

NF
Collected
to dm

JENNIFER S. BOLTON, ESQ.
Nevada Bar No. 6572
KOCKA & BOLTON, LLC.
1900 E. Bonanza Rd.
Las Vegas, Nevada 89101
(702) 383-8700
Attorney for Defendant

FILED

JAN 31 3 50 PM '08

Chaf
CLERK OF THE COURT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

FILED

No. 51021

FEB 05 2008

CASE NO: C232549

DEPT NO: XXI

DOCKET NO:

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *Tracie K. Lindeman*
DEPUTY CLERK

THE STATE OF NEVADA,
Plaintiff,

vs.

DATE OF HEARING: N/A

TIME OF HEARING: N/A

MARCUS CAMPBELL, #2597101
Defendant

NOTICE OF APPEAL

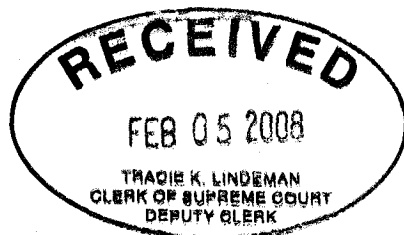
TO: THE SUPREME COURT OF THE STATE OF NEVADA;
TO: ATTORNEY GENERAL, STATE OF NEVADA;
TO: DISTRICT ATTORNEY FOR CLARK COUNTY NEVADA; and
TO: DEFENDANT/APPELLANT:

YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE, that Defendant, intends to
appeal, and does hereby appeal to the Supreme Court of the State of Nevada from the Judgement of
Conviction entered by this Court, and that this Notice of Appeal as filed with the Clerk of the above Court
on the 31 day of JANUARY 2008.

//

//

//

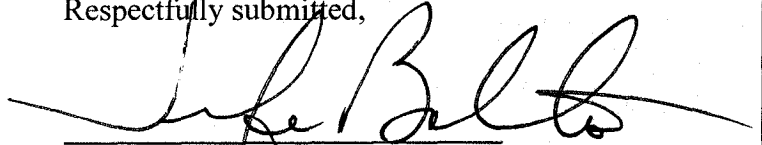


08-02869

1 This appeal is taken from the whole judgment and every part thereof, and from questions of both
2 law and fact .

3 Dated this 31 Day of January 2008.

4 Respectfully submitted,

5 

6
7 Jennifer S. Bolton, Esq.
8 Nevada Bar No. 6572
9 1900 E. Bonanza Rd.
10 Las Vegas Nevada 89101
11 (702)383-8700
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF MAILING

The foregoing NOTICE OF APPEAL, was served on the following, by mailing a copy thereof, in the United States mail, postage fully prepaid on this / day of ~~Feb~~ 2008.

CLERK OF NEVADA SUPREME COURT
200 Lewis Ave.
Las Vegas Nevada, 89101

ATTORNEY GENERAL OF NEVADA
555 E Washington Ave., #3900
Las Vegas Nevada, 89101

DATE: 02/01/08
CASE NO. 07-C-232549-C

I N D E X

TIME 8:08 AM
JUDGE:Adair, Valerie

STATE OF NEVADA

[] vs Campbell, Marcus

[]

0001 D1 Marcus Campbell

003095 Kocka, Francis
NO. 1 Kocka & Bolton
20 B E. Bonneville Ave.
Las Vegas, NV 89101

NO.	FILED/REC	CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0001	04/20/07	IND	/(GRAND JURY) INDICTMENT Fee \$0.00				
0002	04/20/07	HEAR	/GRAND JURY INDICTMENT	0001	BW	04/20/07	
0003	04/20/07	ARRN	/INITIAL ARRAIGNMENT	0001		04/26/07	
0004	04/20/07	BNCH	/NO BAIL BENCH WARRANT ISSUED	0001	QU	04/20/07	
0005	04/20/07	ORDR	/ORDER OF INTENT TO FORFEIT	0001		04/20/07	
0006	04/20/07	WARR	/INDICTMENT WARRANT	0001		04/20/07	
0007	04/25/07	BNCH	/BENCH WARRANT RETURN VA 4/25/07	0001	VC	05/01/07	
0008	04/26/07	ARRN	/ARRAIGNMENT CONTINUED	0001		05/10/07	
0009	05/03/07	OCAL	/STATUS CHECK: TRIAL SETTING (VA 05/03/07)	0001	VC	05/10/07	
0010	05/04/07	NOEV	/NOTICE OF EXHIBITS IN THE VAULT			05/04/07	
0011	05/04/07	NOEV	/NOTICE OF EXHIBITS IN THE VAULT			05/04/07	
0012	05/10/07	CALC	/CALENDAR CALL	0001	MH	06/14/07	
0013	05/10/07	JURY	/TRIAL BY JURY (VJ 06-14-07)	0001	VC	06/18/07	
0014	05/04/07	TRAN	/REPORTER'S TRANSCRIPT OF PROCEEDINGS - GRAND JURY	0001		04/19/07	
0015	05/23/07	LIST	/NOTICE OF EXPERT WITNESSES	0001			
0016	05/25/07	REQT	/EX PARTE MOTION FOR RELEASE OF MEDICAL RECORDS	0001			
0017	06/11/07	LIST	/SUPPLEMENTAL NOTICE OF WITNESSES	0001		06/11/07	
0018	06/14/07	CALC	/CALENDAR CALL	0001	MC	08/23/07	
0019	06/14/07	JURY	/TRIAL BY JURY VJ 8/23/07	0001	VC	08/27/07	
0020	07/05/07	MOT	/DEFT'S MTN FOR AN EX PARTE ORDER/12 VE 7/12/07	0001	VC	07/24/07	
0021	07/16/07	ORDR	/ORDER APPOINTING INVESTIGATOR	0001		07/16/07	
0022	08/07/07	LIST	/SUPPLEMENTAL NOTICE OF WITNESSES AND EXPERT WITNESSES	0001			
0023	08/10/07	MOT	/STATE'S MTN: ADMIT EVIDENCE OF OF PRIOR BAD ACTS OF DEFT /13	0001	WD	08/23/07	
0024	08/17/07	ORDR	/ORDER FOR PRODUCTION OF INMATE	0001			
0025	08/23/07	MOT	/ALL PENDING MOTIONS 8/23/07	0001		08/23/07	
0026	08/23/07	CALC	/CALENDAR CALL	0001	MH	11/01/07	
0027	08/23/07	JURY	/TRIAL BY JURY VH 11/1/07	0001	VC	11/05/07	
0028	08/28/07	MOT	/STATE'S MTN FOR VIDEOTAPED DEPOSITION/17	0001		08/30/07	
0029	09/04/07	OCAL	/STATUS CHECK: VIDEOTAPE DEPOSITION	0001		09/04/07	
0030	09/04/07	HEAR	/HEARING RE: VIDEOTAPED DEPOSITION	0001	MH	09/07/07	
0031	09/11/07	NOEV	/NOTICE OF EXHIBITS IN THE VAULT			09/07/07	
0032	10/30/07	ORDR	/ORDER FOR EXPEDITED TRANSCRIPT	0001		10/30/07	
0033	11/01/07	JURY	/TRIAL BY JURY	0001	MH	11/14/07	
0034	11/02/07	NOTC	/SUPPLEMENTAL NOTICE OF WITNESSES	0001		11/02/07	
0035	11/06/07	ORDR	/ORDER	0001		11/06/07	
0036	11/08/07	TRB	/TRIAL BEGINS			11/07/07	
0037	11/08/07	TRAN	/REPORTER'S TRANSCRIPT VIDEOTAPED DEPOSITION	0001		09/07/07	
0038	11/08/07	JLST	/DISTRICT COURT JURY LIST	0001			

(Continued to page 2)

NO.	FILED/REC	CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0039	11/14/07	HEAR/PENALTY	HEARING	0001		11/15/07	
0040	11/14/07	JMNT/VERDICT		0001		11/16/07	
0041	11/15/07	JMNT/VERDICT		0001		11/16/07	
0042	11/14/07	INST/INSTRUCTIONS	TO THE JURY	0001			
0043	11/21/07	TRE /TRIAL	ENDS			11/16/07	
0044	11/15/07	INST/INSTRUCTIONS	TO THE JURY	0001			
0045	12/04/07	CSCL/CASE	CLOSED			12/04/07	
0046	12/01/07	AWAR/STATUS	CHANGE: ACTIVE TO WARRANT			12/01/07	
0047	12/10/07	SENT/SENTENCING		0001	GR	01/08/08	
0048	12/10/07	OCAL/STATUS	CHECK: APPOINT APPELLATE COUNSEL	0001	MH	01/08/08	
0049	12/10/07	CASO/CASE	(RE)OPENED			12/10/07	
0050	01/08/08	MOT /ALL	PENDING MOTIONS 1/8/08	0001		01/08/08	
0051	01/08/08	HEAR/CONFIRMATION	OF COUNSEL/APPELLATE	0001		02/14/08	
		MARVIN LONGABAUGH		0001			
0052	01/09/08	RAO /MEDIA	REQUEST AND ORDER	0001	GR	01/09/08	
0053	01/17/07	JMNT/JUDGMENT	OF CONVICTION/ADMIN ASSESSMENT	0001		01/18/08	
0054	01/17/08	JMNT/JUDGMENT	OF CONVICTION/DRUG ANALYSIS FEE	0001		01/18/08	
0055	01/17/08	JMNT/JUDGMENT	OF CONVICTION/GENETIC TESTING	0001		01/18/08	
0056	01/17/08	JMNT/JUDGMENT	OF CONVICTION/RESTITUTION	0001		01/18/08	

JOC

ORIGINAL

FILED

JAN 17 2 53 PM '08

Chaf
CLERK OF THE COURT

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

CASE NO. C232549

-vs-

DEPT. NO. XXI

MARCUS CAMPBELL
#2597101

Defendant.

JUDGMENT OF CONVICTION

(JURY TRIAL)

The Defendant previously entered a plea of not guilty to the crimes of COUNT
1 - MURDER WITH USE OF A DEADLY WEAPON AND WITH THE INTENT TO
PROMOTE, FURTHER OR ASSIST A CRIMINAL GANG (Category A Felony) in
violation of NRS 200.010, 200.030, 193.165, 193.168, 193.169, COUNT 2 -
ATTEMPT MURDER WITH USE OF A DEADLY WEAPON AND WITH THE INTENT
TO PROMOTE, FURTHER OR ASSIST A CRIMINAL GANG (Category B Felony) in
violation of NRS 200.010, 200.030, 193.165, 193.168, 193.169, and COUNT 3 -
DISCHARGING FIREARM AT OR INTO VEHICLE WITH THE INTENT TO
PROMOTE, FURTHER OR ASSIST A CRIMINAL GANG (Category B Felony) in

RECEIVED

JAN 17 2008

CLERK OF THE COURT
01-14-08 A10:18 IN

1 violation of NRS 202.285,193.168, 193.169; and the matter having been tried before
2 a jury and the Defendant having been found guilty of the crimes of COUNT 1 -
3 MURDER WITH USE OF A DEADLY WEAPON AND WITH THE INTENT TO
4 PROMOTE, FURTHER OR ASSIST A CRIMINAL GANG (Category A Felony) in
5 violation of NRS 200.010, 200.030, 193.165, 193.168, 193.169, COUNT 2 -
6 ATTEMPT MURDER WITH USE OF A DEADLY WEAPON AND WITH THE INTENT
7 TO PROMOTE, FURTHER OR ASSIST A CRIMINAL GANG (Category B Felony) in
8 violation of NRS 200.010, 200.030, 193.165, 193.168, 193.169, and COUNT 3 -
9 DISCHARGING FIREARM AT OR INTO VEHICLE WITH THE INTENT TO
10 PROMOTE, FURTHER OR ASSIST A CRIMINAL GANG (Category B Felony) in
11 violation of NRS 202.285,193.168, 193.169; thereafter, on the 8TH day of January,
12 2008, the Defendant was present in court for sentencing with his counsel FRANK
13 KOCKA, ESQ., and good cause appearing,
14
15

16
17 THE DEFENDANT IS HEREBY ADJUDGED guilty of said offenses and, in
18 addition to the \$25.00 Administrative Assessment Fee, \$60.00 Drug Analysis Fee,
19 \$150.00 DNA Analysis Fee including testing to determine genetic markers, and
20 \$17,450.00 Restitution, the Defendant is SENTENCED to the Nevada Department of
21 Corrections (NDC) as follows: AS TO COUNT 1 - to LIFE with a MINIMUM parole
22 eligibility of TWENTY (20) YEARS, plus an EQUAL and CONSECUTIVE term of LIFE
23 with the possibility of parole for the Use of a Deadly Weapon; AS TO COUNT 2 - TO
24 A MAXIMUM of TWO HUNDRED FORTY (240) MONTHS with a MINIMUM parole
25 eligibility of SEVENTY-TWO (72) MONTHS, plus an EQUAL and CONSECUTIVE
26 term of A MAXIMUM of TWO HUNDRED FORTY (240) MONTHS with a MINIMUM
27 parole eligibility of SEVENTY-TWO (72) MONTHS for the Criminal Gang
28

1 Enhancement, to run CONCURRENT with Count 1; AS TO COUNT 3 - TO A
2 MAXIMUM of SIXTY (60) MONTHS with a MINIMUM parole eligibility of
3 TWELVE (12) MONTHS, plus an EQUAL and CONSECUTIVE term of A MAXIMUM
4 of SIXTY (60) MONTHS with a MINIMUM parole eligibility of TWELVE (12) MONTHS
5 for the Criminal Gang Enhancement, to run CONSECUTIVE to Count 1 and Count 2;
6 with TWO HUNDRED-SIXTY (260) DAYS credit for time served.
7

8 DATED this 14th day of January, 2008.
9

10
11 
12 VALERIE ADAIR
13 DISTRICT JUDGE
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CRIMINAL COURT MINUTES

07-C-232549-C STATE OF NEVADA vs Campbell, Marcus

04/20/07 11:30 AM 00 GRAND JURY INDICTMENT

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

OFFICERS: Denise Trujillo, Court Clerk
Michelle Ramsey, Reporter/Recorder

PARTIES: STATE OF NEVADA

Y

George Trombley, 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 06BGJ058X to the Court. COURT ORDERED, the indictment may be filed and is assigned Case Number C232549, Department XXI. COURT ORDERED, BENCH WARRANT WILL ISSUE, NO BAIL. Exhibit(s) 1 - 23 lodged with Clerk of District Court. Matter set for initial arraignment.

B.W. (CUSTODY)

4/26/07 9:00 AM ARRAIGNMENT

04/26/07 09:00 AM 00 INITIAL ARRAIGNMENT

HEARD BY: Kevin V Williams, Hearing Master; Dept. AA

OFFICERS: Sandra Anderson, Court Clerk
Kiara Schmidt, Reporter/Recorder

PARTIES: STATE OF NEVADA
008818 Jimenez, Sonia V.
0001 D1 Campbell, Marcus

Y

Y

Y

Ms. Jimenez advised the Court there is a conflict with the Public Defenders Office. Court APPOINTED Mr. Kocka, clerk to notify.

CUSTODY

05-03-07 9:00 AM ARRAIGNMENT CONTINUED

CLERK'S NOTE: The Clerk phoned Mr. Kocka Office left a message with his secretary informing him of appointment and next hearing date.

CRIMINAL COURT MINUTES

07-C-232549-C STATE OF NEVADA vs Campbell, Marcus

CONTINUED FROM PAGE: 001

05/03/07 09:00 AM 00 ARRAIGNMENT CONTINUED

HEARD BY: Kevin V Williams, Hearing Master; Dept. AA

OFFICERS: Sandra Anderson, Court Clerk
Katherine Streuber/ks, Relief Clerk
Kiara Schmidt, Reporter/Recorder

PARTIES: STATE OF NEVADA
008818 Jimenez, Sonia V.

0001 D1 Campbell, Marcus
003095 Kocka, Francis

Y
Y

Y
Y

DEFT. CAMPBELL ARRAIGNED, PLED NOT GUILTY. Mr. Kocka requested a
continuance in order to speak with Deft. COURT ORDERED, matter CONTINUED

CUSTODY

CONTINUED TO: 05/10/07 09:00 AM 01

05/10/07 09:00 AM 01 ARRAIGNMENT CONTINUED

HEARD BY: Kevin V Williams, Hearing Master; Dept. AA

OFFICERS: Sandra Anderson, Court Clerk
Kiara Schmidt, Reporter/Recorder

PARTIES: STATE OF NEVADA
008818 Jimenez, Sonia V.

0001 D1 Campbell, Marcus
003095 Kocka, Francis

Y
Y

Y
Y

DEFT. CAMPBELL ARRAIGNED, PLED NOT GUILTY and INVOKED THE 60-DAY RULE. COURT
ORDERED, matter set for trial.

CUSTODY

06-14-07 9:30 AM CALENDAR CALL

06-18-07 10:00 AM JURY TRIAL

CRIMINAL COURT MINUTES

07-C-232549-C STATE OF NEVADA vs Campbell, Marcus

CONTINUED FROM PAGE: 002

06/14/07 09:30 AM 00 CALENDAR CALL

HEARD BY: Valerie Adair, Judge; Dept. 21

OFFICERS: Carol Donahoo, Relief Clerk
Janie Olsen, Reporter/RecorderPARTIES: STATE OF NEVADA
008818 Jimenez, Sonia V.

0001 D1 Campbell, Marcus
006572 Bolton, JenniferY
Y

Y
Y

Ms. Bolton advised they were not ready for trial and requested matter be continued. There being no opposition by the State, COURT ORDERED, trial date VACATED and RESET; Ms. Jimenez advised Deft. Campbell invoked. Upon Court's inquiry, Deft. WAIVED the 60-day rule.

CUSTODY

08/23/07 9:30 AM CALENDAR CALL

08/27/07 10:00 AM JURY TRIAL

08/23/07 09:30 AM 00 ALL PENDING MOTIONS 8/23/07

HEARD BY: Valerie Adair, Judge; Dept. 21

OFFICERS: Denise Husted, Court Clerk
Janie Olsen, Reporter/RecorderPARTIES: STATE OF NEVADA
010193 Raman, Jay

0001 D1 Campbell, Marcus
003095 Kocka, FrancisY
Y

Y
Y

STATE'S MOTION: ADMIT EVIDENCE OF PRIOR BAD ACTS OF DEFENDANT...CALENDAR CALL

Court noted that the State's Motion to Admit Evidence of Prior Bad Acts was WITHDRAWN. Mr. Kocka stated that he will be in trial in this department at the same time Mr. Campbell's trial is scheduled and therefore, requested a continuance. COURT ORDERED, trial date VACATED and RESET.

CUSTODY

11/1/07 9:30 AM CALENDAR CALL

CRIMINAL COURT MINUTES

07-C-232549-C STATE OF NEVADA

vs Campbell, Marcus

CONTINUED FROM PAGE: 003

11/5/07 10:00 AM JURY TRIAL

08/30/07 09:30 AM 00 STATE'S MTN FOR VIDEOTAPED DEPOSITION/17

HEARD BY: Valerie Adair, Judge; Dept. 21

OFFICERS: Tia Everett/te, Court Clerk
Marty Szramek, Reporter/RecorderPARTIES: STATE OF NEVADA
008818 Jimenez, Sonia V.

Y

Y

0001 D1 Campbell, Marcus
003095 Kocka, Francis

Y

Y

Matter argued and submitted. Colloquy regarding good faith to produce witness. COURT ORDERED, Motion GRANTED and matter SET for Status Check.

CUSTODY

9/4/07 9:30 AM STATUS CHECK: SCHEDULING

09/04/07 09:30 AM 00 STATUS CHECK: VIDEOTAPE DEPOSITION

HEARD BY: Valerie Adair, Judge; Dept. 21

OFFICERS: Nora Pena, Relief Clerk
Debbie Winn, Reporter/RecorderPARTIES: STATE OF NEVADA
008818 Jimenez, Sonia V.

Y

Y

0001 D1 Campbell, Marcus
003095 Kocka, Francis

N

Y

Conference at the bench. Court advised the videotaped deposition has been scheduled to be heard by Judge Barker this Friday. COURT ORDERED, matter set for hearing on the videotaped deposition.

CUSTODY

9/07/07 9:00 AM HEARING RE: VIDEOTAPED DEPOSITION

CRIMINAL COURT MINUTES

07-C-232549-C STATE OF NEVADA vs Campbell, Marcus

CONTINUED FROM PAGE: 004

09/07/07 09:00 AM 00 HEARING RE: VIDEOTAPED DEPOSITION

HEARD BY: David Barker, Judge; Dept. 18

OFFICERS: Sharon Chun, Court Clerk
Richard Kangas, Reporter/Recorder

REQ. BY: Adair Valerie, Judge; Dept. 21

PARTIES:	STATE OF NEVADA	Y
	002781 Roger, David J.	Y
	008818 Jimenez, Sonia V.	Y
	0001 D1 Campbell, Marcus	Y
	006572 Bolton, Jennifer	Y

COURT NOTED that it is presiding over this matter at the request of Judge Adair and that a witness will be called to give video-tape deposition for an upcoming trial. COURT DIRECTED the State to proceed.

State called forth its witness who was placed under oath and testified; exhibits presented by the State, argued, and ORDERED ADMITTED. (Please see both the Witness and Exhibit Lists.)

At end of testimony, COURT ORDERED, WITNESS EXCUSED, MATTER CONCLUDED. At that time all parties left the court room.

CUSTODY

11/01/07 09:30 AM 00 CALENDAR CALL

HEARD BY: Valerie Adair, Judge; Dept. 21

OFFICERS: Denise Husted, Court Clerk
Janie Olsen, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	008818 Jimenez, Sonia V.	Y
	0001 D1 Campbell, Marcus	Y
	006572 Bolton, Jennifer	Y

Counsel announced ready for trial which should last one week with twenty witnesses. CONFERENCE AT BENCH. Counsel stated that if the Defendant should be found guilty, a Penalty Hearing will be set and witnesses will be called. COURT ORDERED, trial date VACATED and RESET; trial to be number one on the stack.

CUSTODY

CRIMINAL COURT MINUTES

07-C-232549-C STATE OF NEVADA

vs Campbell, Marcus

CONTINUED FROM PAGE: 005

11/7/07 1:30 PM JURY TRIAL

11/07/07 01:30 PM 00 TRIAL BY JURY

HEARD BY: Valerie Adair, Judge; Dept. 21

OFFICERS: Denise Husted, Court Clerk
Janie Olsen, Reporter/RecorderPARTIES: STATE OF NEVADA
008818 Jimenez, Sonia V.
0001 D1 Campbell, Marcus
006572 Bolton, JenniferY
Y
Y
Y

IN THE PRESENCE OF THE JURY. Introductions by Court and counsel. Jury selection. Evening recess. MATTER CONTINUED.

CONTINUED TO: 11/08/07 10:30 AM 01

11/08/07 10:30 AM 01 TRIAL BY JURY

HEARD BY: Valerie Adair, Judge; Dept. 21

OFFICERS: Denise Husted, Court Clerk
Janie Olsen, Reporter/RecorderPARTIES: STATE OF NEVADA
008818 Jimenez, Sonia V.
0001 D1 Campbell, Marcus
006572 Bolton, JenniferY
Y
Y
Y

IN THE PRESENCE OF THE JURY. Jury selected and SWORN. Court instructed jurors. Opening statements by Ms. Jiminez. Opening statements by Mr. Bolton. Testimony and exhibits presented per worksheet. Evening recess. MATTER CONTINUED.

CONTINUED TO: 11/09/07 09:30 AM 02

CRIMINAL COURT MINUTES

07-C-232549-C STATE OF NEVADA vs Campbell, Marcus

CONTINUED FROM PAGE: 006

11/09/07 09:30 AM 02 TRIAL BY JURY

HEARD BY: Valerie Adair, Judge; Dept. 21

OFFICERS: Denise Husted, Court Clerk
Janie Olsen, Reporter/RecorderPARTIES: STATE OF NEVADA
008818 Jimenez, Sonia V.
0001 D1 Campbell, Marcus
006572 Bolton, JenniferY
Y
Y
Y

OUTSIDE THE PRESENCE OF THE JURY. Angela Conway SWORN AND TESTIFIED regarding incident of changing her son Patrick's cell phone number. The Court advised she may testify to what she hear her son say on the phone and that she changed his phone number. IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. Evening recess. MATTER CONTINUED.

CONTINUED TO: 11/13/07 10:30 AM 03

11/13/07 10:30 AM 03 TRIAL BY JURY

HEARD BY: Valerie Adair, Judge; Dept. 21

OFFICERS: Denise Husted, Court Clerk
Janie Olsen, Reporter/RecorderPARTIES: STATE OF NEVADA
008818 Jimenez, Sonia V.
0001 D1 Campbell, Marcus
003095 Kocka, FrancisY
Y
Y
Y

IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. State rested. OUTSIDE THE PRESENCE OF THE JURY. Defendant advised of his constitutional right to not be compelled to testify on his own behalf. Defendant stated he understood rights. Jury instructions settled in the record. Evening recess. MATTER CONTINUED.

CONTINUED TO: 11/14/07 09:30 AM 04

CRIMINAL COURT MINUTES

07-C-232549-C STATE OF NEVADA vs Campbell, Marcus

CONTINUED FROM PAGE: 007

11/14/07 09:30 AM 04 TRIAL BY JURY

HEARD BY: Valerie Adair, Judge; Dept. 21

OFFICERS: Denise Husted, Court Clerk
Janie Olsen, Reporter/RecorderPARTIES: STATE OF NEVADA
008818 Jimenez, Sonia V.
0001 D1 Campbell, Marcus
006572 Bolton, JenniferY
Y
Y
Y

OUTSIDE THE PRESENCE OF THE JURY. Defendant Campbell informed the Court that after being fully advised of his constitutional rights, he has decided not to testify. IN THE PRESENCE OF THE JURY. Defense RESTED. The Court instructed the jurors on the law of the case. Closing arguments by Ms. Jiminez. Closing arguments by Ms. Bolton. Closing arguments by Ms. Jiminez. At the hour of 1:10 PM the jury retired to deliberate. The Court excused alternate jurors.

At the Hour of 5:41 PM, with Judge Wall present, the jury returned with the following verdict:

Count I - Murder with Use of a Deadly Weapon with the Intent to Promote, Further, or Assist a Criminal Gang - GUILTY;

Count II - Attempt Murder with Use of a Deadly Weapon - GUILTY;

Count III - Discharging Firearm at or into Vehicle with the Intent to Promote, Further, or Assist a Criminal Gang - GUILTY.

COURT ORDERED, matter set for Hearing.

CUSTODY

11/15/07 9:30 AM PENALTY HEARING

CRIMINAL COURT MINUTES

07-C-232549-C STATE OF NEVADA vs Campbell, Marcus

CONTINUED FROM PAGE: 008

11/15/07 10:30 AM 00 PENALTY HEARING

HEARD BY: Valerie Adair, Judge; Dept. 21

OFFICERS: Denise Husted, Court Clerk
Janie Olsen, Reporter/RecorderPARTIES: STATE OF NEVADA
008818 Jimenez, Sonia V.
0001 D1 Campbell, Marcus
006572 Bolton, JenniferY
Y
Y
Y

OUTSIDE THE PRESENCE OF THE JURY. The Court informed the members of the audience that although this is an emotional time , it is important that members of the audience are not to be disruptive or make audible comments that can be heard by the jury. IN THE PRESENCE OF THE JURY. Opening statements by Ms. Jimenez. Ms. Bolton reserved opening statements. Testimony and exhibits presented per worksheet. State RESTED. Testimony and exhibits presented per worksheet. OUTSIDE THE PRESENCE OF THE JURY. Jury instructions settled on the record. The Court admonished defendant regarding the appropriate areas of his statement in front of the jury. The defendant informed the Court that he has decided not to make a statement. IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. Defense RESTED. Jurors instructed on the law of the case. Closing arguments by Ms. Jimenez. Closing arguments by Ms. Bolton. At the hour of 2:45 PM the jury retired to deliberate.

At the hour of 2:41 PM the jury returned with the following verdict:

Count I - Murder of the First Degree with use of a Deadly Weapon with Intent to Promote, Further or Assist a Criminal Gang - LIFE IN THE NEVADA DEPARTMENT OF CORRECTIONS WITH ELIGIBILITY FOR PAROLE BEGINNING WHEN A MINIMUM OF FORTY YEARS HAS BEEN SERVED.

The Court thanked and excused jurors. COURT ORDERED, matter referred to the Division of Parole and Probation for a pre-sentence investigation report and set for sentencing. Ms. Bolton informed the Court that she does not want to be appointed as appellate counsel.

CUSTODY

1/8/08 9:30 AM SENTENCING...STATUS CHECK: APPOINT APPELLATE COUNSEL

CRIMINAL COURT MINUTES

07-C-232549-C STATE OF NEVADA

vs Campbell, Marcus

CONTINUED FROM PAGE: 009

01/08/08 09:30 AM 00 ALL PENDING MOTIONS 1/8/08

HEARD BY: Valerie Adair, Judge; Dept. 21

OFFICERS: Denise Husted, Court Clerk
Debra Winn, Reporter/RecorderPARTIES: STATE OF NEVADA
008818 Jimenez, Sonia V.
0001 D1 Campbell, Marcus
006572 Bolton, JenniferY
Y
Y
Y

STATUS CHECK: APPOINT APPELLATE COUNSEL...SENTENCING

Parties argued and submitted. Victim witnesses Rickie Allen, Barbara McFee and Angela Conway SWORN AND TESTIFIED. DEFENDANT CAMPBELL ADJUDGED GUILTY of MURDER WITH USE OF A DEADLY WEAPON AND WITH THE INTENT TO PROMOTE, FURTHER OR ASSIST A CRIMINAL GANG (F); COUNT II - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON AND WITH THE INTENT TO PROMOTE, FURTHER OR ASSIST A CRIMINAL GANG (F) and COUNT III - DISCHARGING FIREARM AT OR INTO VEHICLE WITH THE INTENT TO PROMOTE, FURTHER OR ASSIST A CRIMINAL GANG (F). COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, submission to DNA testing under the direction of the Division and payment of a \$150.00 Analysis fee to the Clark County Clerk and RESTITUTION in the amount of \$17,450.00, Defendant SENTENCED as follows: c233534NT I - TERM OF LIFE WITH THE ELIGIBILITY OF PAROLE AFTER TWENTY YEARS plus an EQUAL AND CONSECUTIVE TERM OF LIFE WITH THE ELIGIBILITY OF PAROLE AFTER TWENTY YEARS for the deadly weapons enhancement;

COUNT II - MINIMUM of SEVENTY-TWO (72) MONTHS in the Nevada Department of Corrections with a MAXIMUM term of TWO-HUNDRED and FORTY (240) MONTHS, plus an EQUAL AND CONSECUTIVE 72/240 months for the criminal gang enhancement; Count II to RUN CONCURRENTLY with COUNT I, and,

COUNT III - MINIMUM of TWELVE (12) MONTHS in the Nevada Department of Corrections with a MAXIMUM term of SIXTY (60) MONTHS, plus an EQUAL AND CONSECUTIVE 12/60 months for the criminal gang enhancement, Count III to RUN CONSECUTIVELY to Counts I and II.

FURTHER, defendant to receive 260 DAYS CREDIT for time served.

FURTHER, matter set for Confirmation of Counsel regarding appellate counsel; Ms. Bolton WITHDREW from the case.

CUSTODY

1/29/08 9:30 AM CONFIRMATION OF COUNSEL/APPELLATE

CRIMINAL COURT MINUTES

07-C-232549-C STATE OF NEVADA vs Campbell, Marcus

CONTINUED FROM PAGE: 010

01/29/08 09:30 AM 00 CONFIRMATION OF COUNSEL/APPELLATE
MARVIN LONGABAUGH

HEARD BY: Valerie Adair, Judge; Dept. 21

OFFICERS: Denise Husted, Court Clerk
Tia Everett/te, Relief Clerk
Janie Olsen, Reporter/Recorder

PARTIES: STATE OF NEVADA
009600 Keeler, Brett O.

0001 D1 Campbell, Marcus
003095 Kocka, Francis

Y

Y

N

Y

Court noted, Defendant needs to be present; therefore, COURT ORDERED, matter
CONTINUED.

NDC

CONTINUED TO: 02/14/08 09:30 AM 01

02/01/08

E X H I B I T S

8:08 AM

CASE NO. 07-C-232549-C

CASE STATUS: REOPENED

STATE OF NEVADA

[] vs Campbell, Marcus

[]

<u>NO.</u>	<u>CODE</u>	<u>EXHIBIT DESCRIPTION</u>	<u>SUB</u>	<u>OF/OB</u>	<u>DATE</u>	<u>S</u>
0001	PG	/GRAND JURY EXHIBITS (23)		/	05/04/07	V
0002	P1	/COPY OF PHOTO OF PATRICK (PT)		AD/NO	09/07/07	V
0003	P2	/CD "MYSPACE"		AD/OB	09/07/07	V

eff: 9/1/96

**COUNTY CLERK'S OFFICE
NOTICE OF DEFICIENCY
ON APPEAL TO NEVADA SUPREME COURT**

**JENNIFER S. BOLTON, ESQ.
1900 E. BONANZA RD.
LAS VEGAS, NV 89101**

DATE: February 1, 2008

CASE: C232549

RE CASE: STATE OF NEVADA vs. MARCUS CAMPBELL

NOTICE OF APPEAL FILED: January 31, 2008

RULE 3(e) DOCUMENTS TRANSMITTED: February 1, 2008

RULE 3(e) DOCUMENTS **NOT** TRANSMITTED/MISSING:
Case Appeal Statement

EXPLANATION OF POSSIBLE DEFICIENCIES:

DOCUMENTS/FEEES:	REFER TO:	PROCEDURE:
NOTICE OF APPEAL	NRAP 3(a)	\$24.00 District Court Filing Fee (if applicable).
CASE APPEAL STATEMENT	NRAP 3(a)(1)	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 } **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; DISTRICT COURT DOCKET ENTRIES; JUDGMENT
OF CONVICTION (JURY TRIAL); DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF
DEFICIENCY

STATE OF NEVADA,

Plaintiff(s),

vs.

MARCUS CAMPBELL.

Defendant(s),


Case No: C232549

Dept No: XXI

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 1 day of February 2008.

Charles J. Short, Clark County Clerk


Heather Lofquist, Deputy Clerk

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

MARCUS CAMPBELL,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

Supreme Court No. 51021

District Court Case No. C232549

RECEIPT FOR DOCUMENTS

TO: Kocka & Bolton and Jennifer S. Bolton
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:

02/05/08	Filing Fee Waived: Criminal.
02/05/08	Filed Certified Copy of Notice of Appeal. Appeal docketed in the Supreme Court this day. (Docketing statement mailed to counsel for appellant.)
02/05/08	Issued Notice to File Case Appeal Statement. Due Date: 10 days

DATE: February 05, 2008

Tracie Lindeman, Clerk of Court

By: _____

NH
Deputy Clerk