Sciscento, Joseph S.	Y
0002 D	Bowser, Terrence K	Y
003795	Reed, Norman J.	Y

STATUS CHECK: MOTION TO SEVER/REDACTION OF CONFESSION (BOTH)...DEFT GREEN'S
MOTION TO CONTINUE TRIALPer stipulation of both all counsel, COURT ORDERED, Deft's Motion to
Continue Trial, GRANTED AS TO BOTH DEFTS GREEN & BROWER; the CALENDAR CALL
AND JURY TRIAL DATES ARE VACATED AND RESET.At request of Mr. Reed, COURT ALSO ORDERED, the Motion to Sever/Redaction of
Confession (Both) SET for 4/18/07 at 9:00 A.M.

CUSTODY (BOTH)

4/18/07 9:00 AM MOTION TO SEVER/REDACTION OF CONFESSION (BOTH)

5/17/07 9:00 AM CALENDAR CALL

5/21/07 10:00 AM TRIAL BY JURY

CRIMINAL COURT MINUTES

05-C-211162-C STATE OF NEVADA

vs Green, Jamar R

CONTINUED FROM PAGE: 006

02/26/07 09:00 AM 00 PETITIONER'S MTN TO COMPEL DISCLOSURE OF
EVID/33

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Sharon Coffman, Court Clerk
Linda M. Smith/lms, Relief Clerk
Sonia Riley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	005144 Sweetin, James R.	Y
	0001 D1 Green, Jamar R	Y
	007072 Macarthur, Jonathan	Y

Arguments of counsel. COURT ORDERED, Petitioner's Motion to Compel
Disclosure of Evidence is GRANTED. FURTHER ORDERED, if the DA's office has
the evidence in document form, they are to provide it to Mr. MacArthur.

04/02/07 09:00 AM 00 ALL PENDING MOTIONS (4/02/07)

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Sharon Coffman, Court Clerk
Sonia Riley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	001190 Owens, Christopher J.	Y
	0001 D1 Green, Jamar R	N
	004380 Sciscento, Joseph S.	Y

DEFT'S MOTION FOR JURY QUESTIONNAIRE...DEFT'S MOTION TO SEVER

Upon request of Mr. Sciscento, COURT ORDERED, matter continued in order for
State to respond.

CUSTODY

4/11/07 9:00 A.M. - SAME

CRIMINAL COURT MINUTES

05-C-211162-C STATE OF NEVADA

vs Green, Jamar R

CONTINUED FROM PAGE: 007

04/11/07 09:00 AM 00 ALL PENDING MOTIONS (4/11/07)

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Sharon Coffman, Court Clerk
Kendall Heath, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
007135	Pesci, Giancarlo	Y
0001 D1	Green, Jamar R	Y
004380	Sciscento, Joseph S.	Y
007072	Macarthur, Jonathan	Y
0002 D	Bowser, Terrence K	N
003795	Reed, Norman J.	Y
004546	Brown, Curtis	Y

DEFT'S MOTION FOR JURY QUESTIONNAIRE...DEFT'S MOTION TO SEVER

Deft. Green's Motion to Suppress FILED IN OPEN COURT.

There being no opposition to the motions, COURT ORDERED, Motion to Sever and Motion for Jury Questionnaire are GRANTED. Court directed counsel to let the State review the Jury Questionnaire.

State requested time to respond to the Motion to Suppress. COURT ORDERED, State to respond by 4/23 and matter set for hearing.

Colloquy as to a trial date for Bowser. COURT ORDERED, matter set on calendar.

CUSTODY

4/18/07 9:00 A.M. RESET TRIAL DATES (BOWSER)

4/30/07 9:00 A.M. PRETRIAL MOTIONS (GREEN)

CRIMINAL COURT MINUTES

05-C-211162-C STATE OF NEVADA

vs Green, Jamar R

CONTINUED FROM PAGE: 008

04/18/07 09:00 AM 00 ALL PENDING MOTIONS (4/18/07)

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Sharon Coffman, Court Clerk
Sonia Riley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
007135	Pesci, Giancarlo	Y
0001 D1	Green, Jamar R	Y
007072	Macarthur, Jonathan	Y
0002 D	Bowser, Terrence K	Y
003795	Reed, Norman J.	Y
004546	Brown, Curtis	Y

DEFT BOWSER'S MOTION TO SEVER DEFT/REDACTION OF DEFT...DEFT BOWSER'S MOTION
TO STRIKE COUNTS FIVE AND SIX...DEFT BOWSER'S MOTION TO SET TRIAL
DATE...DEFT BOWSER'S MOTION TO EXCLUDE OTHER ACTS

COURT ORDERED, Motion to Sever OFF CALENDAR; this has been determined.

State requested time to respond to the Motion to Strike Counts Five and Six
and Motion to Exclude Other Acts. COURT ORDERED, response due by 5/16 and
motions continued.

COURT FURTHER ORDERED, trial date set for Deft. Bowser.

CUSTODY

5/21/07 9:00 A.M. MOTION TO STRIKE COUNTS FIVE AND SIX...MOTION TO EXCLUDE
OTHER ACTS

9/24/07 9:00 A.M. CALENDAR CALL (BOWSER)

10/01/07 10:00 A.M. TRIAL BY JURY (BOWSER)

CRIMINAL COURT MINUTES

05-C-211162-C STATE OF NEVADA

vs Green, Jamar R

CONTINUED FROM PAGE: 009

04/19/07 09:00 AM 00 MINUTE ORDER RE: TRIAL

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Sharon Coffman, Court Clerk

PARTIES: NO PARTIES PRESENT

As it appears the trial date for Defendant Green has been set in a manner inconsistent with Court's trial stacks, with the consent of the Court, Clerk as re-set the trial to align with the criminal calendar calls and trial dates. In order to give extra time for jury selection, etc. trial will be set on a Monday afternoon rather than Tuesday morning.

CUSTODY

5/14/07 9:00 A.M. CALENDAR CALL (GREEN)

5/21/07 1:00 P.M. TRIAL BY JURY (GREEN)

CLERK'S NOTE: A copy of this minute order to be placed in the attorney folder(s) of Norman Reed, Esq. and Curtis Brown, Esq. (Public Defender) and Jonathan MacArthur, Esq. (MacArthur).

04/30/07 09:00 AM 00 HEARING: DEFT GREEN'S MOTION TO SUPPRESS

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Sharon Coffman, Court Clerk
Angela Compagna, Reporter/RecorderPARTIES: STATE OF NEVADA
007135 Pesci, Giancarlo0001 D1 Green, Jamar R
007072 Macarthur, Jonathan

Y

Y

Y

Y

Mr. MacArthur requested this matter be continued for hearing. COURT SO ORDERED.

custody

CONTINUED TO: 05/09/07 11:00 AM 01

CONTINUED ON PAGE: 011

CRIMINAL COURT MINUTES

05-C-211162-C STATE OF NEVADA

vs Green, Jamar R

CONTINUED FROM PAGE: 010

05/09/07 11:00 AM 01 HEARING: DEFT GREEN'S MOTION TO SUPPRESS

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Sharon Coffman, Court Clerk
Sonia Riley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
007135	Pesci, Giancarlo	Y
0001 D1	Green, Jamar R	Y
004380	Sciscento, Joseph S.	Y
007072	Macarthur, Jonathan	Y

Also present with Mr. Pesci, Sonia Munoz. Dr. Mark Chambers sworn and testified. Due to Court's trial schedule, COURT ORDERED, matter continued.

NDC

CONTINUED TO: 05/16/07 10:30 AM 02

05/14/07 09:00 AM 00 DEFT'S MTN TO PROHIBIT POTENTIAL DEATH
SENTENCE /49

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Sharon Coffman, Court Clerk
Sonia Riley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
007135	Pesci, Giancarlo	Y
008818	Jimenez, Sonia V.	Y
0001 D1	Green, Jamar R	Y
004380	Sciscento, Joseph S.	Y
007072	Macarthur, Jonathan	Y

Mr. Sciscento argued that the jury doesn't have an opportunity to make a decision as to aggravators and noted that the procedure has been changed since this case. Reference to Apprendi v New Jersey. Argument by Ms. Jiminez that the new rules apply to Deft's right to a jury trial; further the Apprendi case is not applicable in Nevada. Argument by Mr. Sciscento that without the new rules, the death penalty is capricious and arbitrary.

COURT FINDS, the District Attorney has complete authority and discretion as to whether to seek the death penalty and ORDERED Motion is DENIED.

Colloquy as to questionnaires.

CONTINUED ON PAGE: 012

CRIMINAL COURT MINUTES

05-C-211162-C STATE OF NEVADA

vs Green, Jamar R

CONTINUED FROM PAGE: 011

CUSTODY

05/16/07 10:30 AM 02 HEARING: DEFT GREEN'S MOTION TO SUPPRESS

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Sharon Coffman, Court Clerk
Sonia Riley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
007135	Pesci, Giancarlo	Y
008818	Jimenez, Sonia V.	Y
0001 D1	Green, Jamar R	Y
004380	Sciscento, Joseph S.	Y
007072	Macarthur, Jonathan	Y

Testimony of witnesses (see worksheet). Following arguments of counsel,
COURT ORDERED, Motion to Suppress is DENIED.

CUSTODY

05/21/07 01:00 PM 00 TRIAL BY JURY

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Sharon Coffman, Court Clerk
Sonia Riley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
007135	Pesci, Giancarlo	Y
008818	Jimenez, Sonia V.	Y
0001 D1	Green, Jamar R	Y
004380	Sciscento, Joseph S.	Y
007072	Macarthur, Jonathan	Y

Amended Indictment and Guilty Plea Agreement FILED IN OPEN COURT.
NEGOTIATIONS: State and Defendant agree to a stipulated, conditional plea
of a total of thirty-four years to life. Should Court not be inclined to
impose that sentence, Defendant may withdraw his plea and proceed to trial.
DEFT. GREEN ARRAIGNED AND PLED GUILTY TO COUNT 1 - CONSPIRACY TO COMMIT
MURDER (F), COUNT 2 - FIRST DEGREE MURDER (F), COUNT 3 - DISCHARGING FIREARM
OUT OF MOTOR VEHICLE (F), and COUNT 4 - DISCHARGING FIREARM OUT OF MOTOR
VEHICLE (F). COURT ACCEPTED plea and ORDERED, matter referred to the
Division of Parole and Probation (P & P) and set for sentencing.

CUSTODY

CRIMINAL COURT MINUTES

05-C-211162-C STATE OF NEVADA

vs Green, Jamar R

CONTINUED FROM PAGE: 012

7/11/07 9:00 A.M. SENTENCING

07/11/07 09:00 AM 00 SENTENCING

HEARD BY: Lee A Gates, Judge; Dept. 8

OFFICERS: Keith Reed, Court Clerk
Sonia Riley, Reporter/RecorderPARTIES: STATE OF NEVADA
006955 Di Giacomo, Marc P.0001 D1 Green, Jamar R
004380 Sciscento, Joseph S.
007072 Macarthur, JonathanY
Y
Y
Y
Y

DEFT. GREEN ADJUDGED GUILTY of COUNT I, CONSPIRACY TO COMMIT MURDER (F), COUNT II, FIRST DEGREE MURDER (F), COUNT III & IV, DISCHARGING FIREARM OUT OF MOTOR VEHICLE (F). Statements by counsel. Speaker Keith Allen sworn and testified. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee and \$150.00 DNA analysis fee submitting to blood and/or saliva test to determine genetic markers or secretor status, as to COUNT II, Deft. is SENTENCED to a term of LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); as to COUNT I, a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM of TWENTY-FOUR (24) MONTHS in the Nevada Department of Corrections (NDC) CONSECUTIVE to COUNT II; as to COUNT III, a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM of SEVENTY-TWO (72) MONTHS in the Nevada Department of Corrections (NDC) IMPOSED CONSECUTIVE to COUNT II; as to COUNT IV, a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM of SEVENTY-TWO (72) MONTHS in the Nevada Department of Corrections (NDC) IMPOSED CONSECUTIVE to COUNT III; EIGHT HUNDRED NINETY (890) DAYS credit for time served; CASE CLOSED.

NDC

01/03/08

E X H I B I T S

11:32 AM

CASE NO. 05-C-211162-C

CASE STATUS: INACTIVE

STATE OF NEVADA

[] vs Green, Jamar R

[E]

NO.	CODE	EXHIBIT DESCRIPTION	SUB	OF/OB	DATE	S
0001	P/D	/JUSTICE COURT EXHIBITS	S	/	04/29/05	V
0002	P1	/COPY OF MIRANDA RIGHTS CARD SIGND BY DFT		AD/NO	08/14/06	V
0003	P2	/VOLUNTARY STATMENT		AD/NO	08/14/06	V
0004	P-1	/MAP-OVERVIEW OF LONE MOUNTAIN & DECATUR		AD/NO	10/08/07	V
0005	P-2	/PHOTO-CAR CRASH		AD/NO	10/08/07	V
0006	P3	/PHOTO-SHOTGUN HOLE TO DRIVER SIDE DOOR		AD/NO	10/08/07	V
0007	P4	/PHOTO-INSIDE DRIVER SIDE OF CAR		AD/NO	10/08/07	V
0008	P5	/PHOTO-CLOSEUP DRIVER SIDE FLOOR		AD/NO	10/08/07	V
0009	P6	/PHOTO-CLOSEUP-PASSENGER SIDE FLOOR		AD/NO	10/08/07	V
0010	P7	/911 AFFIDAVIT-MAURICE HERNANDEZ 911 CALL		AD/NO	10/08/07	V
0011	P7A	/911 CD-MAURICE HERNANDEZ 911 CALL		AD/NO	10/08/07	V
0012	P8	/911 AFFIDAVIT-JOHN MCCOY 911 CALL		AD/NO	10/08/07	V
0013	P8A	/911 CD-JOHN MCCOY 911 CALL		AD/NO	10/08/07	V
0014	P9	/MAP-ADDRESS OF JOHN & DAWN MCCOY		AD/NO	10/08/07	V
0015	P10	/CERT GUN REGISTRATION FOR JOHN MCCOY		AD/NO	10/09/07	V
0016	P11	/PHOTO-LONG DISTANCE VIEW OF CAR CRASH		AD/NO	10/08/07	V
0017	P12	/PHOTO-LIGHT POLE WITH GREEN PAINT		AD/NO	10/08/07	V
0018	P13	/PHOTO-HOLE IN BRICK WALL		AD/NO	10/08/07	V
0019	P14	/PHOTO-PASSENGER SIDE VIEW OF CRASHED CAR		AD/NO	10/08/07	V
0020	P15	/PHOTO-REAR VIEW OF CRASHED CAR W/LICENSE		AD/NO	10/08/07	V
0021	P16	/PHOTO-WINDSHIELD OF CRASHED CAR WITH		/	99/99/99	V
0022	P17	/PHOTO-CLOSEUP OF SHOTGUN HOLE W/RULER		AD/NO	10/08/07	V
0023	P18	/PHOTO-CAR AT IMPOUND YARD		AD/NO	10/08/07	V
0024	P19	/PHOTO-CLOSEUP OF PELLET SHOTS REAR DS		AD/NO	10/08/07	V
0025	P20	/PHOTO-CLOSEUP OF PELLET SHOTS W/RULER		AD/NO	10/08/07	V
0026	P21	/PHOTO-DRIVER SIDE DOOR WINDOW		AD/NO	10/08/07	V
0027	P22	/PHOTO-PASSENGER SIDE WINDSHIELD CRACKED		AD/NO	10/08/07	V
0028	P23	/PHOTO-CLOSEUP P SIDE WINDSHIELD		AD/NO	10/08/07	V
0029	P24-25	/PHOTO-PASSENGER SIDE DASHBOARD		AD/NO	10/08/07	V
0030	P26	/PHOTO PASSENGER SIDE DASHBOARD-DEFECT OF		AD/NO	10/08/07	V
0031	P27	/PHOTO-PASSENGER SIDE WINDSHIELD PILLER		AD/NO	10/08/07	V
0032	P28	/PHOTO CLOSEUP OF SHOTGUN HOLE W/RULER		AD/NO	10/08/07	V
0033	P29	/PHOTO SHOTGUN HOLE TO DRIVER SIDE DOOR		AD/NO	10/08/07	V
0034	P30	/PHOTO SHOTGUN HOLD DRIVER DOOR/W LITE IN		AD/NO	10/08/07	V
0035	P31	/PHOTO HOOD OF CAR		AD/NO	10/08/07	V
0036	P32	/PHOTO HOOD W/RULER		AD/NO	10/08/07	V
0037	P33	/PHOTO CARE AT IMPOUND LOT-PASSENGER REAR		AD/NO	10/08/07	V
0038	P34	/PHOTO R REAR WINDSHIELD TAKEN OUT		AD/NO	10/08/07	V
0039	P35	/PHOTO MCCOY MOUTH AND LEFT CHEEK		AD/NO	10/08/07	V
0040	P36	/PHOTO MCCOY RIGHT CHEEK		AD/NO	10/08/07	V
0041	P37	/PHOTO MCCOY UPPER LEFT SHOULDER		AD/NO	10/08/07	V
0042	P38	/PHOTO MCCOY OVERVIEW SHOTGUN INJURIES		/OB	99/99/99	V
0043	P39	/PHOTO MCCOY INJURY TO LEFT ARM W/RULER		AD/NO	10/08/07	V
0044	P40	/PHOTO MCCOY INJURIES TO LEFT FLANK		/OB	99/99/99	V
0045	P41	/PHOTO MCCOY INJURIES TO LEFT FLANK WITH		AD/NO	10/08/07	V
0046	P42	/PHOTO INJURY TO LEFT HIP		AD/NO	10/08/07	V
0047	P43	/MAP 4532 FERRELL STREET & 3517 CPT KIRK		AD/NO	10/08/07	V
0048	P44	/MAP OUTLINE OF 3517 CAPTAIN KIRK COURT		AD/NO	10/08/07	V
0049	P45	/PHOTO OVERVIEW CAPTAIN KIRK CUL DE SAC		AD/NO	10/08/07	V
0050	P46	/PHOTO FRONT OF DEFT'S CAR		AD/NO	10/08/07	V
0051	P47	/PHOTO- REAR OF DEFT'S CAR		AD/NO	10/08/07	V
0052	P48	/PHOTO PASSENGER SIDE FLOORBAORD OF DEFT		AD/NO	10/08/07	V

01/03/08

E X H I B I T S

11:32 AM

CASE NO. 05-C-211162-C

CASE STATUS: INACTIVE

STATE OF NEVADA

[] vs Green, Jamar R

[E]

NO.	CODE	EXHIBIT DESCRIPTION	SUB	OF/OB	DATE	S
0053	P49	/PHOTO DEFT HEAD AND SHOULDERS		AD/NO	10/08/07	V
0054	P50	/PHOTO DEFT FRONT VIEW		AD/NO	10/08/07	V
0055	P51	/PHOTO DEFT BACK VIEW		AD/NO	10/08/07	V
0056	P52	/PHOTO JAMAR GREEN HEAD & SHOULDERS		AD/NO	10/08/07	V
0057	P53	/PHOTO JAMAR GREEN FRONT VIEW		AD/NO	10/08/07	V
0058	P54	/PHOTO JAMAR GREEN BACK VIEW		AD/NO	10/08/07	V
0059	P55	/PHOTO 3517 CAPTAIN KIRK COURT DRIVEWAY		AD/NO	10/08/07	V
0060	P56	/DRIVEWAY WITH SHOUTGUN		AD/NO	10/08/07	V
0061	P57	/PHOTO CLOSEUP OF SHOTGUN		AD/NO	10/08/07	V
0062	P58	/PHOTO PASSENGER SIDE FLOORBOARD OF DEFT		AD/NO	10/08/07	V
0063	P59	/PHOTO INSIDE OF DEFT CAR-BLACK BANDANA		AD/NO	10/08/07	V
0064	P60	/PHOTO INSIDE DEFT CAR-BANDANA & L PLATE		AD/NO	10/08/07	V
0065	P61	/PHOTO INSIDE DEFT CAR 3 LATEX GLOVES		AD/NO	10/08/07	V
0066	P62	/PHOTO INSIDE DEFT CAR LICENSE PLATE		AD/NO	10/08/07	V
0067	P63	/PHOTO INSIDE DEFT CAR BALACLAVA		AD/NO	10/08/07	V
0068	P64	/PHOTO KNIFE		/	99/99/99	V
0069	P65	/PHOTO BLACK GLOVES		AD/NO	10/09/07	V
0070	P66	/PHOTO BALACLAVA AND BLACK EAR WARMER		AD/NO	10/09/07	V
0071	P67	/PHOTO BLACK DOO RAG		AD/NO	10/09/07	V
0072	P68	/PHOTO-BLACK BANDANA		AD/NO	10/09/07	V
0073	P69	/PHOTO BOX OF SHOTGUN SHELLS W/FNGRPRNT		AD/NO	10/09/07	V
0074	P70	/PHOTO REGISTRATION & INSURANCE PAPERWRK		AD/NO	10/09/07	V
0075	P71	/PHOTO MCCOY SHIRT OVERVIEW		AD/NO	10/09/07	V
0076	P72	/PHOTO MCCOY SHIRT WITH RULER		AD/NO	10/09/07	V
0077	P73	/PHOTO MCCOY SHIRT WITH ARROWS		AD/NO	10/09/07	V
0078	P74	/MAP WITH ALL LOCATIONS MARKED		/	99/99/99	V
0079	P75	/MAP WITH DEFT ADDRSESSES		/	99/99/99	V
0080	P76	/CRIME SCENE DIAGRAM		AD/NO	10/08/07	V
0081	P77	/EVIDENCE ENVELOPE		AD/NO	10/08/07	V
0082	P77A	/PELLET		AD/NO	10/08/07	V
0083	P78	/EVIDENCE ENVELOPE		AD/NO	10/08/07	V
0084	P78A	/PELLET		AD/NO	10/08/07	V
0085	P79	/EVIDENCE ENVELOPE		AD/NO	10/08/07	V
0086	P79A	/GUN		AD/NO	08/08/07	V
0087	P79B	/MAGAZINE		AD/NO	10/08/07	V
0088	P79C	/10 CATRIDGES		AD/NO	10/08/07	V
0089	P79D	/1 CARTRIDGE		AD/NO	10/08/07	V
0090	P80	/EVIDENCE ENVELOPE		AD/NO	10/08/07	V
0091	P80A-D	/BULLET		AD/NO	10/08/07	V
0092	P81	/EVIDENCE ENVELOPE		AD/NO	10/08/07	V
0093	P81A	/FRAGMENT		AD/NO	10/09/07	V
0094	P82	/EVIDENCE BAG		AD/NO	10/09/07	V
0095	P82A	/BANDANA		AD/NO	10/09/07	V
0096	P82B	/LATEX GLOVES		AD/NO	10/09/07	V
0097	P82C	/LEFT GLOVE		AD/NO	10/09/07	V
0098	P82D	/RIGHT GLOVE		AD/NO	10/09/07	V
0099	P82E	/BLACK DOO RAG		AD/NO	10/09/07	V
0100	P82F	/EAR WARMER		AD/NO	10/09/07	V
0101	P82G	/SKI MASK		AD/NO	10/09/07	V
0102	P83	/EVIDENC BAG		AD/NO	10/09/07	V
0103	P83A	/ONE BOX SHOTUN SHELLS		AD/NO	10/09/07	V
0104	P84	/EVIDENCE ENVELOPE		AD/NO	10/09/07	V

01/03/08
CASE NO. 05-C-211162-C

E X H I B I T S

11:32 AM
CASE STATUS: INACTIVE

STATE OF NEVADA

[] vs Green, Jamar R

[E]

NO.	CODE	EXHIBIT DESCRIPTION	SUB	OF/OB	DATE	S
0105	P84A	/WALLET		AD/NO	10/09/07	V
0106	P84B	/REGISTRATION/INSURANCE		AD/NO	10/09/07	V
0107	P85	/EVIDENCE ENVELOPE		/	99/99/99	V
0108	P85A	/KNIFE		/	99/99/99	V
0109	P86	/EVIDENCE ENVELOPE		AD/NO	10/09/07	V
0110	P86A-C	/CARTRIDGE CASE		AD/NO	10/09/07	V
0111	P87	/EVIDENCE ENVELOPE		AD/NO	10/09/07	V
0112	P87A	/PELLET		AD/NO	10/09/07	V
0113	P88	/SHOTGUN		AD/NO	10/09/07	V
0114	P89	/LVMPD MIRANDA CARD-BOWSER		AD/NO	10/09/07	V
0115	P90	/AUDIO DEFT BOWER'S STATEMENT-REDACTED		AD/NO	10/09/07	V
0116	P91	/PHOTO-VARIOUS PHOTOS ON ONE PAGE		AD/NO	10/09/07	V
0117	P92	/TRANSCRIPT OF BOWSERS STTMNT REDACTED		AD/NO	10/09/07	V
0118	P93	/GUN SHOT RESIDUE REPORT		AD/NO	10/09/07	V
0119	P94	/BINDER		/	99/99/99	V
0120	P95	/VIDEO BOWSER		/	99/99/99	V
0121	P96-98	/PHOTO VICTIM & FAMILY		AD/NO	10/12/07	V
0122	P99	/PHOTO VICTIM & FAMILY		/	99/99/99	V
0123	P100	/PHOTO VICTIM & FAMILY		/	10/12/07	V
0124	P101-1	/04) NOT ADMITTED		/	99/99/99	V
0125	P105	/DETENTION LOG FROM CCDC		AD/OB	10/15/07	V
0126	P106	/GREEN GUILTY PLEA AGREEMENT		AD/NO	10/15/07	V
0127	DA-B	/SMALL PHOTO CONTENT IN TRUNK		AD/NO	10/09/07	V
0128	DC	/REGISTRATION FOR JAMAR GREEN'S SHOTGUN		AD/NO	10/09/07	V
0129	DD	/BINDER-TERRENCE BOWSER		AD/NO	10/12/07	V
0130	DE	/AUDIO CD SONG ABOUT TERRENCE BOWSER		AD/OB	10/15/07	V
0131	DF	/AUDIO CD		/	99/99/99	V
0132	DG	/VIDEO DVD		/OB	99/99/99	V
0133	DH	/REDACTED TRANSCRIPT OF GREEN STATEMENT		AD/NO	10/15/07	V
0134	DI	/CONVICTION OF JOHN MCCOY VICTIM		AD/OB	10/15/07	V
0135	DJ	/BOWSER FAMILY REUNION T-SHIRT		AD/NO	10/15/07	V
0136	DK-P	/8 1/2 " X 11" PHOTO		AD/NO	10/15/07	V
0137	DQ	/8 1/2 " X 11" PHOTO		/	99/99/99	V
0138	DR-S	/8 1/2 " X 11" PHOTO		AD/NO	10/15/07	V
0139	DT	/DVD CHANNEL 13 NEWS FOOTAGE		AD/OB	10/15/07	V
0140	PCTI	/LVMPD BOWSER STATEMENT UNREDACTED		/	10/09/07	V
0141	PCTII	/SHOOTING INCIDENT RECONSTRUCTION REPORT		/	10/09/07	V
0142	PCTIII	/NOTE FROM JURY FOREPERSON		/	10/11/07	V
0143	PCTIV	/NOTE FROM JURY FOREPERSON		/	10/11/07	V
0144	PCTV	/COURTS RESPONSE TO JURY QUESTION		/	10/11/07	V
0145	PCTVI	/COURTS RESPONSE TO JURY QUESTION		/	10/11/07	V
0146	PCTVII	/NOTE FROM JURY FOREPERSON		/	10/15/07	V

Certification of Copy

State of Nevada } **SS:**
County of Clark }

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; JUDGMENT OF CONVICTION (JURY TRIAL); DISTRICT COURT
MINUTES; EXHIBITS LIST

STATE OF NEVADA,

Plaintiff(s),

VS.

TERRENCE KARYIAN BOWSER,

Defendant(s),


Case No: C211162

Dept No: VIII

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 3 day of January 2008.

Charles J. Short, Clark County Clerk


Heather Lofquist, Deputy Clerk

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

TERRENCE KARYIAN BOWSER,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

Supreme Court No. 50851
District Court Case No. C211162

RECEIPT FOR DOCUMENTS

TO: Clark County Public Defender Philip J. Kohn and Audrey M. Conway,
Deputy Public Defender
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:

01/08/08 Filing Fee Waived: Criminal.

01/08/08 Filed Certified Copy of Notice of Appeal.
Appeal docketed in the Supreme Court this day. (Docketing statement mailed to counsel
for appellant.)

DATE: January 08, 2008

Tracie Lindeman, Clerk of Court

By: _____

NH
Deputy Clerk