

02-7117

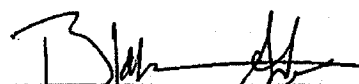
CERTIFICATE OF MAILING

The undersigned hereby declares that he is an employee of the LAW OFFICE OF CYNTHIA DUSTIN, LLC. and that on the 4 day of Dec, 2008 he deposited a true and correct copy of the foregoing NOTICE OF APPEAL in the United States Mail, postage fully prepaid, addressed to the following:

DAVID J. ROGER, ESQ.
Clark County District Attorney
200 South Lewis Street
Las Vegas, Nevada 89155-2211
(702) 671-2500

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

BRYAN FERGASON
ID# 89505
High Desert State Prison
PO Box 650
Indian Springs, NV 89070


An Employee of LAW OFFICE OF CYNTHIA DUSTIN,
LLC

FILED

DEC 4 1 59 PM '08

E. J. H. H.
CLERK OF THE COURT

1 **STAT**
2 **LAW OFFICE CYNTHIA DUSTIN, LLC**
3 **Cynthia L. Dustin, Esq.**
4 **Nevada State Bar No. 8435**
5 **324 South 3rd Street, Suite 1**
6 **Las Vegas, Nevada 89101**
7 **(702) 382-0905**
8 **Attorney for Petitioner**

6 **DISTRICT COURT**

7 **CLARK COUNTY, NEVADA**

8 * * *

9 **THE STATE OF NEVADA,**
10 **Plaintiff,**

11 **vs.**

12 **BRYAN FERGASON,**
13 **Defendant.**

Case No. : C228752
Dept. No. : VII

15 **CASE APPEAL STATEMENT**

16 Pursuant to Nevada Rules of Appellate Procedure, Rule 3(a)(1), the Defendant, BRYAN FERGASON,
17 files the following information:

- 18 1. Name of the Appellant filing this Case Appeal Statement: **BRYAN FERGASON.**
- 19 2. Identify the Judge issuing the decision, judgment, or order appealed from: **The Honorable**
20 **Stewart Bell, District Court Judge.**
- 21 3. Identify all parties to the proceedings in the District Court: **Parties in the proceedings in the**
22 **above-captioned case are State of Nevada, Plaintiff, Bryan Fergason, Defendant, Daimon Monroe, co-**
23 **defendant, Robert Holmes, co-defendant, Tonya Trevarthan, co-defendant.**
- 24 4. Identify all parties involved in this appeal: **State of Nevada, Respondent, and Bryan**
25 **Fergason, Appellant.**
- 26 5. Set forth the attorney's name, law firm, address, and telephone number of all counsel on appeal

1 and identify the party or parties whom they represent: Cynthia L. Dustin, Law Office of Cynthia Dustin,
2 LLC, 324 S 3rd Street, Suite 1, Las Vegas, Nevada, 89101, (702) 382-0905, Counsel for Appellant, Bryan
3 Ferguson; David Roger, Clark County District Attorney, 200 South Lewis, Las Vegas, Nevada 89101,
4 Attorney for Respondent, State of Nevada.

5 6. Indicate whether Appellant was represented by appointed or retained counsel in the District
6 Court: Appellant was represented by appointed counsel in District Court, for jury trial.

7 7. Indicate whether Appellant is represented by appointed or retained counsel on appeal:
8 Appellant is represented by appointed counsel on appeal.

9 8. Indicate whether Appellant was granted leave to proceed in forma pauperis, and the date of
10 entry of the District Court order granting such leave: Appellant has not been granted leave to proceed in
11 forma pauperis.

12 9. Indicate the date the proceedings commenced in the District Court: The proceedings
13 commenced in District Court on January 4, 2007, when Appellant first appeared in District Court and
14 entered his plea of not guilty to the charges alleged.

15 DATED this 4th day of December, 2008.

16 LAW OFFICE OF CYNTHIA DUSTIN, LLC.

17 By 

18 CYNTHIA L. DUSTIN, ESQ.
19 Nevada State Bar No. 8435
20 324 S 3rd Street
21 Las Vegas, Nevada 89101
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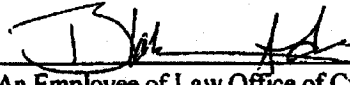
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Clark County District Attorney
200 South Lewis Street
Las Vegas, Nevada 89155-2211
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Nevada Attorney General
100 North Carson Street
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(702) 687-3538

BRYAN FERGASON
ID# 89505
High Desert State Prison
PO Box 650
Indian Springs, NV 89070


An Employee of Law Office of Cynthia Dustin, LLC.

1 REQT
2 LAW OFFICE CYNTHIA DUSTIN, LLC
3 Cynthia L. Dustin, Esq.
4 Nevada State Bar No. 8435
5 324 South 3rd Street, Suite 1
6 Las Vegas, Nevada 89101
7 (702) 382-0905
8 Attorney for Petitioner

FILED

DEC 4 1 59 PM '08

E. L. Dustin
CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

* * *

9 STATE OF NEVADA,)
10)
11 Plaintiff/Respondent,)
12 vs.)
13)
14 BRYAN FERGASON,)
15)
16 Defendant/Petitioner.)

Case No. : C228752
Dept. No. : VII

REQUEST FOR ROUGH DRAFT TRANSCRIPT

16 TO: RENEE VINCENT, Court Recorder

17 BRYAN FERGASON, Defendant named above, request preparation of a rough draft
18 transcript of certain portions of the proceedings before the District Court as follows:
19

20 Court proceedings and motion argument from January 4, 2007, March 6, 2007,
21 November 8, 2007, January 30, 2008, February 5, 2008, May 1, 2008, May 12, 2008, September 26,
22 2008, and October 1, 2008;

23 Jury Trial proceedings from May 21, 2008 through May 29, 2008

24 including opening statements, matters outside the presence of the jury,

25 jury instruction settlement, and closing arguments are requested;

26 Jury Voir Dire is not needed;

27 Reading of Jury instructions is not needed.
28

1 This notice requests a transcript of only those portions of the District Court proceedings
2 which counsel reasonably and in good faith believes are necessary to determine whether appellate
3 issues are present. Voir dire examination of jurors, opening statements and closing arguments of trial
4 counsel, and the reading of jury instructions shall be not transcribed unless specifically requested
5 above.

6
7 I recognize that I must personally serve a copy of this form on the above named court reporter
8 and opposing counsel, and that the above named court reporter shall have twenty (20) days from the
9 receipt of this notice to prepare and submit to the District Court the rough draft transcript requested
10 herein.

11 DATED this 4th day of December, 2008.

12 LAW OFFICE OF CYNTHIA DUSTIN, LLC

13
14 By 

15 CYNTHIA L. DUSTIN, ESQ.
16 Nevada State Bar No. 8435
17 324 South 3rd Street, Suite 1
18 Las Vegas, Nevada 89101
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21
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CERTIFICATE OF MAILING

The undersigned hereby declares that he is an employee of LAW OFFICE OF CYNTHIA DUSTIN., and that on the 4 day of Dec, 2008 he deposited a true and correct copy of the foregoing **REQUEST FOR ROUGH DRAFT TRANSCRIPT** in the United States Mail, postage fully prepaid, addressed to the following:

RENEE VINCENT
Court Reporter - District Court #VII
200 South Lewis Street
Las Vegas, Nevada 89101

DAVID ROGER, ESQ.
Clark County District Attorney
200 South Lewis Street
Las Vegas, Nevada 89101

CATHERINE CORTEZ-MASTO
Nevada Attorney General
100 North Carson Street
Carson City, Nevada 89701-4717


An Employee of Law Office of Cynthia Dustin, LLC.

DATE: 12/05/08
CASE NO. 06-C-228752-C

I N D E X

TIME 7:58 AM
JUDGE: Bell, Stewart L.

STATE OF NEVADA

[] vs Monroe, Daimon

[E]

0001 D1 Daimon Monroe

005984 Hart, Marty
NO. 1 District Attorneys Office
200 S Third St 5th Fl
Las Vegas, NV 89155

0002 D Tonya Trevarthen

007797 Lord, Jonathan J.
NO. 1 601 S. Seventh Street
Las Vegas, NV 89101

0003 D Bryan Fergason

008435 Dustin, Cynthia L.
NO. 1 8th Judicial District Court
Dept 5 Clark County Court Hse
200 Third St
Las Vegas, NV 89101

0004 D Robert Holmes

005032 Kennedy, Kirk T.
NO. 1 Kirk L. Kennedy
2881 S. Valley View Blvd. Ste
Las Vegas, NV 89102

NO.	FILED/REC	CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0001	12/13/06	IND	/(GRAND JURY) INDICTMENT Fee \$0.00				
0002	12/13/06	ARRN/INITIAL	ARRAIGNMENT	0001		12/20/06	
0003	12/13/06	ARRN/INITIAL	ARRAIGNMENT	0003		12/20/06	
0004	12/13/06	ARRN/INITIAL	ARRAIGNMENT	0004		12/20/06	
0005	12/13/06	ARRN/INITIAL	ARRAIGNMENT	0002		12/27/06	
0006	12/13/06	HEAR/GRAND JURY	INDICTMENT	AL		12/13/06	
0007	12/13/06	BNCH/BENCH	WARRANT ISSUED	0001	QU	12/13/06	
0008	12/13/06	ORDR/ORDER	OF INTENT TO FORFEIT	0001		12/13/06	
0009	12/13/06	ORDR/NOTICE	AND ORDER TO TRANSFER BAIL	0004		12/13/06	
0010	12/13/06	WARR/INDICTMENT	WARRANT	0001		12/13/06	
0011	12/13/06	WARR/INDICTMENT	WARRANT	0004		12/13/06	
0012	12/13/06	WARR/INDICTMENT	WARRANT	0003		12/13/06	
0013	12/18/06	QUAS/DEFT'S	QUASH BENCH WARRANT & FOR OR RELEASE OR BAIL REDUCTION/8	0004		12/20/06	
0014	12/15/06	IND /AMENDED	(GRAND JURY) INDICTMENT	AL			
0015	12/19/06	BNCH/BENCH	WARRANT ISSUED	0003	QU	12/13/06	
0016	12/19/06	ORDR/ORDER	OF INTENT TO FORFEIT	0003		12/13/06	
0017	12/19/06	BNCH/BENCH	WARRANT ISSUED	0004	QU	12/13/06	
0018	12/19/06	ORDR/ORDER	OF INTENT TO FORFEIT	0004		12/13/06	
0019	12/19/06	BNCH/BENCH	WARRANT RETURN /13	0001	MC	12/20/06	
0020	12/19/06	BNCH/BENCH	WARRANT RETURN /14	0003	MC	12/20/06	
0021	12/18/06	ROC /RECEIPT	OF COPY	0004		12/18/06	
0022	12/20/06	ARRN/ARRAIGNMENT	CONTINUED (DEFTS' MONROE; FERGASON & HOLMES)	AL		01/04/07	
0025	12/22/06	MOT /ALL	PENDING MOTIONS (12/20/06)	AL		12/20/06	
0026	12/27/06	ARRN/ARRAIGNMENT	CONTINUED (DEFT. TREVARTHEN)	0002		01/04/07	
0027	12/28/06	ORDR/STIPULATION	AND ORDER	0002		12/28/06	
0028	01/04/07	MOT /ALL	PENDING MOTIONS (1/4/07)	AL		01/04/07	
0029	01/05/07	ARRN/ARRAIGNMENT	CONTINUED	0001	MH	01/11/07	
0030	01/05/07	HEAR/CONFIRMATION	OF COUNSEL (LANGFORD)	0001	CM	01/11/07	

(Continued to page 2)

06-C-228752-C		(Continuation	Page	2)
NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC SCH/PER C
0031	01/05/07	HEAR/CONFIRMATION OF COUNSEL (FIGLER)	0002	MH 01/11/07
0032	01/05/07	CALC/CALENDAR CALL	AL	03/06/07
0033	01/05/07	JURY/TRIAL BY JURY (VJ 3/06/07)	AL	VC 03/13/07
0034	01/05/07	OCAL/STATUS CHECK: BAIL BONDS	0004	OC 02/08/07
0035	01/05/07	NOTC/NOTICE OF ENTRY OF ORDER	0002	12/28/06
0036	01/08/07	TRAN/REPORTER'S TRANSCRIPT OF PROCEEDINGS - GRAND JURY VOLUME 1	AL	11/28/06
0037	01/08/07	TRAN/REPORTER'S TRANSCRIPT OF PROCEEDINGS - GRAND JURY VOLUME 2	AL	11/28/06
0038	01/08/07	TRAN/REPORTER'S TRANSCRIPT OF PROCEEDINGS - GRAND JURY VOLUME 3	AL	12/12/06
0039	01/08/07	TRAN/REPORTER'S TRANSCRIPT OF PROCEEDINGS - GRAND JURY VOLUME 4	AL	12/13/06
0040	01/08/07	BOND/BOND - #DS250-148813 - \$137,000.00	0004	
0041	01/11/07	MOT /ALL PENDING MOTIONS (1/11/06); DEFTS' MONROE & TREVARTHEN	AL	01/11/07
0042	01/12/07	HEAR/CONFIRMATION OF COUNSEL (LORD)	0002	CM 01/18/07
0043	01/22/07	CBOR/CRIMINAL BINDOVER RECEIPT	0004	01/22/07
0044	01/22/07	BOND/BOND - #DS50-134729 - \$13,000.00	0001	
0045	01/24/07	NOTC/NOTICE OF RECEIPT OF BOND TRANSFER	0004C	
0046	01/05/07	HEAR/SOURCE HEARING	0004	01/05/07
0047	01/31/07	MOT /DEFT'S MTN FOR EXTENSION OF TIME TO FILE PTN FOR WRIT OF HABEAS CORPUS/30	0001	GR 02/13/07
0048	01/31/07	ORDR/ORDER OF HOURLY APPOINTMENT	0001	01/31/07
0049	02/01/07	PET /PTN FOR WRIT OF HABEAS CORPUS (VJ 3/01/07)	0004	VC 03/06/07
0050	02/01/07	PET /PTN FOR WRIT OF HABEAS CORPUS (VJ 3/01/07)	0003	VC 03/06/07
0051	02/01/07	ORDR/ORDER	0003	02/01/07
0052	02/05/07	CERT/CERTIFICATE OF MAILING	0004	02/02/07
0053	02/06/07	ORDR/ORDER APPOINTING COUNSEL	0002	02/06/07
0054	02/07/07	ORDR/ORDER APPOINTING COUNSEL	0003	02/07/07
0055	02/08/07	REQT/EX PARTE MOTION FOR EMPLOYMENT AND PAYMENT OF INVESTIGATOR	0001	
0056	02/14/07	OCAL/STATUS CHECK: PETITION/TRIAL	0001	02/20/07
0057	02/14/07	ARGU/ARGUMENT: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS (VJ 3/01/07)	0001	VC 03/06/07
0058	02/14/07	ORDR/ORDER	0001	02/14/07
0059	02/14/07	WRIT/RETURN TO WRIT OF HABEAS CORPUS	0004	
0060	02/14/07	WRIT/RETURN TO WRIT OF HABEAS CORPUS	0003	
0061	02/15/07	ROC /RECEIPT OF COPY	0004	02/15/07
0062	02/20/07	MOT /ALL PENDING MOTIONS 2-20-07	AL	02/20/07
0063	02/28/07	EXPR/EX PARTE ORDER APPOINTING INVESTIGATOR	0003	02/28/07
0064	02/28/07	PET /PETITION FOR WRIT OF HABEAS CORPUS	0001	
0065	03/01/07	NOEV/NOTICE OF EXHIBITS IN THE VAULT		03/01/07
0066	02/28/07	REQT/EX PARTE MOTION TO APPOINT INFESTIGATOR	0003	
0067	03/06/07	CALC/CALENDAR CALL	0001	10/02/07
0068	03/06/07	JURY/TRIAL BY JURY VJ 10/02/07	0001	VC 10/09/07
0069	03/06/07	CALC/CALENDAR CALL	0003	10/02/07
0070	03/06/07	JURY/TRIAL BY JURY VJ 10/02/07	0003	VC 10/09/07
0071	03/06/07	CALC/CALENDAR CALL	0004	MH 10/02/07
0072	03/06/07	JURY/TRIAL BY JURY VJ 10/02/07	0004	VC 10/09/07

(Continued to page 3)

NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0073	03/06/07	OCAL/STATUS CHECK: SENTENCING	0002		04/24/08	
0074	03/06/07	IND /SECOND AMENDED (GRAND JURY) INDICTMENT	0002			
0075	03/06/07	WRIT/RETURN TO WRIT OF HABEAS CORPUS	0001			
0076	03/06/07	MEMO/GUILTY PLEA MEMORANDUM/AGREEMENT	0002			
0077	03/19/07	AGRE/AGREEMENT TO TESTIFY	0002			
0078	04/17/07	ORDR/STIPULATION AND ORDER EXTENDING TIME	0001		04/17/07	
0079	04/26/07	ROP /RECEIPT OF EXHIBITS	0001		04/26/07	
0080	05/07/07	PET /PETITION FOR WRIT OF HABEAS CORPUS	0001			
0081	05/09/07	ROC /RECEIPT OF COPY	0003		05/09/07	
0082	05/09/07	ROC /RECEIPT OF COPY	0001		05/09/07	
0083	05/14/07	MOT /SUSAN D BURKE'S MTN TO WITHDRAW AS ATTORNEY OF RECORD /43	0001	GR	05/29/07	
0084	05/14/07	ROC /RECEIPT OF COPY	0004		05/10/07	
0085	05/21/07	ORDR/ORDER FOR PRODUCTION OF INMATE	0003	SH	10/02/07	
0086	06/06/07	APPL/EX PARTE APPLICATION FOR AUTHORIZATION OF FEES IN THE STATUTORY AMOUNT	0001			Y
		AUTHORIZED BY NRS 7.125 AND 7.145				
0087	07/03/07	ORDR/ORDER	0001		07/03/07	
0088	08/08/07	ROC /RECEIPT OF COPY	0002		08/08/07	
0089	08/08/07	ROC /RECEIPT OF COPY	0004		08/08/07	
0090	09/01/07	PET /PTN FOR WRIT OF HABEAS CORPUS (DEFT. MONROE) VJ 09-25-07	0001	VC	09/28/07	
0091	09/01/07	ORDR/ORDER SETTING HEARING DATE	MP	SH	09/28/07	
0092	09/13/07	MOT /DEFT'S MTN TO CONTINUE TRIAL/45	0004	GR	10/02/07	
0093	09/13/07	ROC /RECEIPT OF COPY	0004		09/13/07	
0094	09/18/07	PET /PTN FOR WRIT OF HABEAS CORPUS (DEFT. FERGUSON) VJ 09-25-07	0003	VC	09/28/07	
0095	09/18/07	PET /PTN FOR WRIT OF HABEAS CORPUS (DEFT. HOLMES) VJ 09-25-07	0004	VC	09/28/07	
0096	09/18/07	REQT/AMENDED NOTICE OF MOTION ON DEFENDANTS MOTION TO CONTINUE TRIAL	0004		09/25/07	
0097	09/19/07	ROC /RECEIPT OF COPY	0004		09/19/07	
0098	09/25/07	OCAL/STATUS CHECK: TRIAL SETTING	0001	MH	10/02/07	
0099	09/25/07	OCAL/STATUS CHECK: TRIAL SETTING	0003	MH	10/02/07	
0100	10/02/07	PET /PTN FOR WRIT OF HABEAS CORPUS	AL	DN	11/08/07	
0101	10/02/07	CALC/CALENDAR CALL VO 12/10/07	0001	VC	03/11/08	
0102	10/02/07	JURY/TRIAL BY JURY VO 12/10/07	0001	VC	03/18/08	
0103	10/02/07	CALC/CALENDAR CALL VO 12/10/07	0003	VC	03/11/08	
0104	10/02/07	JURY/TRIAL BY JURY VO 12/10/07	0003	VC	03/18/08	
0105	10/02/07	CALC/CALENDAR CALL VO 12/10/07	0004	VC	03/11/08	
0106	10/02/07	JURY/TRIAL BY JURY VO 12/10/07	0004	VC	03/18/08	
0107	10/02/07	MOT /ALL PENDING MOTIONS 10/02/07	AL		10/02/07	
0108	10/04/07	APPL/EX PARTE APPLICATION FOR EXCESSIVE INVESTIGATOR FEES	0001			
0109	10/16/07	ORDR/ORDER TO APPOINT INVESTIGATOR AND INVESTIGATIVE FEES	0001		10/16/07	
0110	10/19/07	ORDR/AMENDED ORDER APPOINTING COUNSEL AND ALLOWING INTERIM BILLING	0003		10/19/07	
0111	11/06/07	EXPR/EX PARTE ORDER ALLOWING FEES IN EXCESS OF STATUTORY MAXIMUM FOR ATTORNEY	0003		11/06/07	Y
		ON COURT APPOINTED CASE FIRST INTERIM BILLING				
0112	11/06/07	SUPP/SUPPLEMENT TO DEFTS PETITION FOR WRIT OF HABEAS CORPUS	0003			

(Continued to page 4)

06-C-228752-C		(Continuation Page 4)	
NO. FILED/REC CODE	REASON/DESCRIPTION	FOR OC	SCH/PER C
0113	11/06/07 ROC /RECEIPT OF COPY	0003	11/06/07
0114	11/06/07 REQT/EX PARTE MOTION TO ALLOW FEES IN EXCESS OF STATORY MAXIMUM FOR ATTORNEY ON	0003 0003	Y
COURT APPOINTED CASE			
0115	12/10/07 CALC/CALENDAR CALL (VJ 1/23/08)	0001	VC 03/13/08
0116	12/10/07 JURY/TRIAL BY JURY (VJ 1/23/08)	0001	VC 03/25/08
0117	12/10/07 CALC/CALENDAR CALL (VJ 1/23/08)	0003	VC 03/13/08
0118	12/10/07 JURY/TRIAL BY JURY (VJ 1/23/08)	0003	VC 03/25/08
0119	12/10/07 CALC/CALENDAR CALL (VJ 1/23/08)	0004	VC 03/13/08
0120	12/10/07 JURY/TRIAL BY JURY (VJ 1/23/08)	0004	VC 03/25/08
0121	12/10/07 ORDR/TRIAL ORDER	MP	12/10/07
0122	01/23/08 OCAL/MINUTE ORDER RE: (RECUSAL)		01/23/08
0123	01/23/08 ASSG/REASSIGNMENT OF JUDGE Leavitt TO JUDGE Hardcastle		
0124	01/23/08 NDR /NOTICE OF DEPARTMENT REASSIGNMENT 008435007797005984FC		01/23/08 Y
005984007797008435			
0125	01/24/08 OCAL/MINUTE ORDER RE: REASSIGNMENT TO DEPT. VII		01/24/08
0126	01/24/08 ASSG/REASSIGNMENT OF JUDGE Hardcastle TO JUDGE Bell		
0127	01/25/08 JURY/TRIAL BY JURY (VJ 2-5-08)	0001	VC 03/25/08
0128	01/25/08 CALC/CALENDAR CALL (VJ 2-5-08)	0001	VC 03/13/08
0129	01/25/08 JURY/TRIAL BY JURY (VJ 2-5-08)	0003	VC 03/25/08
0130	01/25/08 CALC/CALENDAR CALL (VJ 2-5-08)	0003	VC 03/13/08
0131	01/25/08 JURY/TRIAL BY JURY (VJ 2-5-08)	0004	VC 03/25/08
0132	01/25/08 CALC/CALENDAR CALL (VJ 2-5-08)	0004	VC 03/13/08
0133	01/25/08 OCAL/STATUS CHECK: VERIFY TRIAL DATES	0001	02/05/08
0134	01/25/08 OCAL/STATUS CHECK: VERIFY TRIAL DATES	0003	02/05/08
0135	01/25/08 OCAL/STATUS CHECK: VERIFY TRIAL DATES	0004	02/05/08
0136	01/30/08 MOT /ALL PENDING MOTIONS 1/30/08	AL	01/30/08
0137	02/05/08 MOT /ALL PENDING MOTIONS 2-5-08	AL	02/05/08
0138	02/05/08 CALC/CALENDAR CALL	0001	05/01/08
0139	02/05/08 JURY/TRIAL BY JURY (VK 5-1-08)	0001	VC 05/12/08
0140	02/05/08 CALC/CALENDAR CALL	0003	05/01/08
0141	02/05/08 JURY/TRIAL BY JURY (VJ 5-1-08)	0003	VC 05/12/08
0142	02/05/08 CALC/CALENDAR CALL	0004	05/01/08
0143	02/05/08 JURY/TRIAL BY JURY (VK 5-1-08)	0004	VC 05/12/08
0144	04/24/08 MOT /DEFT'S MTN TO SEVER /83	0004	DN 05/01/08
0145	04/25/08 MOT /DEFT'S MTN TO SEVER /84	0003	GR 05/01/08
0146	04/24/08 OCAL/STATUS CHECK: SENTENCING	0002	07/16/08
0147	04/23/08 NNEW/NOTICE OF WITNESSES AND/OR EXPERT WITNESSES	MP MP	
0148	04/25/08 ROC /RECEIPT OF COPY	0004	04/24/08
0149	04/25/08 ROC /RECEIPT OF COPY	0003	04/25/08
0150	04/29/08 MOT /STATE'S MTN TO AMEND INDICTMENT /86	0001	05/01/08
0151	04/29/08 MOT /STATE'S MTN TO AMEND INDICTMENT	0003	05/01/08
0152	04/29/08 MOT /STATE'S MTN TO AMEND INDICTMENT	0004	05/01/08
0153	04/28/08 OPPS/OPPOSITION TO DEFENDANT HOLMES MOTION TO SEVER	0004 0004	
0154	04/28/08 OPPS/OPPOSITION TO DEFENDANT FERGUSONS MOTION TO SEVER	0003 0003	

(Continued to page 5)

06-C-228752-C		(Continuation	Page	5)	
NO. FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0155 05/01/08	MOT /ALL PENDING MOTIONS 5-1-08	AL		05/01/08	
0156 05/01/08	JURY/TRIAL BY JURY (VK 5-12-08)	0001	VC	05/12/08	
0157 05/01/08	JURY/TRIAL BY JURY (VJ 5-12-08)	0004	VC	05/12/08	
0158 05/01/08	JURY/TRIAL BY JURY (VJ 5-12-08)	0003	VC	05/20/08	
0159 04/30/08	NOTC/NOTICE OF HABITUAL CRIMINALITY	MP			
0160 05/01/08	IND /AMENDED (GRAND JURY) INDICTMENT	MP			
0161 04/30/08	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION TO DISQUALIFY THE DISTRICT ATTORNEYS	0001 0001			Y
OFFICE AND SANDRA DIGIACOMO AS PROSECUTOR DUE TO CONFLICT ON INTEREST					
0162 05/01/08	ORDR/ORDER AMENDING INDICTMENT	AL		05/01/08	
0163 05/03/08	MOT /DEFT'S MTN TO SUPPRESS TELEPHONE RECORDINGS/93	0001 0001	DN	05/12/08	
0164 05/03/08	MOT /DEFT'S MTN TO DISQUALIFY DA'S OFFICE & SANDRA DIGIACOMO AS PROSECUTOR /94	0001 0001	DN	05/12/08	
0165 05/03/08	MOT /DEFT'S MTN IN LIMINE RE: ROP DETECTIVES/95	0001 0001	GP	05/12/08	
0166 05/03/08	MOT /DEFT'S MTN TO SUPPRESS EVIDENCE OBTAINED PURSUANT TO SEARCH WARRANTS/96	0001 0001		05/12/08	
0167 05/02/08	ORDR/SECOND ORDER TO APPOINT INVESTIGATOR AND INVESTIGATIVE FEES	0001 0001		05/02/08	
0168 05/06/08	MOT /DEFTS MTN TO SUPPRESS /97	0003	MH	05/12/08	
0169 05/06/08	MOT /DEFTS MTN TO DISMISS POSSESSION OF STOLEN PROPERTY/98	0003 0003	MH	05/12/08	
0170 05/05/08	NNEW/NOTICE OF WITNESSES AND/OR EXPERT WITNESSES	MP MP			
0171 05/07/08	MOT /DEFT'S MTN FOR PRODUCTION OF DISCOVERY (HEARD 5-12-08)	0003 0003	VC	05/19/08	
0172 05/07/08	MOT /DEFT'S MTN IN LIMINE TO EXCLUDE/PRECLUDE EVIDENCE (DENIED 5-12-08)	0003 0003	VC	05/19/08	
0173 05/07/08	MOT /DEFT'S MTN IN LIMINE TO BAR ADMISSION OF RECORDED TEL CALLS (DENIED 5-12-08)	0003 0003	VC	05/19/08	
0174 05/07/08	MOT /DEFT'S MTN TO SUPPRESS /102	0001	DN	05/12/08	
0175 05/07/08	MOT /DEFT'S JOINDER IN MTNS IN LIMINE/103	0001	MH	05/12/08	
0176 05/07/08	MOT /DEFT'S MTN TO STRIKE LANGUAGE IN COUNT 1 & COUNT 13 /104	0003 0003	GP	05/12/08	
0177 05/07/08	MOT /DEFT'S MTN IN LIMINE TO BAR ADMISSION OF EXPERT TESTIMONY /105	0003 0003	MH	05/12/08	
0178 05/07/08	MOT /DEFT'S MTN IN LIMINE TO BAR ADMISSION OF EVID /106	0003 0003	GP	05/12/08	
0179 05/08/08	MOT /DEFT'S MTN TO DISMISS /107	0004	DN	05/12/08	
0180 05/08/08	MOT /DEFT'S MTN IN LIMINE TO EXCLUDE ANY TESTIMONY RE PRIOR ARRESTS/108	0004 0004	GR	05/12/08	
0181 05/08/08	MOT /DEFT'S MTN IN LIMINE TO BAR THE ADMISSION OF RECORDED TELEPHONE CALLS/109	0004 0004	DN	05/12/08	
0182 05/08/08	MOT /DEFT'S MTN TO JOIN CO DEFT DAIMON MONROE'S MOTIONS/110	0004 0004	GR	05/12/08	
0183 05/08/08	MOT /DEFT'S MTN TO JOIN CO DEFT BRYAN FERGASON'S MOTIONS/111	0004 0004	GR	05/12/08	
0184 05/08/08	MOT /DEFT'S MTN TO SUPPRESS /112	0004	DN	05/12/08	
0185 05/07/08	ROC /RECEIPT OF COPY	0003		05/07/08	
0186 05/07/08	ROC /RECEIPT OF COPY	0003		05/07/08	
0187 05/07/08	CRTF/CERTIFICATE OF SERVICE	0001		05/07/08	

(Continued to page 6)

06-C-228752-C		(Continuation Page 6)	
NO. FILED/REC CODE	REASON/DESCRIPTION	FOR OC SCH/PER C	
0188 05/08/08	OPPS/OPPOSITION TO MOTION IN LIMINE TO EXCLUDE PRECLUDE EVIDENCE ATTRIBUTED TO CO DEFENDANTS FROM BEING ADMITTED DURING TRIAL AGAINST EHE DEFENDANT BRYAN FERGASON	0003 0003	Y
0189 05/07/08	ROC /RECEIPT OF COPY	0003	05/07/08
0190 05/08/08	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION TO DISMISS POSSESSION OF STOLEN	0003 0003	Y
PROPERTY CHARGES			
0191 05/08/08	NWEW/NOTICE OF WITNESSES AND/OR EXPERT WITNESSES	0004 0004	
0192 05/07/08	ROC /RECEIPT OF COPY	0003	05/07/08
0193 05/09/08	OPPS/OPPOSITION TO DEFT FERGASONS MTN IN LIMINE TO BAR THE ADMISSION OF RECORDED	0003 0003	05/12/08 Y
TELEPHONE CALLS			
0194 05/09/08	OPPS/OPPOSITION TO DEFT FERGASONS MTN TO SUPPRESS	0003 0003	05/12/08
0195 05/09/08	OPPS/OPPOSITION TO DEFT MONROES MTN TO SUPPRESS TELEPHONE RECORDINGS	0001 0001	05/12/08
0196 05/09/08	OPPS/OPPOSITION TO DEFT HOLMES MTN IN LIMINE TO BAR THE ADMISSION OF RECORDED	0004 0004	05/12/08 Y
TELEPHONE CALLS			
0197 05/09/08	OPPS/OPPOSITION TO DEFT FERGASONS MTN TO STRIKE LANGUAGE IN COUNT ONE	0003 0003	05/12/08 Y
AND COUNT THIRTEEN			
0198 05/12/08	MOT /ALL PENDING MOTIONS 5-12-08	AL	BW 05/12/08
0199 05/09/08	OPPS/STATES OPPOSITION TO DEFTS MOTION TO SUPPRESS EVIDENCE OBTAINED PURSUANT TO	0001 0001	Y
SEARCH WARRANTS			
0200 05/12/08	JURY/TRIAL BY JURY	0001	MH 05/20/08
0201 05/12/08	TRB /TRIAL BEGINS	0001	
0202 05/09/08	OPPS/OPPOSITION TO DEFENDANT HOLMES MOTION TO DISMISS CONSPIRACY TO COMMIT	0004 0004	Y
BURGLARY AND/OR STOLEN PROPERTY CHARGES			
0203 05/09/08	OPPS/OPPOSITION TO DEFENDANTS MOTION IN LIMINE TO BAR ADMISSION OF EVIDENCE	0003 0003	
0204 05/09/08	OPPS/OPPOSITION TO DEFENDANTS MOTION IN LIMINE TO BAR ADMISSION OF EXPERT	0003 0003	Y
TESTIMONY			
0205 05/09/08	OPPS/OPPOSITION TO DEFTS MOTION IN LIMINE RE ROP DETECTIVES	0001 0001	
0206 05/12/08	BNCH/BENCH WARRANT ISSUED	0004	QU 05/12/08
0207 05/12/08	JLST/DISTRICT COURT JURY LIST	0001	
0208 05/15/08	NOIB/NOTICE OF INTENT TO FORFEIT	0004	12/05/08
0209 05/15/08	NOIB/NOTICE OF INTENT TO FORFEIT	0004	12/05/08
0210 05/15/08	HEAR/SHOW CAUSE HEARING	0004C	12/05/08
0211 05/13/08	IND /SECOND AMENDED (GRAND JURY) INDICTMENT	0001	
0212 05/19/08	JURY/TRIAL BY JURY	0003	MH 05/29/08
0213 05/20/08	SENT/SENTENCING	0001	GR 10/01/08
0214 05/19/08	PINU/PROPOSED JURY INSTRUCTIONS NOT USED AT TRIAL	0001 0001	05/19/08
0215 05/20/08	TRE /TRIAL ENDS	0001	
0216 05/21/08	TRB /TRIAL BEGINS	0003	

(Continued to page 7)

NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0217	05/21/08	NNEW/DEFENDANTS WITNESS LIST	0003			
0218	05/20/08	ACJL/AMENDED CRIMINAL JURY LIST	0001			
0219	05/21/08	ROC /RECEIPT OF COPY	0003		05/21/08	
0220	05/20/08	INST/INSTRUCTIONS TO THE JURY	0001			
0221	05/20/08	JMNT/VERDICT	0001		05/22/08	
0222	05/21/08	JLST/DISTRICT COURT JURY LIST	0003			
0223	05/21/08	IND /THIRD AMENDED (GRAND JURY) INDICTMENT	0003			
0224	05/21/08	IND /FOURTH AMENDED (GRAND JURY) INDICTMENT	0004			
0225	05/29/08	SENT/SENTENCING	0003	GR	10/01/08	
0226	05/29/08	TRE /TRIAL ENDS	0003			
0227	05/28/08	PINU/PROPOSED JURY INSTRUCTIONS NOT USED AT TRIAL	0003			
0228	05/28/08	MEMO/BENCH MEMORANDUM	0003			
0229	05/29/08	INST/INSTRUCTIONS TO THE JURY (INSTRUCTION NO I)	0003		05/29/08	
0230	05/29/08	JLST/AMENDED DISTRICT COURT JURY LIST	0003			
0231	06/03/08	MOT /SULLIVAN'S MTN TO WITHDRAW AS COUNSEL	0004	GR	06/16/08	
0232	06/03/08	ROC /RECEIPT OF COPY	0004		06/03/08	
0233	05/29/08	JMNT/VERDICT (COUNTS 1,2 AND 4)	0003		06/06/08	
0234	05/29/08	JMNT/VERDICT (COUNT 3)	S		06/06/08	
0235	06/05/08	ORDR/EX PARTE ORDER ALLOWING FEES IN EXCESS OF STATUTORY MAXIMUM FOR ATTORNEY	0003		06/05/08	Y
ON COURT APPOINTED CASE FIRST INTERIM BILLING						
0236	06/16/08	BNCH/NO BAIL BENCH WARRANT ISSUED	0004	QU	05/12/08	
0237	06/16/08	ORDR/ORDER OF INTENT TO FORFEIT	0004		05/12/08	
0238	06/16/08	ORDR/ORDER TO WITHDRAW AS ATTORNEY OF RECORD	0004		06/16/08	
0239	06/17/08	NOTC/NOTICE OF ENTRY OF ORDER	0004		06/16/08	
0240	07/11/08	QUAS/DEFT'S MTN TO QUASH BENCH WARRANT/123	0004	DN	07/15/08	
0241	07/15/08	CALC/CALENDAR CALL (VJ 11-10-08)	0004	VC	11/13/08	
0242	07/15/08	JURY/TRIAL BY JURY (VJ 11-10-08)	0004	VC	11/17/08	
0243	07/16/08	SENT/SENTENCING	0002	GR	09/26/08	
0244	08/04/08	MOT /STATE'S MTN FOR RELEASE OF EVIDENCE TO VICTIMS AND/OR AUCTION BY LVMPD	AL	GP	08/07/08	
0245	08/13/08	ORDR/ORDER	AL			
0246	08/19/08	MOT /STATES MTN FOR RELEASE OF PROPERTY/128	AL	GR	08/21/08	
0247	08/19/08	ORDR/ORDER FOR PRODUCTION OF INMATE	0003		10/01/08	
0248	08/23/08	ORDR/ORDER	AL		08/23/08	
0249	09/17/08	NOEV/NOTICE OF EXHIBITS IN THE VAULT			05/29/08	
0250	09/22/08	NOEV/NOTICE OF EXHIBIT(S) IN THE VAULT			05/20/08	
0251	09/26/08	OCAL/STATUS CHECK: COMPLIANCE	0002		03/31/09	
0252	10/01/08	MOT /ALL PENDING MOTIONS 10-1-08	AL		10/01/08	
0253	10/01/08	NOEV/NOTICE OF EXHIBITS IN THE VAULT			10/01/08	
0254	09/30/08	ROC /RECEIPT OF COPY	0003		09/30/08	
0255	09/30/08	MEMO/SENTENCING MEMORANDUM	0003			
0256	10/03/08	JMNT/JUDGMENT OF CONVICTION/ADMIN ASSESSMENT	0002		10/06/08	
0257	10/01/08	SRCC/AS TO DEFENDANT #1) CTS 1-14 CONCURRENT WITH EACH OTHER, CTS 15-27 CONCURRENT WITH EACH OTHER BUT CONSECUTIVE WITH CTS 1-14.				Y
0258	10/01/08	SRCC/AS TO DEFENDANT #3) CTS 1,2 AND 4-14 CONCURRENT WITH EACH OTHER CTS 15-27 CONCURRENT WITH EACH OTHER BUT CONSECUTIVE WITH CTS 1,2 AND 4-14.				Y
0259	11/04/08	JMNT/JUDGMENT OF CONVICTION/ADMIN ASSESSMENT	0001		11/05/08	

(Continued to page 8)

NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0260	11/04/08	JMNT/JUDGMENT OF CONVICTION/GENETIC TESTING	0001		11/05/08	
0261	11/04/08	JMNT/JUDGMENT OF CONVICTION/ADMIN ASSESSMENT	0003		11/05/08	
0262	11/04/08	JMNT/JUDGMENT OF CONVICTION/GENETIC TESTING	0003		11/05/08	
0263	11/03/08	REQT/STATES NOTICE OF MOTION AND MOTION TO ADMIT EVIDENCE OF OTHER CRIMES WRONGS	0004	SH	11/13/08	Y
OR BAD ACTS						
0264	11/03/08	REQT/STATES NOTICE OF MOTION AND MOTION IN LIMINE	0004	SH	11/13/08	
0265	11/07/08	ARRN/ENTRY OF PLEA	0004		11/10/08	
0266	11/10/08	SENT/SENTENCING	0004		12/30/08	
0267	11/03/08	MOT /STATE'S MTN TO ADMIT EVIDENCE (VJ 11-12-08)	0004	VC	11/13/08	
0268	11/07/08	NWEW/SUPPLEMENTAL NOTICE OF WITNESSES	0004			
0269	11/03/08	MOT /STATE'S MTN IN LIMINE /134	AL		11/13/08	
0270	11/10/08	IND /(GRAND JURY) FIFTH AMENDED INDICTMENT	0004			
0271	11/10/08	MEMO/GUILTY PLEA MEMORANDUM/AGREEMENT	0004			
0272	11/14/08	ORDR/ORDER OF APPOINTMENT	0001	HG	11/06/07	
0273	11/19/08	NOAS/NOTICE OF APPEAL (SC 52788)	0001	AP	11/19/08	
0274	11/25/08	BNCH/BENCH WARRANT RETURN	0004		12/01/08	
0275	11/25/08	CASO/CASE (RE)OPENED			11/25/08	
0276	12/04/08	MOT /STATES MTN FOR RELEASE OF EVIDENCE/136	0001		12/18/08	

JOC

ORIGINAL

2003 NOV -4 P 2:50

DISTRICT COURT

CLERK OF THE COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

CASE NO. C228752

-vs-

DEPT. NO. VII

BRYAN FERGASON
aka Bryan Michael Fergason
#1299193

Defendant.

JUDGMENT OF CONVICTION

(JURY TRIAL)

The Defendant previously entered a plea of not guilty to the crimes of COUNT 1
- CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR TO COMMIT
BURGLARY (Gross Misdemeanor) in violation of NRS 205.275, 199.480; COUNT 2 -
POSSESSION OF STOLEN PROPERTY (Category C Felony in violation of NRS
205.275; COUNT 3 - POSSESSION OF STOLEN PROPERTY (Category B Felony) in
violation of NRS 205.275; COUNT 4 - POSSESSION OF STOLEN PROPERTY
(Category B Felony) in violation of NRS 205.275; COUNT 5 - POSSESSION OF
STOLEN PROPERTY (Category C Felony) in violation of NRS 205.275, of COUNT 6
- POSSESSION OF STOLEN PROPERTY (Category C Felony) in violation

1 of NRS 205.275; COUNT 7 – POSSESSION OF STOLEN PROPERTY (Category B
2 Felony) in violation of NRS 205.275; COUNT 8 – POSSESSION OF STOLEN
3 PROPERTY (Category B Felony) in violation of NRS 205.275; COUNT 9 –
4 POSSESSION OF STOLEN PROPERTY (Category B Felony) in violation of NRS
5 205.275; COUNT 10 – POSSESSION OF STOLEN PROPERTY (Category B Felony) in
6 violation of NRS 205.275, COUNT 11 – POSSESSION OF STOLEN PROPERTY
7 (Category B Felony) in violation of NRS 205.275; COUNT 12 – POSSESSION OF
8 STOLEN PROPERTY (Category C Felony) in violation of NRS 205.275; COUNT 13 –
9 POSSESSION OF STOLEN PROPERTY (Category B Felony) in violation of NRS
10 205.275; COUNT 14 – POSSESSION OF STOLEN PROPERTY (Category B Felony) in
11 violation of NRS 205.275, of COUNT 15 – POSSESSION OF STOLEN PROPERTY
12 (Category B Felony) in violation of NRS 205.275; COUNT 16 – POSSESSION OF
13 STOLEN PROPERTY (Category B Felony) in violation of NRS 205.275; COUNT 17 –
14 POSSESSION OF STOLEN PROPERTY (Category B Felony) in violation of NRS
15 205.275; COUNT 18 – POSSESSION OF STOLEN PROPERTY (Category C Felony) in
16 violation of NRS 205.275; COUNT 19 – POSSESSION OF STOLEN PROPERTY
17 (Category C Felony) in violation of NRS 205.275, COUNT 20 – POSSESSION OF
18 STOLEN PROPERTY (Category C Felony) in violation of NRS 205.275; COUNT 21 –
19 POSSESSION OF STOLEN PROPERTY (Category C Felony) in violation of NRS
20 205.275; COUNT 22 – POSSESSION OF STOLEN PROPERTY (Category B Felony) in
21 violation of NRS 205.275, of COUNT 23 – POSSESSION OF STOLEN PROPERTY
22 (Category B Felony) in violation of NRS 205.275; COUNT 24 – POSSESSION OF
23 STOLEN PROPERTY (Category B Felony) in violation of NRS 205.275; COUNT 25 –
24 POSSESSION OF STOLEN PROPERTY (Category C Felony) in violation of NRS

1 205.275; COUNT 26 – POSSESSION OF STOLEN PROPERTY (Category B Felony) in
2 violation of NRS 205.275; COUNT 27 – POSSESSION OF STOLEN PROPERTY
3 (Category C Felony) in violation of NRS 205.275, and the matter having been tried
4 before a jury and the Defendant having been found guilty of the crimes of COUNT 1 –
5 CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR TO COMMIT
6 BURGLARY (Gross Misdemeanor) in violation of NRS 205.275, 199.480; COUNT 2 –
7 POSSESSION OF STOLEN PROPERTY VALUE \$250.00 OR MORE (Category C
8 Felony in violation of NRS 205.275, 207.010; COUNT 3 – FOUND NOT GUILTY;
9 COUNT 4 – POSSESSION OF STOLEN PROPERTY VALUE \$2,500.00 OR MORE
10 (Category B Felony) in violation of NRS 205.275, 207.010; COUNT 5 – POSSESSION
11 OF STOLEN PROPERTY VALUE \$250.00 OR MORE (Category C Felony) in violation
12 of NRS 205.275, 207.010; of COUNT 6 – POSSESSION OF STOLEN PROPERTY
13 VALUE \$250.00 OR MORE (Category C Felony) in violation of NRS 205.275, 207.010;
14 COUNT 7 – POSSESSION OF STOLEN PROPERTY VALUE \$2,500.00 OR MORE
15 (Category B Felony) in violation of NRS 205.275, 207.010; COUNT 8 – POSSESSION
16 OF STOLEN PROPERTY VALUE \$2,500.00 OR MORE (Category B Felony) in
17 violation of NRS 205.275, 207.010; COUNT 9 – POSSESSION OF STOLEN
18 PROPERTY VALUE \$2,500.00 OR MORE (Category B Felony) in violation of NRS
19 205.275, 207.010; COUNT 10 – POSSESSION OF STOLEN PROPERTY VALUE
20 \$2,500.00 OR MORE (Category B Felony) in violation of NRS 205.275, 207.010;
21 COUNT 11 – POSSESSION OF STOLEN PROPERTY VALUE \$2,500.00 OR MORE
22 (Category B Felony) in violation of NRS 205.275, 207.010; COUNT 12 – POSSESSION
23 OF STOLEN PROPERTY VALUE \$250.00 OR MORE (Category C Felony) in violation
24 of NRS 205.275, 207.010; COUNT 13 – POSSESSION OF STOLEN PROPERTY

1 VALUE \$2,500.00 OR MORE (Category B Felony) in violation of NRS 205.275,
2 207.010; COUNT 14 – POSSESSION OF STOLEN PROPERTY VALUE \$2,500.00 OR
3 MORE (Category B Felony) in violation of NRS 205.275, 207.010; of COUNT 15 –
4 POSSESSION OF STOLEN PROPERTY VALUE \$2,500.00 OR MORE (Category B
5 Felony) in violation of NRS 205.275, 207.010; COUNT 16 – POSSESSION OF
6 STOLEN PROPERTY VALUE \$2,500.00 OR MORE (Category B Felony) in violation of
7 NRS 205.275, 207.010; COUNT 17 – POSSESSION OF STOLEN PROPERTY VALUE
8 \$2,500.00 OR MORE (Category B Felony) in violation of NRS 205.275, 207.010;
9 COUNT 18 – POSSESSION OF STOLEN PROPERTY VALUE \$250.00 OR MORE
10 (Category C Felony) in violation of NRS 205.275, 207.010; COUNT 19 – POSSESSION
11 OF STOLEN PROPERTY VALUE \$250.00 OR MORE (Category C Felony) in violation
12 of NRS 205.275, 207.020; COUNT 20 – POSSESSION OF STOLEN PROPERTY
13 VALUE \$250.00 OR MORE (Category C Felony) in violation of NRS 205.275, 207.010;
14 COUNT 21 – POSSESSION OF STOLEN PROPERTY VALUE \$250.00 OR MORE
15 (Category C Felony) in violation of NRS 205.275, 207.010; COUNT 22 – POSSESSION
16 OF STOLEN PROPERTY VALUE \$2,500.00 OR MORE (Category B Felony) in
17 violation of NRS 205.275, 207.010; of COUNT 23 – POSSESSION OF STOLEN
18 PROPERTY VALUE \$2,500.00 OR MORE (Category B Felony) in violation of NRS
19 205.275, 207.010; COUNT 24 – POSSESSION OF STOLEN PROPERTY VALUE
20 \$2,500.00 OR MORE (Category B Felony) in violation of NRS , 207.010; COUNT 25 –
21 POSSESSION OF STOLEN PROPERTY VALUE \$250.00 OR MORE (Category C
22 Felony) in violation of NRS 205.275, 207.010; COUNT 26 – POSSESSION OF
23 STOLEN PROPERTY VALUE \$2,500.00 OR MORE (Category B Felony) in violation of
24 NRS 205.275, 207.010; COUNT 27 – POSSESSION OF STOLEN PROPERTY VALUE

1 \$250.00 OR MORE (Category C Felony) in violation of NRS 205.275, 207.010;

2 thereafter, on the 1st day of October, 2008, the Defendant was present in court for
3 sentencing with his counsel, CYNTHIA DUSTIN, ESQ., and good cause appearing,
4

5 THE DEFENDANT IS HEREBY ADJUDGED guilty of said offense(s) under the
6 Large Criminal Statute and, in addition to the \$25.00 Administrative Assessment Fee
7 and \$150.00 DNA Analysis Fee including testing to determine genetic markers, the
8 Defendant is SENTENCED to the Nevada Department of Corrections (NDC) as follows:

9 AS TO COUNT 1 - TO TWELVE (12) MONTHS in the Clark County Detention Center
10 (CCDC); AS TO COUNT 2 - TO LIFE with a MINIMUM Parole Eligibility of TWENTY
11 (20) YEARS; AS TO COUNT 4 - TO LIFE with a MINIMUM Parole Eligibility of TWENTY
12 (20) YEARS; AS TO COUNT 5 - TO LIFE with a MINIMUM Parole Eligibility of TWENTY
13 (20) YEARS; AS TO COUNT 6 - TO LIFE with a MINIMUM Parole Eligibility of TWENTY
14 (20) YEARS; AS TO COUNT 7 - TO LIFE with a MINIMUM Parole Eligibility of TWENTY
15 (20) YEARS; AS TO COUNT 8 - TO LIFE with a MINIMUM Parole Eligibility of TWENTY
16 (20) YEARS; AS TO COUNT 9 - TO LIFE with a MINIMUM Parole Eligibility of TWENTY
17 (20) YEARS; AS TO COUNT 10 - TO LIFE with a MINIMUM Parole Eligibility of
18 TWENTY (20) YEARS; AS TO COUNT 11 - TO LIFE with a MINIMUM Parole Eligibility
19 of TWENTY (20) YEARS; AS TO COUNT 12 - TO LIFE with a MINIMUM Parole
20 Eligibility of TWENTY (20) YEARS; AS TO COUNT 13 - TO LIFE with a MINIMUM
21 Parole Eligibility of TWENTY (20) YEARS; AS TO COUNT 14 - TO LIFE with a
22 MINIMUM Parole Eligibility of TWENTY (20) YEARS, COUNTS 1, 2 & 4 -14 to run
23 CONCURRENT with each other; AS TO COUNT 15 - TO LIFE with a MINIMUM Parole
24 Eligibility of TWENTY (20) YEARS; AS TO COUNT 16 - TO LIFE with a MINIMUM
25 Parole Eligibility of TWENTY (20) YEARS; AS TO COUNT 17 - TO LIFE with a
26
27
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1 MINIMUM Parole Eligibility of TWENTY (20) YEARS; AS TO COUNT 18 - TO LIFE with
2 a MINIMUM Parole Eligibility of TWENTY (20) YEARS; AS TO COUNT 19 - TO LIFE
3 with a MINIMUM Parole Eligibility of TWENTY (20) YEARS; AS TO COUNT 20 - TO
4 LIFE with a MINIMUM Parole Eligibility of TWENTY (20) YEARS; AS TO COUNT 21 -
5 TO LIFE with a MINIMUM Parole Eligibility of TWENTY (20) YEARS; AS TO COUNT 22
6 - TO LIFE with a MINIMUM Parole Eligibility of TWENTY (20) YEARS; AS TO COUNT
7 23 - TO LIFE with a MINIMUM Parole Eligibility of TWENTY (20) YEARS; AS TO
8 COUNT 24 - TO LIFE with a MINIMUM Parole Eligibility of TWENTY (20) YEARS; AS
9 TO COUNT 25 - TO LIFE with a MINIMUM Parole Eligibility of TWENTY (20) YEARS;
10 AS TO COUNT 26 - TO LIFE with a MINIMUM Parole Eligibility of TWENTY (20)
11 YEARS; AS TO COUNT 27 - TO LIFE with a MINIMUM Parole Eligibility of TWENTY
12 (20) YEARS, COUNTS 15 - 27 to run CONCURRENT with each other but
13 CONSECUTIVE to COUNTS 1, 2 & 4 - 14; SENTENCE to run CONSECUTIVE to case
14 C227874; with ZERO (0) DAYS credit for time served.
15
16
17
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19 DATED this 4 day of November, 2008

20
21
22 
23 STEWART L. BELL
24 DISTRICT JUDGE 
25
26
27
28

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA vs Ferguson, Bryan

12/13/06 01:30 PM 00 GRAND JURY INDICTMENT

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

OFFICERS: Sandra Anderson, Relief Clerk
Paula Walsh, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
001802	Jorgenson, Eric G.	Y
006204	Digiacoimo, Sandra	Y
0004 D	Holmes, Robert	N
004768	Sullivan, Sean P.	Y

See MINUTES for Defendant 0001: Monroe, Daimon

12/20/06 10:30 AM 00 ALL PENDING MOTIONS (12/20/06)

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

OFFICERS: Sharry Frascarelli, Court Clerk
Tia Everett/te, Relief Clerk
Kiara Schmidt, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiacoimo, Sandra	Y
0001 D1	Monroe, Daimon	Y
0003 D	Ferguson, Bryan	Y
0004 D	Holmes, Robert	Y

See MINUTES for Defendant 0001: Monroe, Daimon

CRIMINAL COURT MINUTES

06-C-228752-C

STATE OF NEVADA

vs Fergason, Bryan

CONTINUED FROM PAGE: 001

01/04/07 09:30 AM 00 ALL PENDING MOTIONS (1/4/07)

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: April Watkins, Court Clerk
Thelma Stapley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006955	Di Giacomo, Marc P.	Y
0001 D1	Monroe, Daimon	Y
008152	Lasso, Albert N.	Y
0002 D	Trevarthen, Tonya	Y
007797	Lord, Jonathan J.	Y
0003 D	Fergason, Bryan	Y
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	Y
004768	Sullivan, Sean P.	Y

See MINUTES for Defendant 0001: Monroe, Daimon

02/20/07 09:30 AM 00 ALL PENDING MOTIONS 2-20-07

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: Kristen Brown, Relief Clerk
Thelma Stapley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
0001 D1	Monroe, Daimon	N
008006	Burke, Susan D.	Y
0002 D	Trevarthen, Tonya	N
007797	Lord, Jonathan J.	Y
0003 D	Fergason, Bryan	N
008435	Dustin, Cynthia L.	Y

See MINUTES for Defendant 0001: Monroe, Daimon

CRIMINAL COURT MINUTES

06-C-228752-C

STATE OF NEVADA

vs Fergason, Bryan

CONTINUED FROM PAGE: 002

03/06/07 11:00 AM 00 CALENDAR CALL

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: Kristen Brown, Relief Clerk
Thelma Stapley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiacomio, Sandra	Y
0001 D1	Monroe, Daimon	Y
008006	Burke, Susan D.	Y
0002 D	Trevarthen, Tonya	Y
007797	Lord, Jonathan J.	Y
0003 D	Fergason, Bryan	Y
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	Y
004768	Sullivan, Sean P.	Y

See MINUTES for Defendant 0001: Monroe, Daimon

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Fergason, Bryan

CONTINUED FROM PAGE: 003

10/02/07 09:30 AM 00 ALL PENDING MOTIONS 10/02/07

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: April Watkins, Court Clerk
Lorraine Williams/lmw, Relief Clerk
Thelma Stapley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiaco, Sandra	Y
005056	Luzaich, Elissa	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
0002 D	Trevarthen, Tonya	N
007797	Lord, Jonathan J.	Y
0003 D	Fergason, Bryan	Y
008435	Dustin, Cynthia L.	Y
007479	Parris, John P.	Y
0004 D	Holmes, Robert	Y
004768	Sullivan, Sean P.	Y

See MINUTES for Defendant 0001: Monroe, Daimon

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA vs Fergason, Bryan

CONTINUED FROM PAGE: 004

11/08/07 11:00 AM 00 PTN FOR WRIT OF HABEAS CORPUS

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: Tia Everett/te, Relief Clerk
Thelma Stapley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006955	Di Giacomo, Marc P.	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
0003 D	Fergason, Bryan	Y
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	N
004768	Sullivan, Sean P.	Y

See MINUTES for Defendant 0001: Monroe, Daimon

01/23/08 09:00 AM 00 MINUTE ORDER RE: (RECUSAL)

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: April Watkins, Court Clerk

PARTIES: NO PARTIES PRESENT

See MINUTES for Defendant 0001: Monroe, Daimon

CRIMINAL COURT MINUTES

06-C-228752-C

STATE OF NEVADA

vs Fergason, Bryan

CONTINUED FROM PAGE: 005

01/24/08 09:00 AM 00 MINUTE ORDER RE: REASSIGNMENT TO DEPT.
VII

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

OFFICERS: Denise Trujillo, Court Clerk

PARTIES: NO PARTIES PRESENT

See MINUTES for Defendant 0001: Monroe, Daimon

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

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Carole D'Aloia, Relief Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiacoimo, Sandra	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
0003 D	Fergason, Bryan	Y
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	Y
004768	Sullivan, Sean P.	Y

See MINUTES for Defendant 0001: Monroe, Daimon

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Fergason, Bryan

CONTINUED FROM PAGE: 006

02/05/08 08:30 AM 00 ALL PENDING MOTIONS 2-5-08

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiaco, Sandra	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
0003 D	Fergason, Bryan	Y
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	N
004768	Sullivan, Sean P.	Y

See MINUTES for Defendant 0001: Monroe, Daimon

05/01/08 08:30 AM 00 ALL PENDING MOTIONS 5-1-08

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Sharon Coffman/sc..Dana Cooper, Relief Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiaco, Sandra	Y
001190	Owens, Christopher J.	Y
0001 D1	Monroe, Daimon	N
005984	Hart, Marty	Y
0003 D	Fergason, Bryan	Y
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	Y
004768	Sullivan, Sean P.	Y

See MINUTES for Defendant 0001: Monroe, Daimon

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Fergason, Bryan

CONTINUED FROM PAGE: 007

05/22/08 09:30 AM 01 TRIAL BY JURY

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Renee Vincent, Reporter/Recorder

PARTIES: STATE OF NEVADA
006204 Digiacomo, Sandra
009911 Small, Shelly L.

0003 D Fergason, Bryan
008435 Dustin, Cynthia L.

Y
Y
Y

Y
Y

9:32 A.M.--Court reconvened with all present as before. Further testimony and exhibits presented. (See worksheets.) 11:56 a.m.--Jury admonished and excused for lunch, to return at 1:00 p.m. this afternoon.

1:00 P.M.--Court reconvened with all present as before. Further testimony and exhibits presented. 4:52 p.m.--Court admonished the Jury and excused them for the evening, to return at 9:15 a.m. tomorrow morning.

CUSTODY (COC)

CONTINUED TO: 05/23/08 09:15 AM 02

05/23/08 09:30 AM 02 TRIAL BY JURY

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Renee Vincent, Reporter/Recorder

PARTIES: STATE OF NEVADA
006204 Digiacomo, Sandra
009911 Small, Shelly L.

0003 D Fergason, Bryan
008435 Dustin, Cynthia L.

Y
Y
Y

Y
Y

9:15 A.M.--Court reconvened with all present as before. Further Testimony and exhibits presented. (See worksheets.) 11:51 a.m.--Jury admonished and excused for lunch, to return at 12:50 p.m. this afternoon. OUTSIDE THE PRESENCE OF THE JURY, colloquy regarding NRS 205.275.

12:53 P.M.--Court reconvened with all present as before. Further testimony and exhibits presented. 3:22 p.m.--There being no further witnesses available for the day, Court admonished the Jury and excused them for the weekend, to return on Tuesday morning at 10:00 a.m. OUTSIDE THE PRESENCE OF

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Fergason, Bryan

CONTINUED FROM PAGE: 008

THE JURY, Court showed counsel two questions submitted by jurors which were not actually for witnesses. Said questions marked as Court's exhibits. 3:25 p.m.--Off the record.

CUSTODY (COC)

CONTINUED TO: 05/27/08 10:00 AM 03

05/29/08 10:00 AM 05 TRIAL BY JURY

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Renee Vincent, Reporter/Recorder

PARTIES: STATE OF NEVADA
006204 Digiacomo, Sandra
009911 Small, Shelly L.

0003 D Fergason, Bryan
008435 Dustin, Cynthia L.

Y
Y
YY
Y

10:05 A.M.--Court reconvened with all present as before. Closing arguments by counsel. Bailiff sworn to take charge of the Jury. Clerk selected the alternates by random drawing: Juror #2-Yvette Scurlock and Juror #3-James Buell. 11:54 a.m.--Jury retired to deliberate. OUTSIDE THE PRESENCE OF THE JURY, upon Court's inquiry, Deft. Fergason agreed he approved the way Ms. Dustin approached and handled his case. Off the record.

2:04 P.M.--Court reconvened with all present as before. Jury returned with VERDICTS as follow:

GUILTY of COUNT 1 - CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR TO COMMIT BURGLARY (GM).

GUILTY of COUNTS 2, 5-6, 12, 18-21, 25 & 27 - POSSESSION OF STOLEN PROPERTY, VALUE \$250.00 OR MORE (F).

GUILTY of COUNTS 4, 7-11, 13-17, 22-24 & 26 - POSSESSION OF STOLEN PROPERTY, VALUE \$2,500.00 OR MORE (F).

Count 3 - NOT guilty.

Jury was not polled. Court thanked and excused the Jury. OUTSIDE THE PRESENCE OF THE JURY, COURT ORDERED, matter set for sentencing; Deft. Fergason to REMAIN IN CUSTODY WITHOUT BAIL pending sentencing.

CUSTODY (COC-NDC)

8-26-08 8:30 AM SENTENCING

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Fergason, Bryan

CONTINUED FROM PAGE: 009

08/07/08 08:30 AM 00 STATE'S MTN FOR RELEASE OF EVIDENCE TO
VICTIMS AND/OR AUCTION BY LVMPD

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Carole D'Aloia, Relief Clerk
Cheryl Carpenter, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiaco, Sandra	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
0003 D	Fergason, Bryan	N
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	Y
005032	Kennedy, Kirk T.	Y

See MINUTES for Defendant 0001: Monroe, Daimon

08/21/08 08:30 AM 00 STATES MTN FOR RELEASE OF PROPERTY/128

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Carole D'Aloia, Relief Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiaco, Sandra	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
0003 D	Fergason, Bryan	Y
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	Y
005032	Kennedy, Kirk T.	Y

See MINUTES for Defendant 0001: Monroe, Daimon

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Fergason, Bryan

CONTINUED FROM PAGE: 010

10/01/08 08:30 AM 00 ALL PENDING MOTIONS 10-1-08

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiacomio, Sandra	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
0003 D	Fergason, Bryan	Y
008435	Dustin, Cynthia L.	Y

See MINUTES for Defendant 0001: Monroe, Daimon

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA vs Monroe, Daimon

12/13/06 01:30 PM 00 GRAND JURY INDICTMENT

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

OFFICERS: Sandra Anderson, Relief Clerk
Paula Walsh, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
001802	Jorgenson, Eric G.	Y
006204	Digiacoimo, Sandra	Y
0004 D	Holmes, Robert	N
004768	Sullivan, Sean P.	Y

Mary Jane Burkhalter, 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 06AGJ101A/B/C/D to the Court. COURT ORDERED, the indictment may be filed and is assigned Case Number C228752, Department XII. Mr. Jorgenson requested warrants for all Defts. Arguments by Ms. Digiacoimo regarding bail amounts. Opposing argument on behalf of Deft. Holmes by Mr. Sullivan.

As to Deft. MONROE: COURT ORDERED, BENCH WARRANT WILL ISSUE, \$500,000.00 BOND. Matter set for initial arraignment.

As to Deft. TREVARTEN: State requested a summons be issued and sent. COURT SO ORDERED. Matter set for initial arraignment.

As to Deft. FREGASON: COURT ORDERED, BENCH WARRANT WILL ISSUE, \$250,000.00 BOND. Matter set for initial arraignment.

As to Deft. HOLMES: COURT ORDERED, BENCH WARRANT WILL ISSUE, \$150,000.00 BOND. FURTHER ORDERED, transfer bail amount of \$13,000.00. Matter set for initial arraignment.

Exhibit(s) 1-187 lodged with Clerk of District Court.

CUSTODY (MONROE/FREGASON)

B.W. (HOLMES/TREVARTHEN)

12-20-06 10:30 AM INITIAL ARRAIGNMENT (MONROE/FREGASON/HOLMES)

12-27-06 10:30 AM INITIAL ARRAIGNMENT (TREVARTHEN)

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Monroe, Daimon

CONTINUED FROM PAGE: 001

12/20/06 10:30 AM 00 ALL PENDING MOTIONS (12/20/06)

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

OFFICERS: Sharry Frascarelli, Court Clerk
Tia Everett/te, Relief Clerk
Kiara Schmidt, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiaco, Sandra	Y
0001 D1	Monroe, Daimon	Y
008152	Lasso, Albert N.	Y
0003 D	Ferguson, Bryan	Y
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	Y
004768	Sullivan, Sean P.	Y

ARRAIGNMENT (MONROE, HOLMES, FERGUSON)...BENCH WARRANT RETURN (MONROE, FERGUSON)...QUASH BENCH WARRANT & RELEASE ON OWN RECOGNIZANCE OR BAIL REDUCTION (HOLMES)

Ms. Digiaco stated that this was a complicated case and there were issues regarding counsel for the Defendants; she requested this matter be continued for arraignment in Department XII in front of Judge Leavitt. COURT SO ORDERED. Mr. Sullivan argued motion for Defendant Holmes Own Recognizance release or bail reduction. State submitted. COURT ORDERED, bail remains at \$13,000 until the date of 1/4/07 at which time bail will increase to \$150,000 as was set at the Indictment.

1/4/07 9:30 AM ARRAIGNMENT CONTINUED (DEPT 12)

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Monroe, Daimon

CONTINUED FROM PAGE: 002

01/04/07 09:30 AM 00 ALL PENDING MOTIONS (1/4/07)

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: April Watkins, Court Clerk
Thelma Stapley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006955	Di Giacomo, Marc P.	Y
0001 D1	Monroe, Daimon	Y
008152	Lasso, Albert N.	Y
0002 D	Trevarthen, Tonya	Y
007797	Lord, Jonathan J.	Y
0003 D	Ferguson, Bryan	Y
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	Y
004768	Sullivan, Sean P.	Y

ARRAIGNMENT CONTINUED (ALL)

Mr. DiGiacomo advised as to Deft. Holmes he was indicted with bail being set at \$150,000.00 by Judge Hardcastle. Further, Deft. originally posted \$13,000.00 at the Justice Court level prior to the Grand Jury Indictment and was ordered transferred from the initial case to this case. Hearing Master Williams gave Deft. additional time to post the remaining balance of the \$137,500.00 which is to be posted today.

Ms. Dustin advised matter originated in Justice Court 7 and then went in front of the Grand Jury. Further, Ms. Dustin stated police investigation lead to Deft. Ferguson's assets to be seized and frozen. Additionally, Ms. Dustin stated she was appointed by Justice of the Peace Bennett-Heron and requested this Court do the same. Court stated once appointed at Justice Court level, counsel is appointed at District Court level and instructed counsel to file the appropriate documents.

Mr. Lasso requested to withdraw as to Deft. Monroe. Court stated counsel is not permitted to withdraw at this time until after Deft. has been arraigned and advised counsel he needs to file the appropriate motion. CONFERENCE AT BENCH.

Colloquy regarding receipt of Grand Jury Transcripts. COURT ORDERED, Grand Jury Transcripts to be produced and filed forthwith. Further Court FINDS good cause has been shown and ORDERED, counsel has 21 days from the filing of the transcript to file writs.

Mr. Sullivan advised Deft. Holmes has posted a total of \$35,000.00 bail and

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Monroe, Daimon

CONTINUED FROM PAGE: 003

argued the \$13,000.00 posted on this case is sufficient as he is not a flight risk. Opposition by Mr. DiGiacomo who argued prior felony conviction was with Co-Deft. Monroe. Further, Mr. DiGiacomo advised every piece of property in home was stolen and Defts' were only charged as to each victim. Additionally, Mr. DiGiacomo advised authorities are looking for all of the proceeds from the stolen property and argued there was over \$150,000.00 in a bank account which \$145,000.00 was transferred from Deft. Monroe to Deft. Holmes who proceeded to spend approximately \$75,000.00. Also, Mr. DiGiacomo advised there is an agreement with the FBI to return the \$75,000.00. Further, Mr. DiGiacomo requested as to Deft. Holmes there be a Source Hearing held as to the posting of the bond, surrender of his passport to the Court and requested he be remanded today until Source Hearing can be held. COURT ORDERED, Deft. Holmes REMANDED TO CUSTODY and BAIL REMAINS SET at \$150,000.00. Opposition by Mr. Sullivan. Court advised prior to bond being accepted, a Source Hearing will be held to determine where the money is coming from in order for bond to be posted.

AS TO DEFT. MONROE: COURT ORDERED, request to withdraw by Mr. Lasso GRANTED; Robert Langford, Esq., APPOINTED; matter CONTINUED and SET for confirmation of counsel.

DEFT. TREVARTHEN ARRAIGNED, PLED NOT GUILTY and WAIVED THE 60-DAY RULE. COURT ORDERED, Dayvid Figler, Esq., APPOINTED as counsel and matter SET for confirmation of counsel.

DEFT. FERGASON ARRAIGNED, PLED NOT GUILTY and INVOKED THE 60-DAY RULE.

DEFT. HOLMES ARRAIGNED, PLED NOT GUILTY and WAIVED THE 60-DAY RULE.

Mr. DiGiacomo INVOKED THE 60-DAY RULE on behalf of the State. COURT ORDERED, matter set for trial.

CUSTODY (MONROE, FERGASON, HOLMES)...NIC (TREVARTHEN)

1/11/07 9:30 AM ARRAIGNMENT CONTINUED...CONFIRMATION OF COUNSEL
(LANGFORD) (DEFT. MONROE)

1/11/07 9:30 AM CONFIRMATION OF COUNSEL (FIGLER) (DEFT. TREVARTHEN)

3/6/07 9:30 AM CALENDAR CALL (ALL)

3/13/07 1:30 PM JURY TRIAL (ALL)

CLERK'S NOTE:

Chuck with Mr. Langford's office advised of appointment and court date.

Gabby with Mr. Figler's office advised of appointment and court date.

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Monroe, Daimon

CONTINUED FROM PAGE: 004

Clark County Detention Center advised by this Court's Judicial Executive Assistant that Deft. Holmes is not to be released on bond until this Court has a Source Hearing.

01/11/07 09:30 AM 00 ALL PENDING MOTIONS (1/11/06); DEFTS'
MONROE & TREVARTHEN

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: April Watkins, Court Clerk
Thelma Stapley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	006955 Di Giacomo, Marc P.	Y
	0001 D1 Monroe, Daimon	Y
	008006 Burke, Susan D.	Y
	0002 D Trevarthen, Tonya	N
	004264 Figler, Dayvid J.	Y

DEFT. MONROE:

Ms. Burke CONFIRMED as counsel on behalf of Robert Langford, Esq. DEFT. MONROE ARRAIGNED, PLED NOT GUILTY and INVOKED THE 60-DAY RULE. COURT ORDERED, matter set for trial.

DEFT. TREVARTHEN:

CONFERENCE AT BENCH. COURT ORDERED, matter SET for confirmation of counsel.
CUSTODY (MONROE)...NIC (TREVARTHEN)

1/18/07 9:30 AM CONFIRMATION OF COUNSEL (LORD) (TREVARTHEN)

3/6/07 9:30 AM CALENDAR CALL (MONROE)

3/13/07 1:30 PM JURY TRIAL (MONROE)

CLERK'S NOTE: Ms. Burke appeared on February 13, 2007 advising that she was the attorney appearing for Deft. Monroe on this date and not Ms. Winckler. Minute order corrected to reflect Ms. Burke's appearance./kb 2-13-07

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Monroe, Daimon

CONTINUED FROM PAGE: 005

02/13/07 09:30 AM 00 DEFT'S MTN FOR EXTENSION OF TIME TO FILE
PTN FOR WRIT OF HABEAS CORPUS/30

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: Kristen Brown, Relief Clerk
Thelma Stapley, Reporter/Recorder

PARTIES: STATE OF NEVADA
006204 DiGiacomo, Sandra
0001 D1 Monroe, Daimon
008006 Burke, Susan D.

Y

Y

Y

Y

Ms. Burke requested to file the petition within 15 days from today or by February 28, 2007. Ms. DiGiacomo advised the Court that this case will not be ready to proceed to trial on March 6, 2007 and requested to place this matter on for status check along with the co-deft's to address this issue. Colloquy between Court and counsel regarding the trial and petition. Ms. Burke stated that she will be able to come to court on February 20, 2007 to address the trial setting and will be able to advise Ms. DiGiacomo if a petition is going to be filed. COURT ORDERED, Motion GRANTED; Petition to be filed by February 28, 2007 and matter set for argument; FURTHER ORDERED, matter set for status check on February 20, 2007 to address the trial setting and for Ms. Burke to advise if a petition is going to be filed.

CUSTODY

2/20/07 9:30 AM STATUS CHECK: PETITION/TRIAL

3/06/07 9:30 AM ARGUMENT: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Monroe, Daimon

CONTINUED FROM PAGE: 006

02/20/07 09:30 AM 00 ALL PENDING MOTIONS 2-20-07

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: Kristen Brown, Relief Clerk
Thelma Stapley, Reporter/Recorder

PARTIES: STATE OF NEVADA

0001 D1 Monroe, Daimon
008006 Burke, Susan D.0002 D Trevarthen, Tonya
007797 Lord, Jonathan J.0003 D Fergason, Bryan
008435 Dustin, Cynthia L.Y
N
Y
N
YPETITION FOR WRIT OF HABEAS CORPUS (FERGASON & HOLMES)...STATUS CHECK:
PETITION/TRIAL (MONROE)

Ms. Burke stated that she received a call continuing the motions but based on the last hearing, was supposed to advise the State as to whether or not a writ is going to be filed. Mr. Burke advised the Court that a writ will be filed and is due February 28, 2007 with a hearing date of March 6, 2007 along with the other writs that have been filed. Court noted Ms. Burke's representations regarding filing of the writ and ORDERED, all Writ's will be heard on March 6, 2007 at 11:00 am.

CUSTODY (MONROE)

NIC (FERGASON & HOLMES)

3/06/07 11:00 AM DEFTS PETITION'S FOR WRIT OF HABEAS CORPUS (MONROE,
FERGASON & HOLMES)

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Monroe, Daimon

CONTINUED FROM PAGE: 007

03/06/07 11:00 AM 00 CALENDAR CALL

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: Kristen Brown, Relief Clerk
Thelma Stapley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiaco, Sandra	Y
0001 D1	Monroe, Daimon	Y
008006	Burke, Susan D.	Y
0002 D	Trevarthen, Tonya	Y
007797	Lord, Jonathan J.	Y
0003 D	Ferguson, Bryan	Y
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	Y
004768	Sullivan, Sean P.	Y

State's Return to Writ of Habeas Corpus FILED IN OPEN COURT. Ms. DiGiacomo advised the Court that the State's Return has been filed in open court. Colloquy between Court and Deft. Hoyt regarding waiving speedy trial rights and the filing of the Writ. Ms. Burke stated that she had gone over all the prerequisites with the deft. regarding this issue; further, would be ineffective if proceeded to trial next week. Ms. DiGiacomo stated that Deft. Hoyt is looking at the large habitual criminal treatment. Court advised the Deft. that based on those facts, this trial can not proceed next week. Ms. Dustin advised the Court that this has been explained to her client, Deft. Ferguson, and the deft. understands. Ms. Sullivan stated that based on the multiple charges, there is no possibility of this case proceeding to trial on this stack. Ms. Burke again stated that she has retained an investigator and this has been explained to her client, Deft. Hoyt, but the deft. is frustrated by being in custody. Ms. DiGiacomo advised the Court that this will be a 3-4 week trial. COURT ORDERED, Trial VACATED and RESET; FURTHER ORDERED, the Writ's filed by the deft's will be RESET by the Court.

RECALLED: Ms. DiGiacomo, Mr. Lord and Deft. Trevarthen present. Mr. Lord stated this matter is negotiated with regards to his client. Second Amended Indictment and Guilty Plea Agreement FILED IN OPEN COURT. NEGOTIATIONS: State will have no opposition to probation but have the right to argue the terms of probation. DEFT. TREVARTHEN ARRAIGNED AND PLED GUILTY to COUNT 1 - CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR TO COMMIT BURGLARY (GM) and COUNT 2 - POSSESSION OF STOLEN PROPERTY (F). Ms. DiGiacomo requested a status check regarding sentencing be set prior to referring this matter to Parole and Probation. COURT ACCEPTED plea and ORDERED, matter set for status check regarding sentencing. Court stated it will allow the deft. to

CRIMINAL COURT MINUTES

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travel back to Texas but deft. will have to remain trouble free.

CUSTODY (MONROE)

NIC (TREVARTHEN, FERGASON & HOLMES)

10/02/07 9:30 AM CALENDAR CALL (MONROE, FERGASON & HOLMES)

10/09/07 1:30 PM JURY TRIAL (MONROE, FERGASON & HOLMES)

11/08/07 9:30 AM STATUS CHECK: SENTENCING (TREVARTHEN)

05/29/07 09:30 AM 00 SUSAN D BURKE'S MTN TO WITHDRAW AS
ATTORNEY OF RECORD /43

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: April Watkins, Court Clerk
Thelma Stapley, Reporter/Recorder

PARTIES: STATE OF NEVADA
009089 Krusey, Amanda K.
0001 D1 Monroe, Daimon
008006 Burke, Susan D.
005984 Hart, Marty

Y
Y
Y
Y
Y

Ms. Burke advised there was no opposition to her motion and stated Mr. Hart has taken over Deft's other case in Department XX and requested that he be appointed in this matter. Statement by Mr. Hart. COURT ORDERED, motion GRANTED and Marty Hart, Esq., APPOINTED. Further, Ms. Burke advised she has provided discovery to Mr. Hart.

CUSTODY

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10/02/07 09:30 AM 00 ALL PENDING MOTIONS 10/02/07

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: April Watkins, Court Clerk
Lorraine Williams/lmw, Relief Clerk
Thelma Stapley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiaco, Sandra	Y
005056	Luzaich, Elissa	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
0002 D	Trevarthen, Tonya	N
007797	Lord, Jonathan J.	Y
0003 D	Ferguson, Bryan	Y
008435	Dustin, Cynthia L.	Y
007479	Parris, John P.	Y
0004 D	Holmes, Robert	Y
004768	Sullivan, Sean P.	Y

DEFT HOLMES' MOTION TO CONTINUE TRIAL...STATUS CHECK: TRIAL SETTING (MONROE & FERGASON)...CALENDAR CALL (MONROE, FERGASON, HOLMES)

All counsel advise they have agreed to continue trial. Ms. DiGiacomo advised counsel has selected March 18, 2008, as new trial date, but noted status check for Deft. Trevarthen will need to be moved until after trial because she is testifying. Court asked counsel if a special setting would be required for writs. Conference at the Bench. COURT ORDERED, trial date VACATED and RE-SET; status check CONTINUED; Writs of Habeas Corpus SET.

11/08/07 11:00 AM WRITS OF HABEAS CORPUS (MONROE, FERGASON, HOLMES)

03/11/08 9:30 AM CALENDAR CALL (MONROE, FERGASON, HOLMES)

03/18/08 1:30 PM JURY TRIAL (MONROE, FERGASON, HOLMES)

04/24/08 9:30 AM STATUS CHECK: SENTENCING (TREVARTHEN)

CRIMINAL COURT MINUTES

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vs Monroe, Daimon

CONTINUED FROM PAGE: 010

11/08/07 11:00 AM 00 PTN FOR WRIT OF HABEAS CORPUS

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: Tia Everett/te, Relief Clerk
Thelma Stapley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006955	Di Giacomo, Marc P.	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
0003 D	Ferguson, Bryan	Y
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	N
004768	Sullivan, Sean P.	Y

Mr. Sullivan requested Defendant Holmes presence be waived as he has gainful employment. COURT SO ORDERED. Ms. Dustin, Mr. Hart, and Mr. Sullivan argued the only witness who can substantiate any of the claims is Tonya Trevarthen who is also a co-defendant in this case. Additionally, counsel argued there was insufficient evidence presented to the Grand Jury as there were taped phone conversations presented to the Grand Jury; however, only excerpts were played and not the entire tape; therefore counts 1 and 2, 5 through 14, 16 through 23, 25 and 27 should be dismissed as they are not properly supported. Mr. DiGiacomo opposed by arguing you can not question how a jury deliberates as they were presented the evidence and all exhibits were admitted and sent back with the jury at the time of deliberation to allow them the opportunity to relisten to any of the phone conversations they chose to. COURT FURTHER ORDERED, Petitions DENIED and Trial Date STANDS. Colloquy regarding trial date. FURTHER ORDERED, matter set for status check.

CUSTODY (MONROE)...CUSTODY (FERGASON)...BOND (HOLMES)

1/17/08 9:30 AM STATUS CHECK: STATUS OF TRIAL

CRIMINAL COURT MINUTES

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01/23/08 09:00 AM 00 MINUTE ORDER RE: (RECUSAL)

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: April Watkins, Court Clerk

PARTIES: NO PARTIES PRESENT

The court hereby recuses from the above-entitled case due to the appearance of impropriety. This court has been named as a victim in Justice Court case No.: 08F01002X. Per the Chief Judge, Kathy Hardcastle, this case is hereby reassigned to department 4 for further proceedings consistent with this minute order.

Any dates previously set by this court are VACATED.

01/24/08 09:00 AM 00 MINUTE ORDER RE: REASSIGNMENT TO DEPT.
VII

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

OFFICERS: Denise Trujillo, Court Clerk

PARTIES: NO PARTIES PRESENT

Due to previous Court's recusal, and Per Order of the Chief Judge, due to the appearance of impropriety, this case is hereby TRANSFERRED to Dept. 7 for further proceedings.

CLERK'S NOTE: A copy of this minute order to be placed in the attorney folder(s) of Marty Hart, Jonathan Lord, Cynthia Dustin and Sean Sullivan.

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CONTINUED FROM PAGE: 012

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

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Carole D'Aloia, Relief Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiacoimo, Sandra	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
0003 D	Ferguson, Bryan	Y
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	Y
004768	Sullivan, Sean P.	Y

STATUS CHECK: VERIFY TRIAL DATES (MONROE)...STATUS CHECK: VERIFY TRIAL
DATES (FERGASON)...STATUS CHECK: VERIFY TRIAL DATES (HOLMES)

Court advised this case was reassigned to this Department because another Judge recused. Court further advised Ms. Dustin informed the current trial date does not work for her. Colloquy between Court and counsel regarding possible trial dates. Mr. Sullivan requested matter be continued one (1) week to allow him time to review the State's file which may give him a better insight as to when the trial should be set. COURT ORDERED, matter CONTINUED. Mr. Sullivan requested Defendant Holmes' presence be waived on the continuance date for employment reasons and, COURT SO ORDERED.

CUSTODY (COC) (MONROE & FERGASON)

BOND (HOLMES)

2/5/08 8:30 AM ALL PENDING MOTIONS

CRIMINAL COURT MINUTES

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02/05/08 08:30 AM 00 ALL PENDING MOTIONS 2-5-08

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiacomio, Sandra	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
0003 D	Ferguson, Bryan	Y
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	N
004768	Sullivan, Sean P.	Y

Deft. Holmes' presence WAIVED. Colloquy regarding the trial date. COURT ORDERED, trial date VACATED AND RESET to May 12.

CUSTODY (COC - MONROE & FERGASON)...BOND (HOLMES)

5-1-08 8:30 AM CALENDAR CALL

5-12-08 9:30 AM JURY TRIAL

CRIMINAL COURT MINUTES

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vs Monroe, Daimon

CONTINUED FROM PAGE: 014

05/01/08 08:30 AM 00 ALL PENDING MOTIONS 5-1-08

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Sharon Coffman/sc..Dana Cooper, Relief Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiaco, Sandra	Y
001190	Owens, Christopher J.	Y
0001 D1	Monroe, Daimon	N
005984	Hart, Marty	Y
0003 D	Ferguson, Bryan	Y
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	Y
004768	Sullivan, Sean P.	Y

STATE'S MOTION TO AMEND INDICTMENT (ALL)...DEFENDANT HOLMES' MOTION TO SEVER...DEFENDANT FERGASON'S MOTION TO SEVER

COURT ORDERED, State's Motion to Amend Indictment is GRANTED. Amended Indictment FILED IN OPEN COURT.

Ms. Dustin advised her client is joining in all the motions.

COURT ORDERED, Motion to Disqualify the District Attorney is DENIED.

COURT FURTHER ORDERED, Defendant Holmes' Motion to Sever is DENIED; Defendant Ferguson's Motion to Sever is GRANTED.

Conference at the Bench regarding motions to be filed. Judge noted he will be away and is unable to hear them.

Argument by Ms. Dustin as to the Amended Indictment. Court noted there are the same number of counts and the same number of charges; only property was added.

Argument by Mr. Sullivan as to the large amount of discovery and the short time he has to review it. Ms. DiaGiacomo advised it consists of multiple copies and is all financial. Court noted there should be enough time for review before trial.

Colloquy as to witnesses (80 - 100) and scheduling. COURT ORDERED, TRIAL DATE STANDS; FURTHER ORDERED, the Ferguson trial shall immediately follow this one.

CRIMINAL COURT MINUTES

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Further discussion as to Motions to be filed. Court noted these will be heard the morning of trial.

CUSTODY (COC) (MONROE & FERGASON)

BOND (HOLMES)

5/12/08 9:30 A.M. TRIAL BY JURY (MONROE & HOLMES)

5/20/08 9:30 A.M. TRIAL BY JURY (FERGASON)

05/12/08 09:30 AM 00 TRIAL BY JURY

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Renee Vincent, Reporter/Recorder

PARTIES:

STATE OF NEVADA
006204 Digiacomo, Sandra
009911 Small, Shelly L.

0001 D1 Monroe, Daimon
005984 Hart, Marty
009466 Tramel, Michaela E

Y
Y
Y

Y
Y
Y

11:02 A.M.--Colloquy regarding Deft's last name. Court advised he will have to mention both Monroe and Hoyt due to the publicity generated by the other case. Counsel acknowledged. 11:07 a.m.--Jury venire present. Introductions by Court and counsel. Clerk called roll of the venire; voir dire oath administered. Jury selection commenced. 12:24 p.m.--Fourteen (14) jurors selected. Jury was NOT sworn. Court thanked and excused the remaining venire. Court advised the Jury of scheduling and procedure. Court advised the Jury will be given the oath of service tomorrow morning before trial gets started. 12:33 p.m.--Jury admonished and excused for the day due to other matters that need to be resolved to make the trial run smoother, to return at 9:30 a.m. tomorrow morning. OUTSIDE THE PRESENCE OF THE JURY, colloquy regarding what needs to be done regarding exhibits as there are approximately 1000. 12:36 p.m.--Court adjourned.

CUSTODY (COC)

CONTINUED TO: 05/13/08 09:30 AM 01

CRIMINAL COURT MINUTES

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vs Monroe, Daimon

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05/13/08 09:30 AM 01 TRIAL BY JURY

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Renee Vincent, Reporter/Recorder

PARTIES: STATE OF NEVADA
006204 Digiacomo, Sandra
009911 Small, Shelly L.

0001 D1 Monroe, Daimon
005984 Hart, Marty
009466 Tramel, Michaela E

Y
Y
Y

Y
Y
Y

9:41 A.M.--OUTSIDE THE PRESENCE OF THE JURY, Second Amended Indictment FILED IN OPEN COURT. Mr. Hart advised the State has downloaded information from Deft. Monroe's computer that has schematics and such. Court advised the State cannot argue other burglaries but can put in the schematics to show intent. Court advised the Indictment is lengthy and, instead of having the Clerk read it, he will provide the jurors with copies of the Indictment. Court stated he believes that will limit confusion as to the counts as well. Ms. DiGiacomo advised witness Brent Ingle is undergoing radiation treatment for cancer and cannot come to court. As he is unavailable for trial, Ms. DiGiacomo moved to use his prior testimony. Mr. Hart stated he would prefer to have the witness live, however, he understands the circumstances. COURT ORDERED, a reader will be used to read in the prior testimony. 9:44 A.M.--Jury present. Oath of service administered to the Jury. Court read the opening charge to the Jury. Opening statements by Ms. DiGiacomo and Mr. Hart. Testimony and exhibits presented. (See worksheets.) 12:01 p.m.--Jury admonished and excused for lunch, to return at 1:10 p.m. this afternoon. OUTSIDE THE PRESENCE OF THE JURY, Mr. Hart objected to the officer identifying his client by the orange socks which indicate he is in jail. Mr. Hart moved for a mistrial. Court stated he does not believe any of these jurors were ever in trouble and the orange socks mean nothing to them. COURT ORDERED, mistrial DENIED. 12:03 p.m.--Court adjourned for lunch.

1:15 P.M.--Court reconvened with all present as before. Further testimony and exhibits presented. 4:30 p.m.--Court admonished the Jury and excused them for the evening, to return at 9:30 a.m. tomorrow morning. OUTSIDE THE PRESENCE OF THE JURY, Court ADMONISHED Deft. Monroe regarding his right to not be compelled to testify. Colloquy regarding obtaining toothpaste and shampoo for Deft. 4:37 p.m.--Court adjourned.

CUSTODY (COC)

CONTINUED TO: 05/14/08 09:30 AM 02

CONTINUED ON PAGE: 018

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

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CONTINUED FROM PAGE: 017

05/14/08 09:30 AM 02 TRIAL BY JURY

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiaco, Sandra	Y
009911	Small, Shelly L.	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
009466	Tramel, Michaela E	Y

9:56 A.M.--OUTSIDE THE PRESENCE OF THE JURY, upon inquiry by Ms. DiGiacomo, COURT ORDERED, the State may explain what ROP stands for (Repeat Offenders Program). Court further advised he is going to instruct the Jury on the value issue. 9:57 a.m.--Jury present. Court instructed the Jury regarding value. Further testimony and exhibits presented. (See worksheets.) 11:50 a.m.--Jury admonished and excused for lunch, to return at 1:00 p.m. this afternoon. OUTSIDE THE PRESENCE OF THE JURY, colloquy regarding jury instructions and victim-witnesses. Court adjourned for lunch.

12:58 P.M.--OUTSIDE THE PRESENCE OF THE JURY, Mr. Hart reserved his right to argue his objection regarding the stop and related issues. Court acknowledged. Further testimony and exhibits presented. 3:58 p.m.--There being no further witnesses available, Court admonished the Jury and excused them for the evening, to return at 9:45 a.m. tomorrow morning. OUTSIDE THE PRESENCE OF THE JURY, Mr. Hart renewed his motion to suppress and argued one of the officers' testimony has morphed over time. Mr. Hart argued there was no basis for the car stop as there was no indicia of entry into Just For Kids Dentistry. Ms. DiGiacomo advised this motion has been brought before Judge Wall twice and been denied. Further arguments by counsel. Court advised officers can make a Terry stop if they think something is afoot. Court further advised the Terry stop turned into probable cause in about 5 minutes and officers certainly had a Terry basis for pulling the car over. COURT ORDERED, the defense motion DENIED. Colloquy regarding the jail calls. COURT ORDERED, any reference to Deft. Monroe's prior record and any conversation where Deft. is not present will not come in. Court adjourned for the evening.

CUSTODY (COC)

CONTINUED TO: 05/15/08 09:45 AM 03

CRIMINAL COURT MINUTES

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vs Monroe, Daimon

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05/15/08 09:45 AM 03 TRIAL BY JURY

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Renee Vincent, Reporter/Recorder

PARTIES:

STATE OF NEVADA
006204 Digiacomo, Sandra
009911 Small, Shelly L.

0001 D1 Monroe, Daimon
009466 Tramel, Michaela EY
Y
Y

Y
Y

10:22 A.M.--Deft. not present. Jury present. Court advised Mr. Hart is ill and the trial cannot go forward without him, however, counsel have indicated they will pare down the rest of the case and keep the trial on schedule.
10:24 a.m.--Court admonished the Jury and excused them for the day, to return at 9:15 a.m. tomorrow morning.

10:25 A.M.--Deft. Monroe present. Court advised Mr. Hart is ill and they will be picking up the trial tomorrow. Court advised Juror #6-Mr. Arnold has indicated to the bailiff he recognized a witness yesterday that he worked with 15-18 years ago and has indicated it will not affect him, he just felt it was his duty to inform the Court. Ms. DiGiacomo advised no witnesses indicated they recognized a juror. 10:30 a.m.--Court adjourned for the day.

CUSTODY (COC)

CONTINUED TO: 05/16/08 09:15 AM 04

CRIMINAL COURT MINUTES

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vs Monroe, Daimon

CONTINUED FROM PAGE: 019

05/16/08 09:15 AM 04 TRIAL BY JURY

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Carole D'Aloia (1:05 PM - 5:10 PM), Relief Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiaco, Sandra	Y
009911	Small, Shelly L.	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
009466	Tramel, Michaela E	Y

9:11 A.M.--OUTSIDE THE PRESENCE OF THE JURY, Court stated he understands there has been an agreement regarding the jail calls. Mr. Hart concurred, however, one call he is concerned with is a call regarding 10 "G's" for someone to take a swim and not testify. Ms. Small advised that is regarding the victim Mr. Hung and it is apparent that is who they are talking about. Mr. Hart advised there is another call regarding the media. Ms. DiGiacomo advised the call was regarding what was said on the news and that they stated it was \$2 million worth of stolen property. The call also references Bobby Holmes taking care of one of the storage units. Mr. Hart objected as there is an issue of fact. COURT ORDERED, objection OVERRULED. 9:14 a.m.--Jury present. Further testimony and exhibits presented. (See worksheets.) 12:03 p.m.--Jury admonished and excused for lunch, to return at 1:05 p.m. this afternoon. OUTSIDE THE PRESENCE OF THE JURY, Mr. Hart argued they keep hearing "Repeat Offender Program" and argued further he does not know why there has to be any mention of the SWAT team coming in to serve the search warrants. Court advised this is how they do business and ORDERED, objection OVERRULED. Colloquy regarding witnesses and scheduling. Mr. Hart argued regarding the stuff the State intends to bring in off of the computers and argued there are no burglaries charged and this backdoors in the other bad acts. Court advised, if there is an issue of stolen property and there is not an issue that Deft. Monroe knew or should have known it was stolen, he will sustain the objection and not let it in. Mr. Hart advised he cannot stipulate to that. COURT ORDERED, objection OVERRULED. 12:07 p.m.--Court adjourned for lunch

1:05 PM Jury Trial Continues (Carole D'Aloia, Relief Clerk)

Witness testimony and exhibits admitted continue (see worksheet). At the hour of 5:10 PM, Court admonished the jury for the weekend, instructed them to return Monday at 9:30 AM and, ORDERED, matter CONTINUED.

CUSTODY (COC)

CONTINUED TO: 05/19/08 09:30 AM 05

PRINT DATE: 12/05/08

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MINUTES DATE: 05/16/08

CRIMINAL COURT MINUTES

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vs Monroe, Daimon

CONTINUED FROM PAGE: 020

05/20/08 09:30 AM 06 TRIAL BY JURY

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	006204 Digiacomo, Sandra	Y
	009911 Small, Shelly L.	Y
	0001 D1 Monroe, Daimon	Y
	005984 Hart, Marty	Y
	009466 Tramel, Michaela E	Y

9:38 A.M.--Court reconvened with all present as before. Court advised the Jury of the day's schedule. Further testimony and exhibits presented. (See worksheets.) State and defense rested. Court instructed the Jury. Closing arguments by counsel. Bailiff sworn to take charge of the Jury. Clerk selected two alternates by random drawing: Alternate #1 - Juror #3-Natalia Salman and Alternate #2 - Juror #6-Thurman Arnold. 11:53 a.m.--Jury retired to deliberate.

1:49 P.M.--Court reconvened with all present as before. Jury returned with VERDICTS as follow:

GUILTY of COUNT 1 - CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR TO COMMIT BURGLARY (GM);

GUILTY of COUNTS 2-4, 7-11, 13-17, 22-24, 26 - POSSESSION OF STOLEN PROPERTY VALUE OVER \$2,500.00 (F);

GUILTY of COUNTS 5-6, 12, 18-21, 25, 27 - POSSESSION OF STOLEN PROPERTY VALUE OVER \$250.00 (F).

Jury polled at request of Mr. Hart; 12 affirmed. Court thanked and excused the Jury. OUTSIDE THE PRESENCE OF THE JURY, COURT ORDERED, matter set for sentencing; Deft. Monroe to REMAIN IN CUSTODY WITHOUT BAIL pending sentencing.

CUSTODY (COC)

8-26-08 8:30 AM SENTENCING

CRIMINAL COURT MINUTES

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vs Monroe, Daimon

CONTINUED FROM PAGE: 021

08/07/08 08:30 AM 00 STATE'S MTN FOR RELEASE OF EVIDENCE TO
VICTIMS AND/OR AUCTION BY LVMPD

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Carole D'Aloia, Relief Clerk
Cheryl Carpenter, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiacoimo, Sandra	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
0003 D	Ferguson, Bryan	N
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	Y
005032	Kennedy, Kirk T.	Y

Following arguments by counsel, COURT ORDERED, motion GRANTED to the extent that property belonging to the named victims in the Indictment who testified as the trials of Defendants Monroe and Ferguson be released to said victims. Court advised it received notice from the Division of Parole and Probation (P&P) indicating it needs additional time to complete the Presentence Investigation Reports for Defendants Monroe and Ferguson and, ORDERED, sentencing dates CONTINUED.

CUSTODY (MONROE)

NIC (TREVARTHEN)

CUSTODY (COC-NDC) (FERGASON)

CUSTODY (HOLMES)

CRIMINAL COURT MINUTES

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STATE OF NEVADA

vs Monroe, Daimon

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08/21/08 08:30 AM 00 STATES MTN FOR RELEASE OF PROPERTY/128

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Carole D'Aloia, Relief Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiacomio, Sandra	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
0003 D	Ferguson, Bryan	Y
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	Y
005032	Kennedy, Kirk T.	Y

Mr. Kennedy advised he has no objection to the State's motion. Court noted the objections of Mr. Hart and Ms. Dustin and, ORDERED, motion GRANTED, Ms. DiGiacomo to prepare and submit appropriate Order.

CUSTODY (MONROE AND HOLMES)

NIC (TREVARTHEN)

CUSTODY (COC-NDC) (FERGASON)

CRIMINAL COURT MINUTES

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10/01/08 08:30 AM 00 ALL PENDING MOTIONS 10-1-08

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiacombo, Sandra	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
0003 D	Ferguson, Bryan	Y
008435	Dustin, Cynthia L.	Y

DEFT. MONROE ADJUDGED GUILTY OF COUNT 1 - CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR TO COMMIT BURGLARY (GM), COUNTS 2-4, 8-11, 13-17, 22-24 & 26 - POSSESSION OF STOLEN PROPERTY VALUE OVER \$2,500.00 (F) and COUNTS 5, 6, 12, 18-21, 25 & 27 - POSSESSION OF STOLEN PROPERTY VALUE OVER \$250.00 (F). Certified copies of three prior convictions marked and admitted. Matter argued and submitted. Court FINDS Deft. Monroe to be an HABITUAL CRIMINAL. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee and \$150.00 DNA Analysis fee including testing to determine genetic markers, Deft. SENTENCED as follows:

Count 1 - to TWELVE (12) MONTHS in the Clark County Detention Center;
Count 2 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);
Count 3 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);
Count 4 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);
Count 5 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);
Count 6 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);
Count 7 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);
Count 8 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);
Count 9 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);
Count 10 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);
Count 11 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);
Count 12 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);
Count 13 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs. Monroe, Daimon

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Count 14 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC).

Counts 1-14 to be served CONCURRENTLY with each other.

Count 15 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);

Count 16 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);

Count 17 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);

Count 18 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);

Count 19 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);

Count 20 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);

Count 21 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);

Count 22 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);

Count 23 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);

Count 24 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);

Count 25 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);

Count 26 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);

Count 27 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC).

Counts 15-27 to be served CONCURRENTLY with each other but CONSECUTIVELY to Counts 1-14.

Said sentence to be served CONSECUTIVELY to case C227874 with ZERO DAYS credit for time served. BOND, if any, EXONERATED.

DEFT. FERGASON ADJUDGED GUILTY OF COUNT 1 - CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR TO COMMIT BURGLARY (GM), COUNTS 2, 5, 6, 12, 18-21, 25 & 27 - POSSESSION OF STOLEN PROPERTY VALUE \$250.00 OR MORE (F) and COUNTS 4, 7, 8-11, 13-17, 22-24 & 26 - POSSESSION OF STOLEN PROPERTY VALUE \$2,500.00 OR MORE. Certified copies of five prior convictions marked and admitted. Matter argued and submitted. Court FINDS Deft. Fergason to be an HABITUAL CRIMINAL. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee and \$150.00 DNA Analysis fee including testing to determine genetic markers, Deft. SENTENCED as follows:

Count 1 - to TWELVE (12) MONTHS in the Clark County Detention Center;

Count 2 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 4 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 5 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

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Count 6 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 7 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 8 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 9 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 10 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 11 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 12 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 13 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 14 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC).

Counts 1, 2 and 4-14 to be served CONCURRENTLY with each other.

Count 15 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 16 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 17 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 18 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 19 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 20 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 21 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 22 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 23 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 24 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 25 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 26 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 27 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC).

Counts 15-27 to be served CONCURRENTLY with each other but CONSECUTIVELY to Counts 1, 2 and 4-14.

Said sentence to be served CONSECUTIVELY to case C227874 with ZERO DAYS credit for time served. BOND, if any, EXONERATED.

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At request of counsel, COURT ORDERED, Mr. Hart and Ms. Dustin APPOINTED on appeal.

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EXHIBITS

7:58 AM
CASE STATUS: REOPENED

STATE OF NEVADA

[] vs Monroe, Daimon

[E]

NO.	CODE	EXHIBIT DESCRIPTION	SUB	OF/OB	DATE	S
0001	PG	/GRAND JURY EXHIBITS (189)		/	03/01/07	V
0002	P1	/LARGE COLOR PHOTOGRAPH AERIAL		AD/NO	05/14/08	V
0003	P2	/LARGE COLOR PHOTOGRAPH AERIAL		AD/NO	05/16/08	V
0004	P3	/LARGE COLOR PHOTOGRAPH AERIAL		AD/NO	05/13/08	V
0005	P4-19	/LARGE COLOR PHOTOGRAPH		AD/NO	05/13/08	V
0006	P20	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0007	P21	/LARGE COLOR PHOTOGRAPH		AD/NO	05/13/08	V
0008	P22	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0009	P23	/LARGE COLOR PHOTOGRAPH		AD/NO	05/13/08	V
0010	P24	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0011	P25	/LARGE COLOR PHOTOGRAPH		AD/NO	05/13/08	V
0012	P26	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0013	P27	/LARGE COLOR PHOTOGRAPH		AD/NO	05/13/08	V
0014	P28	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0015	P29	/LARGE COLOR PHOTOGRAPH		AD/NO	05/13/08	V
0016	P30	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0017	P31	/LARGE COLOR PHOTOGRAPH		AD/NO	05/13/09	V
0018	P32-35	/LARGE COLOR PHOTOGRAPH		AD/NO	05/14/08	V
0019	P36	/LARGE COLOR PHOTOGRAPH		AD/OB	05/16/08	V
0020	P37-40	/LARGE COLOR PHOTOGRAPH		AD/NO	05/16/08	V
0021	P41-52	/LARGE COLOR PHOTOGRAPH		AD/NO	05/13/08	V
0022	P53-54	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0023	P55	/LARGE COLOR PHOTOGRAPH		AD/OB	05/19/08	V
0024	P56	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0025	P57	/LARGE COLOR PHOTOGRAPH		AD/NO	05/13/08	V
0026	P58-61	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0027	P62-67	/LARGE COLOR PHOTOGRAPH		AD/NO	05/13/08	V
0028	P68-74	/LARGE COLOR PHOTOGRAPH		AD/NO	05/14/08	V
0029	P75-77	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0030	P78-90	/LARGE COLOR PHOTOGRAPH		AD/NO	05/14/08	V
0031	P91-17/1)	LARGE COLOR PHOTOGRAPH		AD/NO	05/13/08	V
0032	P172-1/78)	LARGE COLOR PHOTOGRAPH		AD/NO	05/14/08	V
0033	P179	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0034	P180-2/10)	LARGE COLOR PHOTOGRAPH		AD/OB	05/14/08	V
0035	P211	/LARGE COLOR PHOTOGRAPH		AD/OB	05/19/08	V
0036	P212	/LARGE COLOR PHOTOGRAPH		AD/NO	05/14/08	V
0037	P213	/LARGE COLOR PHOTOGRAPH		AD/OB	05/19/08	V
0038	P214	/4 SMALL COLOR PHOTOGRAPHS		AD/NO	05/14/08	V
0039	P215-2/18)	LARGE COLOR PHOTOGRAPH		AD/NO	05/14/08	V
0040	P219	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0041	P220-2/21)	LARGE COLOR PHOTOGRAPH		AD/NO	05/14/08	V
0042	P222	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0043	P223-2/29)	LARGE COLOR PHOTOGRAPH		AD/NO	05/14/08	V
0044	P230	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0045	P231-2/33)	LARGE COLOR PHOTOGRAPH		AD/NO	05/14/08	V
0046	P234	/LARGE COLOR PHOTOGRAPH		AD/NO	05/14/08	V
0047	P235	/LARGE COLOR PHOTOGRAPH		AD/NO	05/14/08	V
0048	P236-2/43)	LARGE COLOR PHOTOGRAPH		AD/NO	05/13/08	V
0049	P244	/LARGE COLOR PHOTOGRAPH		AD/NO	05/14/08	V
0050	P245	/LARGE COLOR PHOTOGRAPH		AD/NO	05/13/08	V
0051	P250	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0052	P251-5/75)	PHOTO ADMITTED DATES 5/13-20		AD/NO	05/20/08	V

12/05/08
CASE NO. 06-C-228752-C

E X H I B I T S

7:58 AM
CASE STATUS: REOPENED

STATE OF NEVADA

[] vs Monroe, Daimon

[E]

NO.	CODE	EXHIBIT DESCRIPTION	SUB	OF/OB	DATE	S
0053	P576	/EVENT HISTORY REPORT (ANKEE CRYSTAL PALA		AD/NO	05/13/08	V
0054	P577	/EVENT HISTORY RPT (LUST FOR KIDS DNTSRY		AD/NO	05/13/08	V
0055	P578-8/71)	PHOTOS ADM 5/13-20		AD/NO	05/20/08	V
0056	P872	/SELF STORAGE RETAN AGREEMENT (DUPLICATE)		/	99/99/99	V
0057	P873	/COPY OF NV DRIVER'S LICENSE		/	99/99/99	V
0058	P874	/SELF STORAGE RENTAL AGREEMENT		AD/NO	05/14/08	V
0059	P875-9/73)	PHOTOS ADMITTED 5/13-20		AD/NO	05/16/08	V
0060	P974	/SMOKE RANCH JONES RENTAL AGREEMENT		AD/NO	05/14/08	V
0061	P975-9/84)	PHOTOS ADMITTED 5/13-20		AD/NO	05/16/08	V
0062	P985-9/88)	PHOTOS NOT ADMITTED		/	99/99/99	V
0063	P989-1/033)	PHOTOS ADMITTED 5/13-20		AD/NO	05/19/08	V
0064	P1034-/1035)	RED ROCK SELF STORAGE RECEIPTS		AD/NO	05/16/08	V
0065	P1036-/1088)	PHOTOS ADMITTED 5/13-20		AD/NO	05/16/08	V
0066	P1089	/STORAGE WEST RENTAL AGREEMENT		AD/NO	05/14/08	V
0067	P1090	/LARGE B & w PHOTOS OF RENTAL PAPERWORK		AD/NO	05/14/08	V
0068	P1091-/1128)	PHOTOS ADMITTED 5/13-20		AD/NO	05/16/08	V
0069	P1129	/BINDER		AD/OB	05/16/08	V
0070	P1130-/1155)	PHOTOS ADMITTED 5/13-20		AD/NO	05/16/08	V
0071	P1156-/1180)	PHOTOS		/	99/99/99	V
0072	P1181	/CALL LOG		AD/NO	05/19/08	V
0073	P1181A/CD	CALLS (1-12)		AD/NO	05/19/08	V
0074	P1181B/CD	CALLS (12A-19)		AD/OB	05/19/08	V
0075	P1181C/CD	CALLS (20-25)		AD/OB	05/19/08	V
0076	PCT1	/QUESTION FROM JUROR #10		/	05/14/08	V
0077	PCT2	/QUESTION FROM #1		/	05/14/08	V
0078	PCT3	/QUESTION FROM #4		/	05/19/08	V
0079	PCT4	/QUESTION FROM #?		/	05/19/08	V
0080	P	/*NEXT*TRAIL SEE LIST, SAME EXHIBITS USED		/	99/99/99	V
0081	P-	/******NEW EXHIBITS ADDED*****		/	99/99/99	
0082	DA	/ACTIVITY REPORT UNIT 247		AD/NO	05/22/08	V
0083	DB	/ACTIVITY REPORT UNIT 253		AD/NO	05/22/08	V
0084	PCT-1	/QUESTION FROM JUROR #7		/	05/23/08	V
0085	PCT-2	/QUESTION FROM JUROR #4		/	05/27/08	V
0086	PCT-3	/QUESTION FROM JUROR #4		/	05/27/08	V
0087	PCT-4	/QUESTION FROM JUROR #7		/	05/27/08	V
0088	PCT-5	/QUESTION FROM JUROR #3		/	05/27/08	V
0089	PCT-6	/QUESTION FROM JUROR #4		/	05/27/08	V
0090	PCT-7	/QUESTION FROM JUROR #10		/	05/28/08	V
0091	P-1-3	/CERT COPY OF JOC'S (MONROE)		AD/NO	10/01/08	V
0092	P-4-8	/CERT COPY OF JOC'S (FERGASON)		AD/NO	10/01/08	V

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

BRYAN FERGASON A/K/A BRYAN MICHAEL FERGASON,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

Supreme Court No. 52877
District Court Case No. C228752

RECEIPT FOR DOCUMENTS

TO: Law Offices of Cynthia Dustin, LLC and Cynthia L. Dustin
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Edward A. Friedland , District Court Clerk

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

12/05/08 Filing Fee Waived: Criminal.

12/05/08 Filed Certified Copy of Notice of Appeal.
Appeal docketed in the Supreme Court this day. (Docketing statement mailed to counsel
for appellant.)

DATE: December 05, 2008

Tracie Lindeman, Clerk of Court